

## **Town of Marshville**

### **Town Council Meeting**

**Monday, May 17, 2010 at 7:00 PM**

**Marshville Town Hall – 201 W. Main St.**

Present: Mayor Deese, Council Members Matthew Jefferson, Ned Beachum, Denise Whitley, Dora Bridget, Mayor Pro-Tem Bivens, Town Administrator Radford Thomas, Interim C/FO Tonya Johnson, Attorney Bobby Griffin, DPW Steele, PD Thifault, and Chief Gaddy. Also, present were John Edmondson, *The Home News*, and Lacy Hampton, *The Enquirer Journal*.

#### **Regular Meeting**

Mayor Deese opened the meeting at 7:00 p.m. and welcomed everyone in attendance. The invocation was given by Council Member Whitley. All gave the Pledge of Allegiance.

#### **Public Comments**

Ruth Sturdivant – 803 Sanford St., Marshville – concerned about Cyber Center and its regulation and safety issues. Her daughter works 2<sup>nd</sup> shift at Autumn Care. Her daughter's boyfriend was involved in a fight in the parking lot involving two guys lurking around from the Cyber Center. It is not regulated and there is no parking. There appears to be gangs of people around the Cyber Center just hanging out. She doesn't feel safe. Mayor Deese commented that he attended a NC League meeting in Raleigh where this was discussed. It seems legislation is pending that will look into these types of places, which may take care of issues such as Mrs. Sturdivant's. Mayor Pro-Tem also commented on the loitering after people go to the Cyber Center. She suggested the possibility of some parking limitations. Council Member Whitley agreed the concerns are valid. Looking into legislation to resolve these types of places.

#### **Adopt Agenda**

A motion was made by Council Member Denise Whitley to add as item #8 the discussion and possible action of a resolution to change the form of government. The motion was seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

A motion was made by Council Member Dora Bridget to adopt the agenda with the addition stated above, seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

### Consent Agenda Items

Receive Budget Report

Approve Minutes

A motion was made by Council Member Dora Bridget to accept the consent agenda, seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

### Surplus Vehicle Auction Resolution - date set for June 5, 2010 at 8:00 p.m. at Hall's Auction

A motion was made by Council Member Dora Bridget to approve the Resolution to Declare Surplus Property and date for auction. The motion was seconded by Mayor Pro-Tem Bivens. Vote: All ayes.

TA Thomas is to provide an ad to the local newspaper for proper advertising of surplus property.

### Set date for budget work sessions

TA Radford Thomas recommended Tuesday, May 25<sup>th</sup> and Thursday, May 27<sup>th</sup>, 2010 for budget work sessions.

A motion was made by Council Member Denise Whitley to call a special meeting of the Town Council on May 25 and May 27 for the purpose of budget work sessions. The motion was seconded by Council Member Dora Bridget. Vote: All ayes.

### Approve Resolution for Council-Manager form of Government

TA Thomas explained that the resolution would authorize our legislator, on council's behalf, to introduce a bill to change the town's charter. Council Member Whitley commented that she feels we need to take this first step.

A motion was made by Council Member Whitley to adopt the Resolution for Manager-Council Form of Government. The motion was seconded by Council Member Ned Beachum. Vote: All ayes.

Comments: Mayor Deese questioned if the wording should be changed to Council-Manager, instead of Manager-Council. Council Member Whitley suggested this be effective as of 07/01/2010.

### Comments

PD Thifault commented on the concert that was held at HeBrews Coffee. He is planning another concert on 6/25/2010 that will involve the police, sheriff, and fire departments. He will have more information forthcoming.

DPW Steele gave out a copy of an email he received updating the Mayor and the Council on the CMAQ Sidewalk Project.

Chief Gaddy explained changes in the stop lights on 74. The turning lane signal at Food Lion is working properly. It now is a blinking caution. The signals at White St. and Elm St. are being worked on. It seems that break-ins are picking up. The department is staying busy.

Council Member Whitley commented that the event at Hebrews Coffee was good. She commended Alan for his help in organizing the event.

Council Member Bridget had no comments.

Mayor Pro-Tem Bivens asked what can be done regarding the congregating and parking issues at the Cyber Center. She feels there needs to be regulations about parking. Chief Gaddy replied that there are no ordinances at this time. In Short Session, it may be taken care of. TA Thomas commented that he and Chief Gaddy were studying the idea of parallel parking on both sides of the street and doing away with angled parking. Typically, narrower streets tend to slow traffic. Mayor Deese feels that this calls for some serious thought before making any changes. TA Thomas commented that he's not sure if this would be better or not. He is looking at options to address parking and loitering. He is concerned about parking around the Community Center. Mayor Pro-Tem Bivens expressed that she is pleased at the decision to adopt the resolution to change the form of government and amend the charter. She also expressed concern about animal control problems around town.

Council Member Jefferson stated he wants the Cyber Center gone. He doesn't see any benefit from it. He commended council, TA Thomas, and the mayor on adopting the resolution to change the form of government and amend the charter.

Council Member Beachum talked about several streetlights being out. He doesn't understand why Duke Power can't fix the streetlights. Chief Gaddy said he will follow up with Duke Power. TA Thomas was directed to make a call to Duke Power regarding the streetlight issue.

