

**Town of Marshville
Town Council Meeting
Monday, August 16, 2010
7:00 PM
Marshville Town Hall – 201 W. Main St.**

REGULAR MEETING

Present: Town Manager Radford Thomas, Interim Clerk/FO Tonya Johnson, Mayor Pro-Tem Margaret Bivens, Council Members Ned Beachum, Matthew Jefferson, Dora Bridget, and Denise Whitley, Attorney Bobby Griffin, Chief Mike Gaddy, DPW Bivens Steele, PD Alan Thifault, Lt. Matt Tarlton, Officer Joel Ballew, James Luster, CCOG, and John Edmondson, *The Home News*. Mayor Deese was absent from the meeting.

Mayor Pro-Tem Bivens opened the meeting at 7:00 p.m. and welcomed everyone attending. The invocation was given by Council Member Beachum. All gave the Pledge of Allegiance.

Public comments: Limited to 2 minutes per person, 10 minutes total, if any

Mark Traywick -8216 Hwy 74 E, Marshville – Mr. Traywick spoke to council regarding their concerns about code enforcement at his property on Ross Street. He commented that he had met with Mr. Luster. The back porch has been repaired and the front porch has been patched. Two HVAC units have been stolen from the property, as well as copper wire. There have been some setbacks with the home, one being a matter of finances. He asked council to consider an extension on the property.

There were no further public comments. Council Member Dora Bridget made a motion to close public comments, seconded by Council Member Denise Whitley. Vote: All ayes.

Adopt Agenda

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

Consent Agenda Items:

- a. Receive Budget Report
- b. Approve Minutes of August 2, 2010

Council Member Denise Whitley made a motion to approve the consent agenda, seconded by Council Member Dora Bridget. Vote: All ayes.

Introduction of new Police Officer Joel Ballew

Chief Gaddy introduced Officer Joel Ballew. He commented that Officer Ballew has been in the Marshville area for 20 years. TM Thomas commented that Officer Ballew spent time in Iraq training the Iraqies to be police officers. He may be a good training officer in the future.

Update on Code Enforcement – Mr. James Luster, CCOG

Mr. James Luster presented Council Members with a handout, Code Enforcement Report "Active Cases". He reviewed each property on the list and gave a report of the current status of the property as well as proposed/recommended actions. Regarding property #11, Mary Harrill, a relative of the owner, was present and commented that her daughter is interested in purchasing the property. The title is not clear and an attorney is working to clear the title. A hearing is scheduled for August 24, 2010. Mr. Luster commented that not much more can be done until the title is cleared.

Council Member Denise Whitley asked about the process to remedy two properties that were previously agreed upon to proceed with regarding code enforcement. Mr. Luster commented that there are several options: the Town can go in and make repairs, which will cost the Town money; the Town can demolish the property; or 3. the Town can give notice of ?

TM Thomas asked what the time frame is to demolish a property. Mr. Luster stated that a notice must be sent. There must be an ordinance adopted. You must give 7 to 10 days to notify the owner of the decision to demolish. There could be 14 to 30 days before a hearing. Mr. Luster stated that a lien can be placed on the property to cover expenditures. TM Thomas asked if we're looking a 60 to 90 days. Mr. Luster said yes. Mayor Pro-Tem Bivens commented that these properties have been problems for a long time. Council Member Whitley agreed and stated we need to begin somewhere.

Mr. Luster stated he will need authorization from the board to move forward on code enforcement. He recommended sending a notice to the owner with 30 days to respond. Council Member Denise Whitley commented that these property owners have had years and we're ready to clean this up. Mr. Luster stated the notices could be sent with 15 days to respond instead of 30 days. TM Thomas stated he felt we need to be diligent in providing due process.

A motion was made by Council Member Denise Whitley to authorize Mr. Luster to expedite code enforcement (send a 10-day notice for further legal action) for the property at 703 E. Union Street. The motion was seconded by Council Member Matthew Jefferson. Vote: All ayes.

