

**Marshville Town Council
Regular Meeting
7:00 P.M. Monday, November 3, 2008
Marshville Town Hall
201 West Main St., Marshville, NC**

Present: Mayor Franklin D. Deese, Mayor Pro-Tem Gail Kiker, Council Members Ned Beachum, Margaret Bivens, Dora Bridget and Denise Whitley, Attorney Bobby Griffin, Town Administrator Carl Webber, Town Clerk/Finance Officer Shelley Maness.

Mayor Deese opened the meeting at approximately 7:00 p.m. and welcomed everyone in attendance. Council Member Bivens gave the invocation. All gave the Pledge of Allegiance.

Public Comments:

There were no public comments.

Adopt Agenda:

Council Member Whitley made a motion to add to the agenda a discussion with Larry Laney regarding his water account, seconded by Council Member Bivens. Vote: All Ayes. (Added as Item #4)

Council Member Bivens made a motion to add to the agenda a discussion with Centralina COG regarding an amendment to the Land Use Ordinance, seconded by Council Member Bridget. Vote: All Ayes. (Added as Item #6)

Council Member Whitley made a motion to adopt the agenda as amended, seconded by Council Member Beachum. Vote: All ayes.

Discuss Larry Laney water account. TA Webber reminded Council that it was discovered that for many years the usage on Mr. Laney's meter was being charged to Mr. Kenneth Phifer's account and vice versa. Mr. Phifer had paid more and Mr. Laney had paid less than what was actually owed. Mr. Laney was asked to make up the difference for the most recent three years, as per the Statute of Limitations, in the amount of \$986.12. Mr. Laney appeared before Council and asked if they would accept \$500.00 to close out the matter. Attorney Griffin was not certain if Council could legally release such debt since the debt appeared to be legitimate. After further discussion, Council Member Whitley made a motion to table the matter and direct staff not to disconnect service on the account as long as the current amounts were paid, seconded by Council Member Bivens. Vote: All Ayes.

Consider making the Community Center available on Saturdays from 10:00 a.m. until 2:00 p.m. for tutoring – Mr. Ernest Lee. Mr. Lee was not in attendance. Mayor Deese reminded Council of Mr. Lee's request to use the Community Center for tutoring services. Mayor Deese said that he wanted to make sure the school was involved.

Council Member Bivens asked if Old Town Hall could be rented for meetings. TA Webber said that he would include that discussion on a future agenda. Mayor Deese asked Council Member Beachum to provide an update on the museum at that time.

Council Member Whitley pointed out that the department heads may have reports for Council.

PD Thifault said that he had received prices for fencing at the new park, but there was no money in the budget. He said that BBQ grills had been installed and he would like to have a ribbon cutting ceremony and have Council name the new park. He said he anticipated having the park complete by the end of November. PD Thifault noted he had received several complaints regarding the skate park and that it was temporarily closed as a result. PD Thifault said that the Athletic Association Cheerleaders and several other organizations were hoping to use the Community Center in the near future for various events.

Council Member Bridget asked PD Thifault if he had any ideas for a small shelter at the new park. PD Thifault said yes and he hoped to do a lot more in next year's budget.

Council Member Bivens said that she had heard good reviews about the new park and everybody seemed to be excited about it.

DPW Steele reviewed a quarterly report that he had distributed to Council. He noted that Christmas lights were being installed and should be done before the annual Christmas parade. Leaf pickup would begin that week. DPW Steele also reported that fire hydrants were being tested and some may have to be replaced which could cause a change in water pressure during that time.

Council Member Whitley made a motion to excuse PD Thifault and DPW Steele from the remainder of the meeting, seconded by Council Member Bivens. Vote: All ayes.

Consider Agreement with TekCollect for collection of delinquent accounts – Ms. Susan Rackcliff. Ms. Rackcliff gave an overview of the collection services offered by TekCollect, noting that the Town would see a 400% return on its investment. She noted some local companies that use their services, including Autumn Care and Wingate University, but the company did not currently serve any municipalities in North Carolina. Council Member Whitley wanted to give Clerk/Finance Officer Maness the opportunity to try to collect delinquent accounts in house and using the Debt Setoff program. In response to the \$6,200 proposed cost, Council Member Bivens did not see how the service could be beneficial to a Town the size of Marshville. Mayor Deese thanked Ms. Rackcliff and said that he and Council would communicate with staff to determine what could be done in house.