TA Thomas handed out a DOT letter regarding a special study he requested for the possibility of a connector of the proposed bypass to Project Legacy. He also informed council that Centralina COG is moving their offices effective May 24, 2010. The budget process is coming along. The NC League is having 2010 Town Hall Day on Wednesday, June 16, 2010. Mayor Deese commented that there have been several complaints in the past about legislators' not being available. The League is asking you to make an appointment in advance with your legislator.

A motion was made by Mayor Pro-Tem Bivens to go into Closed Session (per *G.S. 143-318.11(a)(3) to consult with an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure...*). The motion was seconded by Council Member Dora Bridget. Vote: All ayes.

At 7: 45 p.m. a five minute recess was called and department heads were dismissed

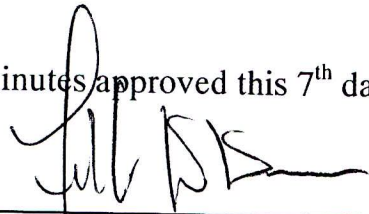
### **CLOSED SESSION**

#### Open Session

No action from closed session.

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

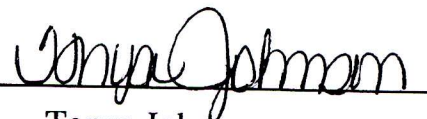
These minutes approved this 7<sup>th</sup> day of June, 2010



Franklin D. Deese

Mayor

Attest:



Tonya Johnson

Interim Clerk

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

## RESOLUTION FOR MANAGER-COUNCIL FORM OF GOVERNMENT

Whereas, the Town Council of the Town of Marshville has previously in open sessions and at its annual discussion “retreats” analyzed the need for a Manager-Council form of government; and

Whereas, a Manager-Council form of government will provide for consistency in hiring, evaluations, promotions of employees and will promote professionalism among staff and employees; and

Whereas, a Manager-Council form of government will provide Council with more opportunity to engage in policy analysis and goal setting for the future of the Town of Marshville, and less on daily operational tasks; and

Whereas, a Manager-Council form of government will be in the best interest for all the residents of the Town of Marshville now and in the future as growth and change occur.

BE IT NOW THEREFORE RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF MARSHVILLE REQUESTS THAT HONORABLE PRYOR GIBSON, REPRESENTATIVE IN THE NORTH CAROLINA LEGISLATURE WHO REPRESENTS THE DISTRICT WITHIN WHICH TOWN OF MARSHVILLE IS LOCATED, INTRODUCE AND CAUSE TO BE ENACTED A STATUTE THAT PROVIDES THAT MARSHVILLE BE GOVERNED BY A MANAGER-COUNCIL FORM OF GOVERNMENT, TO BE EFFECTIVE JULY 1, 2010.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION BE SENT BY THE MAYOR AND PRESENT ADMINISTRATOR TO THE HONORABLE PRYOR GIBSON TONIGHT THE 17<sup>TH</sup> DAY OF MAY, 2010.

Enacted this 17<sup>th</sup> day of May, 2010 by unanimous vote in regular session of the Town Council of Marshville.

Margaret C. Bivens  
Margaret Bivens, Council Member

Denise A. Whitley  
Denise Whitley, Council Member

Dora Bridgett  
Dora Bridgett, Council Member

Ned V. Beachum  
Ned Beachum, Council Member

Matthew Jefferson  
Matthew Jefferson, Council Member

Witness: Frank Deese  
Frank Deese, Mayor

Certified a true copy by: Tonya Johnson  
Tonya Johnson,  
Interim Town Clerk  
Town of Marshville



# Town of Marshville

Mayor Franklin D. Deese  
Mayor Pro Tem Margaret Bivens  
Council Member Ned Beachum  
Council Member Dora Bridget  
Council Member Matthew Jefferson  
Council Member Denise Whitley



Town Administrator Radford L. Thomas  
Interim F. Officer/Clerk Tonya Johnson  
Public Works Director Bivens Steele  
Tax Collector Deborah Morton  
Chief of Police Mike Gaddy  
Park Director Alan Thifault

## Resolution to declare surplus property of the Town of Marshville

**Whereas**, the Town of Marshville is authorized by North Carolina General Statute (NCGS) 160A-266 to dispose of real or personal property belonging to the city by public auction and,

**Whereas**, there exists certain items of personal property belonging to the Town of Marshville which are surplus to the needs of the town and,

**Whereas**, NCGS 160A-270 describes the procedure to be followed to affect such sale,


**Now therefore be it resolved** by the Town Council of the Town of Marshville that the Town Administrator shall dispose of the following items of personal property by public auction to be held at 8:00 p.m. Saturday, June 5, 2010 at Hall's Auction Barn, 217 North Elm Street, Marshville, NC. Auctioneering service not to exceed 15% of the sale price. Terms are Cash at Time of Sale.

### Description

2004 Ford Crown Victoria – VIN 2FAFP71W44X119197

2002 Ford Explorer – VIN 1FMZU72K62UD43521

This the 17<sup>th</sup> day of May, 2010

  
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Franklin D. Deese, Mayor

  
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Attest: Tonya Johnson, Interim Clerk

# Town of Marshville Public Comments Sign-Up Sheet

Work Session

Date: May 17, 2010

Please print your name, topic of discussion, and contact information for the record.

	PRINT NAME	ADDRESS	TOPIC OF DISCUSSION	PHONE #	EMAIL ADDRESS
1	Heath Studdard	803 Sanford	Orba Center	704-624-2066	
2					
3					
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6					
7					
8					
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