

**Marshville Town Council Regular Meeting
7:00 P.M. Monday, June 4, 2007
Marshville Town Hall
201 West Main Street, Marshville, NC**

Present: Mayor Franklin D. Deese, Mayor Pro-Tem Dora Bridget, Council Members Ned Beachum, Margaret Bivens, Doug High, Jr., and Gail Kiker, Attorney Bobby Griffin, Director of Public Works Bivens Steele, Town Administrator Carl Webber, Park Director Alan Thifault, Police Chief Mike Gaddy, and Town Clerk/Finance Officer Shelley Maness.

Mayor Deese called the meeting to order at 7:00 p.m. and welcomed everyone in attendance. Council Member Beachum gave the invocation. All gave the Pledge of Allegiance.

There were no public comments.

Department Head Comments:

PD Thifault reported that summer camp is at full registration and he currently has 11 camp counselors. There were no objections from Council regarding PD Thifault's suggestion to use the Museum during inclement weather when the Community Building is not available due to aerobics or GED classes. PD Thifault requested approval to purchase 2 soccer goals to be used by children age 12 and under. He stated that the goals would be used on Field 1 and can be easily moved when needed. There were no objections. PD Thifault confirmed that the new irrigation system at the Veterans Memorial Park is up and running.

DPW Steele stated that his department has been busy with regular sidewalk maintenance. He noted that there are plans to add 15 feet of sidewalk on West Phiher to connect with Autumn Care. DPW Steele also pointed out that the new benches have been chained down and fire hydrants are being painted. DPW Steele concluded by stating that the sewer work has been completed.

Chief Gaddy informed Council that a new car purchased with Governor's Highway Safety Grant funds had been picked up. The car is a slick top, but will be "marked". Chief Gaddy conveyed that the Police Department has been busy getting a lot of cases cleared up.

Adopt Agenda:

At the recommendation of TA Webber, Mayor Pro-Tem Bridget made motion to add to the agenda a request to approve the Church Street sidewalk bid, second by Council Member High. Vote: All Ayes.

Council Member Bivens made motion to approve the agenda as amended, second by Council Member High. Vote: All Ayes.

Consent Agenda:

The consent agenda included only the minutes from the May 21, 2007 meeting. Council Member High made motion to approve the consent agenda, second by Council Member Beachum. Vote: All Ayes

Request to approve bid for the Church Street sidewalk project. TA Webber affirmed that two contractors had been contacted to bid on the job, with only one responding. Mayor Pro-Tem Bridget made motion to award the contract to Hall Concrete Construction at the base bid amount of \$28,000 plus two add-on items for an additional \$5,800, subject to right-of-way, Council Member High second. Vote: All Ayes.

Receive Certificate of Sufficiency from Clerk regarding Petition for Voluntary Annexation Earl James, Et al., set date and time of Public Hearing as required in NCGS 160A-31(c). Council was presented with the Certificate of Sufficiency from the Clerk. TA Webber noted that the next step is to fix a date for a public hearing on the question of annexation. Mayor Pro-Tem Bridget made motion to receive the Certificate of Sufficiency from the Clerk, to set the date and time of the public hearing for June 18, 2007 at 7:00 p.m. and to direct the Administrator to send out appropriate notices of the public hearing, second by Council Member High. Vote: All Ayes.

Request that Planning Board consider assigning RC-80 zoning to property subject to annexation petition in order to limit development and impact on sewer capacity. TA Webber announced that there have been some concerns regarding the development of the property to be annexed. Council may want to consider a less dense zoning of RC-80, which would restrict development to no more than five houses on the 11-acre tract. Council Member Kiker made motion to send a recommendation to the Planning Board to consider assigning RC-80 zoning to the property, second by Bivens. Vote: All Ayes.

Review and approve Transportation Projects letter to NCDOT Division Engineer Barry Moose. TA Webber reviewed a letter that he prepared asking NCDOT to assist the Town with the transportation improvements previously prioritized by Council. He pointed out that the improvements all involve state-system roads. Mayor Pro-Tem Bridget made motion to approve the transportation letter and direct the Town Administrator to send it to Mr. Barry Moose, second by Council Member Beachum. Vote: All Ayes.

Discuss revision to policy prohibiting simultaneous employment of “members of an immediate family”. Chief Gaddy clarified his reason for bringing the issue to Council as simply being “fair” to the applicant. He wanted to confirm Council’s position on the matter before moving forward in the hiring process. TA Webber presented Council an alternative, less restrictive policy that would allow members of an immediate family to be simultaneously employed by the Town so long as the family members are not employed within the same department or subject to the direct supervision of a family member. There was considerable discussion on the matter. Mayor Deese reminded Council that it is their duty to “consider” changing policies at certain points in time and determine what is necessary at that time. He added that Council could make changes at any point in time regardless of when the policy was implemented or last changed. Council Member Kiker made motion to leave the policy as it is, second by Council Member Bivens. Motion passed 3 to 2 with Council Members Bridget and High voting nay.

