

**Town of Marshville
Town Council
Regular Meeting
Monday, January 4, 2010 at 7:00 p.m.
Marshville Community Center
118 East Union Street**

Attendance: Mayor & All Council Members, All Dept. Heads & Atty. Griffin, Jana Finn, John Edmondson, Norma Carpenter, Martha Baucom, Rusty Johnson, Brian Weber, Gail Kiker, Alex Martin,

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

Public Comments

Shirley Crowder – 811 Hambrick St., Marshville: concerned about water bill...Nov. was \$46, plus Dec. was \$291. No leak. Just lost husband, no way I can pay. Upon Mayor asking, Mrs. Crowder stated she had not been to Town Hall or talked to any staff. Mayor Deese suggested this be turned over to DPW Steele to look into.

Rusty Johnson – 115 Shady Lane, Marshville: questioned when the politics as usual is going to end here in Marshville. Keep having Special Meetings and Council Members are not showing up. Feels TOM is becoming laughing stock of County. As a citizen, it's embarrassing. Looking for a Town Administrator and some may be turned off by what's going on. Do what's right for the town. Need to prepare for the bypass, need more water & sewer service. Put personal agendas behind you and come together. Begging you to please do what's best for the town. Help move us forward.

Brian Weber – 44? Perry Lane Marshville: Reiterated what Mr. Johnson said. Made comments about Special Meetings. Citizens are noticing that certain Council Members do not show up for meetings depending on the agenda. Urged council to work together & get along. Need to do what is best for the town. What are we doing as a town council to prepare for the bypass? Is there some preparation going on that the citizens do not know about?

Adopt Agenda

Council Member Whitley commented that we are having a lot of special meetings & closed sessions. Sometimes have closed session meetings when everyone involved is not present and she doesn't think that's fair.

Council Member Whitley made a motion to remove agenda item #12 (Closed Session), second by Council Member Bivens. Vote: 2 to 3 (Council Members Jefferson, Bridget, Beachum opposed).

Council Member Bivens made a motion to adopt the agenda, seconded by Council Member Beachum. Vote: 4 to 1 (Council Member Whitley opposed)

Consent Agenda

- a. Receive Budget Report
- b. Approve Minutes of July 27, 2009 meeting (*reconvening of July 20, 2009 meeting*)

Council Member Whitley commented that the minutes to be approved were not received by council until they arrived at tonight's meeting. Council has not had time to read & review the minutes.

Council Member Whitley made a motion to move item B to the next regular meeting agenda, seconded by Council Member Bivens. Vote: 4 to 1 (Council Member Beachum opposed)

Council Member Whitley made a motion to approve the consent agenda with the change above. Council Member Bivens seconded the motion. Vote: All ayes.

Consider Text Amendment RZA-09-002, revisions to Article XVII of the Marshville Land Use Ordinance, to add signage allowances and requirements for churches located in residential zoning districts

Jana Finn, with Centralina COG said she was there to answer any questions.

Pastor Alex Martin – based the square footage of the sign on the amount of road frontage. A lot of other towns in the area do limit to 32 square feet in residential districts, but need to consider speed limits of the area. The speed limit is 55 mph on Old 74. No intentions to build an enormous sign or a bright LED sign (distributed a draft drawing of a sign). Need 8 ft. x 4 ft. of bulletin style space to be read at 55 mph.

Jana reminded Council that whatever text amendment is approved would be applicable to any future churches, etc.

Pastor Alex Martin said that he understood putting a reasonable limitation on the size.

Council Member Whitley – understand the situation but have to consider any future signage...feel like the speed limit on that road will decrease.

Pastor Alex Martin - referred to the size of other signs in similar areas that exceed current speed limits. The amount of signage equated to the amount of road frontage.

Mayor – Text as it is now doesn't tie the size of the sign to the amount of road frontage.

Jana Finn – obviously need to make an amendment for churches in residential areas...16 sq. ft. is not adequate. She recommended a limitation of 32 sq. ft.

Council Member Whitley made a motion to approve the text amendment as presented/recommended by Jana Finn (LUA). Council Member Bivens seconded the motion. Vote: All ayes.

Discussion and possible action regarding Resolution to Adopt Legislative Positions for the 2010 Short Session of the North Carolina General Assembly

Mayor Deese said that we had adopted the resolution last year, but Union County wanted to make some changes (in bold) this year. Personally do not want to support the "governance" portion of the resolution.