Council Member Ned Beachum asked Mr. Luster what improvements could be seen at the listed properties from one year ago. Mr. Luster commented that a new commercial building on Hwy. 74 was a huge improvement. Also, a number of properties have been improved. In most cases, economic hardships have slowed some progress. Council Member Denise Whitley commented that many owners are only doing just enough to pacify us. She doesn't feel there has been much in the way of improvements other than grass mowing.

Mr. Luster commented that code enforcement can be as aggressive as council wants it to be. It will, however, be more costly due to legal fees and an increased amount of work.

Council Member Denise Whitley asked council what they desire to do.

TM Thomas, in regard to Item #9 on N. Austin St., stated he would want to see exactly what's on the site. The Town's backhoe has rubber tires. He wouldn't want the tires to be damaged

because it could be costly to repair/replace them. Council Member Denise Whitley asked if we should get bids to determine the cost. TM Thomas stated we should get outside bids and a bid from the Town. Mayor Pro-Tem Bivens commented it is her desire to see council proceed on all the properties.

Attorney Griffin commented that the issues of code enforcement should be a single agenda item to be discussed. Code enforcement is going to cost some money. You're going to have to spend money upfront. He stated there needed to be a cost projection and then council can determine how aggressive they want to be. It was the consensus of council to direct TM Thomas to work with Mr. Luster on moving forward with code enforcement.

Approve the "90th Anniversary League Proclamation", proclaiming August 26, 2010 as "LWV Making Democracy Work Day"

TM Radford Thomas read the "90th Anniversary League Proclamation". Council Member Dora Bridget made a motion to approve the proclamation, seconded by Council Member Denise Whitley. Vote: All ayes.

Discussion and possible action regarding proposal from Integrity Sweeping for street & parking lot sweeping

TM Radford Thomas stated that the Town is currently without a company to sweep streets. Twin States is no longer in business. A proposal was received from Roger Davis with Integrity Sweeping. TM Thomas asked council to authorize a monthly sweep. Likewise, Roger Davis would be available at extra times around festivals. Council Member Ned Beachum asked about how much more it would cost for all streets with curbing. DPW Steele commented that we can get some more pricing. He also commented that he and TM Thomas are working to get inmates to do some cleanup.

(Council Member Dora Bridget stepped out at 7:55 p.m. and returned at 8:00p.m.)

A motion was made by Council Member Denise Whitley to approve a once per month street/parking lot sweep by Integrity Sweeping. The motion was seconded by Council Member Ned Beachum. Vote: All ayes

TM Thomas commented that he would come back with pricing for sweeping every street with curbing.

Discussion and possible action regarding participation/approval to fund the Urban Forester position

TM Radford Thomas conveyed to council that if another municipality doesn't participate in the contract of Union Co. the others would pick up the cost. He received information that all municipalities are committed to participate in the Urban Forester position. The amount for the Town of Marshville is \$745. Council Member Denise Whitley made a motion to approve funding in the amount of \$745 for the Urban Forester position. The motion was seconded by Council Member Matthew Jefferson. Vote: All ayes.

Council Member Denise Whitley made a motion to call for a five minute recess at 8:00 p.m., seconded by Council Member Matthew Jefferson. Vote: All ayes.

The meeting was reconvened at 8:05 p.m. by Mayor Pro-Tem Bivens.

Authorize Town Manager Thomas to begin advertising for Chief of Police position

Council Member Denise Whitley made a motion to authorize TM Radford Thomas to advertise for the Chief of Police position. The motion was seconded by Council Member Ned Beachum. Vote: All ayes.

Discussion and possible action regarding meeting location for Town Council meetings

Council Member Ned Beachum commented that he brought this up due to several concerns brought to his attention. Parking is a problem at the Community Center. Council Member Denise Whitley commented she doesn't care where council meets but something does need to be done about parking at the Community Center on meeting nights. She stated that those people with concerns should come to the meeting, and two or three people are not representative of the town. Council Member Matthew Jefferson commented that no one should be concerned about offending him. He thought moving the meeting to the Community Center might enhance community involvement. TM Radford Thomas stated that between now and the Sept. 7th meeting he would work to reserve parking for the meeting. He suggested we watch it for a while longer before making any changes. Mayor Pro-Tem Bivens asked if participation had improved. She commented that Town Hall is more convenient for the Town Manager and Clerk, and that she would like for the meetings to be at Town Hall. It was the consensus of council to leave the meeting location as is for now and work on parking.