Discuss resolution in support of legislation to increase the number of Commissioners on the Union County Board of Commissioners and /or support district representation. Mayor Deese felt that it would be more appropriate to do a resolution instead of a letter as previously decided upon. Council Member Beachum voiced his concern that Marshville may get left out if there is not district representation. Mayor Deese agreed that if representation were based on population it would not be beneficial to Marshville. Bobby Griffin stated that the resolution is just an effort to get “district representation” on the ballot. The general consensus of Council was to move forward with the resolution.

Discuss proposed budget; set date(s) for special meeting(s) for budget; set date & time for Public Hearing on budget. TA Webber announced that a date and time must be set for a public hearing on the proposed budget. TA Webber went on to say that the hearing must be no earlier than 10 days after budget is presented but prior to July 1st. Mayor Deese suggested holding the public hearing on June 18th with budget discussions immediately following in the regularly scheduled meeting. Council Member Beachum moved to schedule a public hearing on the proposed budget to be conducted on June 18, 2007 at 7:00 p.m. and direct the Town Administrator to send out proper notices, second by Council Member Bivens. Vote: All Ayes. Mayor Deese encouraged Council to meet with TA Webber if there were any questions regarding the budget.

Comments:

There were no comments from Mayor Pro-Tem Bridget, Council Members Beachum, High and Kiker, or Clerk/Finance Officer Maness.

Council Member Bivens reported that the Beautification Committee had received benches and that DPW Steele already had them chained down throughout town. She further reported that the “Yard of the Month” is still to be determined for the month of June.

TA Webber informed Council that he had prepared a notice to be published regarding the lease of Town-owned property. The notice states that the lease would be a one-year term with a rate of \$475 per month for the first six months and \$490 per month for the remaining six months. TA Webber stated that \$475 is what the previous tenant was paying. Council Member Bivens made motion to authorize TA Webber to execute the lease and public notice, second by High. Vote: All Ayes. Mayor Deese confirmed that if the lease were requested for more than one year TA Webber would bring it back to Council.

TA Webber also reported that he has a Historic Properties application for approval pertaining to the Cemetery gazebo, which includes replacing damaged wood, painting, and removing and replacing shingles. The application was to be delivered to Council Member Bivens that night. TA Webber further informed Council that Allied Waste Service has sent notice of Senate Bill 1492 (Solid Waste Management Act of 2007). TA Webber pointed out one area of concern being the establishment of a \$2 tax per ton of waste. TA Webber made contact with Senator Goodall’s office earlier in the day and determined that the bill was still in the Agricultural, Environment and Natural Resources subcommittee. The League is very concerned about the implications for its member governments across the state. This would have a significant impact on how much the Town will pay. DPW Steele guessed that the Town sends around 800 tons

per year to the landfill. TA Webber explained that, given that amount, it would cost the Town an additional \$1,600 per year to satisfy the tax.

TA Webber and Mayor Deese attended a Small Town Development workshop last month. The Town may apply for the project, which provides technical assistance, not funding, for any downtown plans Council may have.

TA Webber stated that, per conversation with Greg Francis, Land-Use Administrator, the folks from CVS have applied for their land-use zoning permit on the Main Street project and the process is in review.

Mayor Deese announced that the Union County Board of Elections would hold a mandatory treasurers meeting on June 20, 2007 for anyone up for election. The filing period begins July 6th and ends on July 20th. The filing fee is \$5.00.

Mayor Deese reported that the Town had received a check from Randy Travis. Mayor Deese had attempted to open the lines of communications with Mr. Travis, but had not spoken to him personally. Mayor Deese planned to continue his efforts. Mayor Deese felt that the check was a general donation to the Town since the check did not specify a particular use. PD Thifault then announced that he sent a donation request to Mr. Travis. Mayor Deese agreed to co-author, along with PD Thifault, a letter of thanks to Mr. Travis.

Council Member Bivens inquired about monies from the Redflex Traffic System. TA Webber replied that there was still some, but very little, revenue coming in. TA Webber said that the Town had received a refund check from the State for the initial costs of the project. However, the Town must forward the money to Redflex since they had reimbursed the Town for the initial costs. Council Member Bivens questioned if the money that was coming in as revenue was being sent to the schools with TA Webber confirming that it had not been distributed to anyone. Police Chief Gaddy added that the cameras could be up and running again in July.

There being no further comments, the meeting was adjourned at approximately 8:15 p.m.

These minutes approved this ____ day of _____, 2007

Franklin D. Deese
Mayor

Attest: _____
Shelley Maness
Town Clerk