Consider amending the Land Use Ordinance – Centralina COG. Mr. Greg Francis with Centralina COG reminded Council that the current Land Use Ordinance did not address multi-family units. He noted that 22 hours had already been spent on the process of developing an amendment to the ordinance, but more time would be required such that a supplemental contract was necessary. The process would include bringing a draft text to the Planning Board to get their input and the cost would be approximately \$4,600 and the use of 15 member hours. Mayor Deese explained that the existing language was not practical and there were no aesthetic or architectural standards. Attorney Griffin commented that this is part of the planning process and other towns are doing similar things. After some discussion, Council Member Bivens made a

motion to table the matter until the next meeting, seconded by Mayor Pro-Tem Kiker. Vote: All ayes.

Consider appointment of ETJ Representative to Planning Board/Board of Adjustment. TA Webber informed Council that Mr. Jerry Powell had written a letter offering to serve on the Planning Board/Board of Adjustment. Council Member Whitley made a motion to appoint Jerry Powell to the Marshville Planning Board/Board of adjustment, seconded by Council Member Bivens. Vote: All ayes.

Consider reverting back to one work session and one voting meeting per month. Council Member Beachum asked Council to consider reverting back to one work session and one voting meeting per month in order to allow more time to think about issues and do research before making decisions. Mayor Pro-Tem Kiker felt doing so would be taking a step backwards and acknowledged that issues can always be tabled. Council Member Whitley concurred with Mayor Pro-Tem Kiker, noting that each Council Member should respect requests to table matters. It was the general consensus of Council to continue as is, with two voting meetings per month.

Establish a joint Marshville/Wingate Strategic Planning Committee as described in Economic Development Study Report. Mayor Deese said that he had talked with Wingate's Mayor Deese and the two agreed that each town would have three representatives to serve on the Strategic Planning Committee as suggested by Greenfield. Mayor Deese said that, in addition to himself, he would like to have TA Webber and Council Member Whitley serve on the committee. He asked all Council Members to consider which committees they would like to serve on. Council Member Bivens made a motion to accept the committee members proposed by Mayor Deese to serve on the Strategic Planning Committee, seconded by Mayor Pro-Tem Kiker. Vote: All ayes.

Consider GPS vehicle tracking and reporting agreement with NavTrak. TA Webber said that a Council Member had previously mentioned looking into GPS tracking systems for town vehicles. He noted that the Town of Wingate was taking part in a 60-day free trial offer from a company that provides the service. The same free trial offer was available to the Town, but TA Webber felt that the Town should only take advantage of the offer if it was something that Council would likely move forward with. He said that the equipment would cost \$500 per unit in addition to a monthly service fee with a 36-month agreement. Council decided to wait to see how it worked for Wingate and consider the issue at budget time

Progress report on Background investigations on Police Applicants. TA Webber said that all four applicants had completed the required documents and final reports were expected to be available by the end of the week. He said that the Hiring Committee may want to consider meeting soon.

Comments

Mayor Pro-Tem Kiker, Council Member Beachum and Council Member Bridget had no comments.

Council Member Whitley said that she had attended the Habitat House dedication and a plaque was presented to the Town for its support.

Council Member Bivens mentioned a drainage problem on Hallman Drive off of Phifer Street.

C/FO Maness had no comments.

TA Webber informed Council that the Ag Center had been secured for December 5th at 7:00 p.m. for the Town Christmas party. He clarified with Council that all Town staff, Council Members, Planning Board Members and guests of each would be invited to the Christmas party.

CM Whitley mentioned that she saw on the website that a Veteran's Memorial service would be held at the Memorial on Tuesday, November 11th at 11:00 a.m.

TA Webber reminded Council that the Rules of Procedure Workshop would be held on November 13th in Montgomery County.

Mayor Deese reminded everyone to vote on Election Day.

There being no further comments, the meeting was adjourned at approximately 8:45 p.m.

These minutes approved this ____ day of _____, 2008.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk