

**Marshville Town Council
Regular Meeting
7:00 P.M. Monday, December 8, 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, Police Chief Mike Gaddy and Director of Public Works Bivens Steele.

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 regarding sewer line on Old Highway 74 to serve First Baptist Church, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes. (Added as Item #6)

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

Consent Agenda:

The consent agenda included only the approval of the minutes from the November 17, 2008 meeting. Council Member Whitley made a motion to approve the consent agenda as presented, seconded by Council Member Bivens. Vote: All ayes.

Introduction of New Police Officers – Chief Gaddy. Chief Gaddy introduced Officer Steve Sawyers to the Council. Chief Gaddy said that Officer Sawyers was previously employed by Monroe City Police and had just completed his qualification for the Town of Marshville. Council welcomed Officer Sawyers aboard. Chief Gaddy introduced Officer Julio Navarro and reported that he had begun full-time duty the previous Friday. Council welcomed back Officer Navarro. Chief Gaddy noted that Officer Stuart Chaffin was not available for introduction because he was attending a benefit for a family member with a terminal illness.

Discuss Sewer Line on Old Highway 74 to serve First Baptist Church. DPW Steele explained that the Town must submit an application for a sewer extension permit in order to provide service to First Baptist Church. He said that the Town would also have to sign a standard third-party agreement with NCDOT to authorize the installation of a sewer line in their right-of-way. The agreement would also indicate that the Town will own and maintain the sewer line. DPW Steele said that the agreement should arrive by the end of the week and that the Mayor usually

signs such forms. Council Member Bridget made a motion to allow the Mayor Deese to sign such paperwork when it arrives so as to not delay the project, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes.

Council thanked DPW Steele for the great job his department did with the Christmas lights.

Presentation by Union County Animal Control – Sgt. Tony Rushing, UCSO. Sgt. Rushing was not present.

Carolina Thread Trail Presentation – Travis Morehead, AICP. Mr. Travis Morehead presented a video to Council that described the vision of the Carolina Thread Trail project. The project is planned to be a network of trails and greenways covering 15 counties across North and South Carolina for the purpose of walking, biking, commuting and enjoying. The Carolina Thread, a non-profit organization, will also provide grants for land conservation along the trail system. Mr. Morehead asked the Town to endorse a resolution of support of the Carolina Thread Trail project. He clarified that by adopting the resolution the Town was not committing any funds, but simply showing support for the concept of the trail and preserving land and nature. Council Member Whitley made a motion to approve the resolution of support for the Carolina Thread Trail as presented, seconded by Council Member Bivens. Vote: All ayes.

Mayor Deese called for a 2-minute recess at approximately 7:45 p.m. The meeting reconvened at approximately 7:48 p.m.

Consider Resolution adopting Draft Comprehensive Transportation Plan (CTP) as developed by NCDOT. TA Webber noted that there had been a public input workshop and a public hearing for the draft Comprehensive Transportation Plan. He also stated that General Statutes require a plan for the development of a coordinated transportation system. TA Webber said that he did ask a NCDOT representative if the plan could show multiple proposed routes for the bypass as some citizens had requested. He was told that the plan must have only one conceptual route. Mayor Pro-Tem Kiker said that she had received several phone calls from citizens concerned that they will have to sell their homes. Mayor Deese reminded everyone that the bypass shown on the map was just a concept and that the actual location would be determined at a later time. He noted that Council Members would get phone calls, but the CTP was something that had to be done. Council Member Whitley made a motion to approve the resolution that has been developed by the NCDOT for the Comprehensive Transportation Plan, seconded by Council Member Bivens. Vote: All ayes.

Consider adoption of Sensitive Information Policy. TA Webber explained that as part of the Federal Trade Commission's Identity Theft Red Flag requirements the Town must adopt a Sensitive Information Policy and distribute copies to all Town employees. As part of the agreement with Southern Defense Agency, a template of such of policy was provided to the Town. TA Webber said that he had modified the policy to pertain to a local government. Attorney Griffin said that he had briefly reviewed the draft policy. Council Member Whitley made a motion to adopt the Sensitive Information Policy as presented, seconded by Council Member Bridget. Vote: All ayes.

Consider Hambrick Street Traffic Study Report related to Speed Hump Petition. TA Webber reviewed the Traffic Study Report for Hambrick Street. He noted that a study was done on each end of the street. The report showed that on one end of the street 92.3 percent of vehicles

exceeded the posted speed limit of 25 mph with the mode speed being 35 mph. The average daily traffic count was 364 with 2.32 percent of those vehicles traveling in excess of 55 mph. On the other end of the street, 56.5 percent of vehicles exceeded 25 mph speed limit, but the mode speed was 25 mph. The average daily traffic count was 136 with 1.21 percent of those vehicles traveling in excess of 55 mph. Council Member Bridget made a motion to direct staff to find an appropriate location for two speed humps and install them on Hambrick Street, seconded by Council Member Bivens. Vote: All ayes.