Update from NCDOT regarding CMAQ Project: C-5128

TM Radford Thomas commented that NCDOT has re-authorized this project and we are eligible for 100% funding. He and DPW Steele have met with Wes Carter at Hobbs & Upchurch. There is a November 12th deadline. A budget amendment will be presented for this project. The town will be reimbursed 100% at the completion of the project. A motion was made by Council Member Denise Whitley to authorize TM Radford Thomas to sign and submit documentation to proceed with the CMAQ Project. The motion was seconded by Council Member Ned Beachum. Vote: All ayes.

Comments

DPW Steele conveyed information from NCDOT of their plans to grind down and resurface 205.

PD Thifault commented that a recent karaoke event went well. On Sept. 4th there will be a concert at the Community Center. On Sept. 11th there will be a program/singing at the Veterans' Memorial. Freddie Rollins group will be providing the music. During the Boll

Weevil festival approximately 50 to 60 people known as the Metrolina Walkers will walk through town.

Chief Gaddy commented that the GHSP trailer was parked outside and is available for viewing. TM Radford Thomas added that a representative from GHSP had been there and inspected the trailer and stated it was the best one she has seen. Chief Gaddy commented that Tom Hooker installed all the lighting and circuit boards.

Council Member Matthew Jefferson commented that the Veterans' Memorial needs cleaning up.

Mayor Pro-Tem Margaret Bivens thanked council and TM Thomas for their support during her mother's illness and recent passing. She also thanked TM Thomas for getting agenda packets and information to council members in such a timely manner.

TM Radford Thomas conveyed to council that he was contacted by Scott Cole with NCDOT. They are prepared to install a signalized crosswalk at the intersection of Hwy. 205 and Hwy. 74. They have asked the town to complete the sidewalks with handicap ramps, and they will install the crosswalk. He will work with DPW Steele on getting pricing to complete the sidewalks.

He reminded council of a NCLM meeting in October.

He commented that four individuals were scheduled to be interviewed next week for the Clerk/Finance Officer position (2 interviews Tues. & 2 interviews Thurs.). Council Member Denise Whitley will assist with the interviews on Tuesday. Ben Chewning will also assist with the interviews. He has experience on the finance side.

TM Thomas announced there is a vacancy on the Planning Board. He suggested bringing to the first meeting in September names to fill the vacancy.

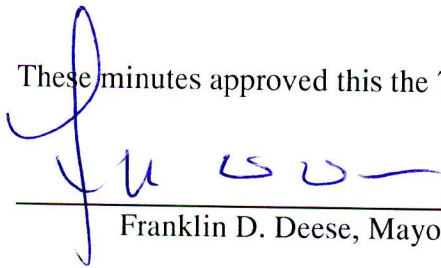
TM Thomas also informed council that he is working on the final draft of the Personnel Policy. He had to rework some portions. He hopes to look at it again at the first September council meeting.

Mayor Pro-Tem Bivens asked TM Thomas what Ben Chewning's position is and why we need an outside person to assist with interviews. TM Thomas replied that Mr. Chewning is a former manager and now works for Hobbs and Upchurch and he has experience in municipal finance.

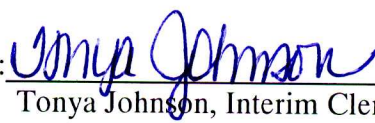
Adjourn

There being no further comments, a motion to adjourn was made by Council Member Denise Whitley and seconded by Council Member Ned Beachum. Vote: All ayes.
The meeting was adjourned at 8:30 p.m.

These minutes approved this the 7th day of September, 2010.



Franklin D. Deese, Mayor

Attest: 

Tonya Johnson, Interim Clerk

**A brief recess may be called every 45-60 minutes, as desired by Council.*