Council Member Whitley made a motion to approve the resolution minus the last paragraph ("governance"), second by Council Member Bivens. Vote: All ayes.

Discussion and possible action regarding scheduled meeting dates that coincide with a holiday (i.e., Martin Luther King Holiday on January 18, 2009).

Staff recommends the following policy: In such cases where a regularly scheduled meeting or work session falls on an official Town holiday, the meeting will be held the next business day (at the regular time) following the holiday.

Council Member Bivens made a motion to approve the policy as suggested with the addition of (highlighted) time, seconded by Council Member Beachum. Vote: All ayes.

Discussion and possible action regarding upcoming Martin Luther King events

- a. Consider purchasing a table at Annual MLK Breakfast (*8 seats/\$160*)

Council Member Whitley made a motion to not purchase a table (no money budgeted, can each buy own seat). Council Member Bivens seconded the motion. Vote: All ayes.

- b. Consider participation in Annual MLK Parade

Martin Luther King Parade is to be held on 17th. Council Member Bivens made a motion to participate in the parade. The motion was seconded by Council Member Bridget. Vote: All ayes.

Discussion and possible action regarding Town Administrator position – Call Special Meetings for the purpose of conducting interviews.

Discussion was had regarding interviews scheduled for January 16th, and 23rd. Eight candidates to be interviewed. Mayor Deese suggested if a second interview is required that they be scheduled at a time that Dryw Blanchard can be present.

A motion was made by Council Member Bridget at 7:45 p.m., seconded by Council Member Beachum, to go into closed session to discuss agenda items #11 & 12, (*per G.S. 143.318.11(5) & G.S. 143.318.11(6), respectively*). Vote: All ayes.

CLOSED SESSION

Council Member Whitley made a motion to come out of closed session at 8:40 p.m., seconded by Council Member Jefferson. Vote: All ayes.

OPEN SESSION

Action from Closed Session

Council Member Jefferson made a motion to not swear in Officer Chaffin as a police officer. Council Member Bridget seconded the motion. Gail Kiker commented that she was being represented by an attorney on the issue. Council Member Whitley & Mayor Pro-Tem Bivens commented FOR THE RECORD that they are no part of this action and desire to be excluded from any lawsuit to the Town of Marshville. Vote: 3 to 2 (Council Member Whitley & Mayor Pro-Tem Bivens opposed).

Comments

Council Member Jefferson – asked the audience how they like the new venue. (Everyone liked). He suggested a blogging site on the town's website for council members.

Council Member Whitley – said we all want to be more accessible.

Council Member Beachum – past couple of days at Wendy's a lady told him that this was the nicest decorated town of any of the small towns she had been through...tags were from New Jersey.

Mayor Pro-Tem Bivens – appreciate colleagues for voting me as Mayor Pro-Tem. Council is the governing board of this town. I have been called a puppet for another council member. I am a puppet for the people of this town. Resent any person (a department head) trying to violate other person's rights. Things have been put out on the website...someone at this table...not the good citizens of this town. Information from this table is being leaked.

Council Member Whitley had no comments.

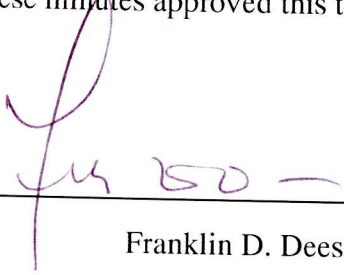
Council Member Bridget – to the attending public- Happy New Year to everyone. Let's hope this year turns out to be a better year for everyone on this council. Regarding things leaking out...I don't even talk to the reporter. I'm not going to play games with politics. This thing on the computer "Topix" is trash. The people on there are cowards. If you have something to tell me then come to me and tell me. I do not try to tell people how to do their work. The park director most likely could not do what I do as a nurse, and I would not begin to try to do his (job). We need to work together as a council to make Marshville better.

C/FO Maness, Interim TA Munn, & Chief Gaddy had no comments.

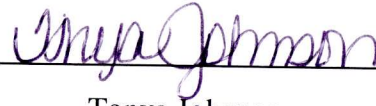
PD Thifault – liked having the meeting at the Community Center.

There being no further comments, the meeting adjourned at 8:55 p.m.

These minutes approved this the 21st day of June, 2010.



Franklin D. Deese
Mayor

Attest: 

Tonya Johnson
Interim Town Clerk

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