Consider joint Marshville/Wingate application under North Carolina Local Government Service Corps program for staffing to administer Marshville/Wingate Joint Economic Development program. TA Webber informed Council that the Town, along with the Town of Wingate, could submit an application to the North Carolina Local Government Service Corps program and, if granted, an MPA graduate would be designated to help administer the Marshville/Wingate Joint Economic Development program. TA Webber noted that the Town must be willing to contribute up to 20% of the salary per year for two years. He did not know what that amount would be but he estimated that it would be approximately \$7,000 per year per Town. TA Webber said that the deadline to apply was January 16, 2009, the program would begin in July 2009 and the first payment would be due September 1, 2010. Council Member Bridget made a motion to direct Administrator Webber to, in a joint effort with the Town of Wingate, apply for the grant under the North Carolina Local Government Service Corps and to authorize the Mayor to sign related documents, seconded by Council Member Bivens. Council Member Beachum was concerned about committing an unknown amount of funds. After further discussion, Council Member Bridget amended her motion to direct staff to move forward with the application process and bring back to Council information regarding the salary amount before submitting the application. Council Member Bivens confirmed her second to the amended motion. Vote: All ayes.

Release property taxes per report from Tax Collector. TA Webber reviewed the proposed tax releases as prepared by Tax Collector Carolyn Haigler. He explained that taxes owed from 1997 totaling \$285.52 have met the Statute of Limitations for collections and must be released per G.S. 105-378. He also explained that it has been the Town's policy to release any tax bill that is less than one dollar as the cost to prepare and mail the bill exceeds the tax amount. The cumulative amount of the 22 tax bills that were less than one dollar equaled \$13.08. The tax collector was notified by Union County that Marshville Plaza Properties' tax value was incorrect and therefore, the Town would need to release \$1,009.59 to correct. Also proposed to be released was a \$1.41 tax bill for a property with an unknown owner.

It was noted that Council Member Bivens was included in the list of property owners owing less than one dollar in taxes. She asked that Council not release the \$0.84 taxes owed in her name. Mayor Pro-Tem Kiker made a motion to remove Parcel #02-315-046 (Max & Margaret Bivens) from the list of tax releases for bills less than one dollar, seconded by Council Member Whitley. Vote: All ayes. (Council Member Bivens did not vote.)

Mayor Pro-Tem Kiker made a motion to release the taxes as proposed with the exception of the item just removed, seconded by Council Member Bridget. Vote: All ayes.

Discuss Animal Control. Mayor Pro-Tem Kiker felt that the animal control issue needed to be discussed even though the animal control officer had not shown up for the meeting. Council Member Whitley said that she was concerned about pit bulls and animal abuse in the area. She wanted to get more information on banning dogs. Mayor Pro-Tem Kiker said that she was sure

there were some people that own pit bulls and take care of them, but most pit bull owners did not. She agreed that pit bulls needed to be outlawed in the city limits. Council Member Bivens said that some residents are scared to walk to their mailboxes for fear that they may be attacked by a vicious dog. She concurred that something needed to be done and asked that TA Webber provide them with information about outlawing pit bulls/vicious dogs inside the city limits. Attorney Griffin asked if the Town was willing to hire its own animal control officer, because the County's officer would not be able to patrol the city limits to the extent that Council seemed to desire. Council Member Bivens made a motion to direct TA Webber to get information about outlawing pit bulls in town and to determine if any animal can be excluded from city limits, seconded by Council Member Whitley. Vote: All ayes.

Comments

Council Member Beachum said that it was a great honor to have Attorney Griffin named "Man of the Year" for Union County. He also said that the Christmas Party was nice, but was disappointed in the participation. He said he would like to see more people there next year. Council Member Beachum said that the Town looked great with all the Christmas decorations up.

Mayor Pro-Tem Kiker concurred with Council Member Beachum's comments.

Council Member Bridget congratulated Attorney Griffin and wished everyone a very merry Christmas and a happy New Year.

Council Member Whitley had no comments.

Council Member Bivens asked if cemeteries were considered historic properties and wondered if the Town could provide assistance in maintaining them. TA Webber explained that the cemetery referenced by Council Member Bivens was not owned by the Town and was located outside city limits and therefore the Town could not maintain the property.

C/FO Maness said that she had received a significant number of applications for the tax collector position. Council agreed that the deadline for applications should be set for December 19th.

TA Webber thanked Council for hosting the employee Christmas Party.

There being no further comments, the meeting was adjourned at approximately 9:00 p.m.

These minutes approved this ____ day of _____, 2009.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk