

**Marshville Town Council
Regular Meeting
7:00 P.M. Monday, February 2, 2009
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, and Police Chief Mike Gaddy.

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 consideration to adopt the Legislative Positions Resolution, seconded by Council Member Bridget. Vote: All Ayes. (Added as Item #13)

TA Webber said that the minutes of the January 20, 2008 Special Meeting were not available for approval as indicated on the consent agenda. He noted that they would be included on the next agenda.

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

Discuss Day in the Park – Mr. Thifault. PD Thifault asked Council to consider making some changes to the usual Day in the Park events in order to reduce expenses. He noted that the Town usually spends around \$9,000 for the four hour event and he hoped to spend \$6,000 or less this year. Several ideas were discussed including the possibility of Council and employees cooking and serving food or having various local restaurants set up booths. It was the general consensus of Council that the food should be sold at a lower price but not given away for free. Attorney Griffin reminded Council, as with any expenditure, they have a duty to be “good stewards” of the taxpayers’ dollars. PD Thifault suggested scaling back on the entertainment and rides for the kids. TA Webber suggested having various emergency response vehicles available for the kids to enjoy. After further discussion, Mayor Deese asked PD Thifault to bring back to the next meeting a more detailed plan for the event. Mayor Deese said that he would like to see the Town break even on the event. Council concurred and advised PD Thifault not to sign any contracts with vendors until a final decision was approved. Mayor Deese directed Council to contact PD Thifault if they had any other ideas for the event.

Consider Valentine Dance at Community Center – Mr. Thifault. PD Thifault said that since his request to have a “Valentine’s Dance” on the agenda for consideration, he had found out that the Middle School was already planning such an event. PD Thifault still wanted input from Council regarding future dances at the Community Center. He said that he would like to have a DJ and sell snacks. He also noted that there would be chaperones and an age limit set for attendees. It was the general consensus of Council to have such an event. Mayor Deese requested that PD Thifault present more details prior to the event.

PD Thifault said that an Easter Egg hunt was scheduled for April 11th at 3:00 p.m. at the park. He said that there would be face painting and an Easter bunny on site. He also noted that he had coordinated it so that the egg hunt did not fall on the same day as the church’s event as it did the previous year.

Discuss possible Parks and Recreation “off-season” activities – Mr. Thifault. PD Thifault presented his idea to open the Community Room on Friday and Saturday nights from 7:00 p.m. to 10:00 p.m. so that local kids will have something fun to do on the weekends. He said the kids could play foosball and air hockey or they could have a “movie night”. He proposed doing it on a trial basis to see how it would work out. PD Thifault said that parents could sign their children in and out. Council concurred to allow PD Thifault to move forward with his idea.

PD Thifault noted that he would be coaching at the Middle School again this year.

There being no other business relating to PD Thifault, Council Member Whitley made a motion to excuse him from the remainder of the meeting, seconded by Council Member Bivens. Vote: All ayes.

Update on Junk Car Enforcement – Chief Gaddy. Chief Gaddy informed Council that he had been working on the junk car violation on Sanford Street. He said that three of the cars had been removed, but there were two more that he was working on to have removed. Chief Gaddy said that the vehicles in the back yard were tied up in the settlement of an estate. Chief Gaddy said that he had advised the property owner to cover the vehicles with tarps so that she would not be in violation of the Junk Car ordinance. The property owner said that she would try to get money from the family to do so. Chief noted that he had not given a 30-day notice, but that Mr. Luster gave a notice with his code enforcement on the adjacent property.

There being no other business relating to Chief Gaddy, Council Member Beachum made a motion to excuse him from the remainder of the meeting, seconded by Council Member Bivens. Vote: All ayes.

Update on CMAQ application – Mr. Webber. TA Webber said that the CMAQ application had been submitted and said the sidewalk would begin on Elizabeth Avenue at Highway 74 and extend to West Main Street, then following along Hambrick Street and end at an existing sidewalk near East Union Middle School. The total length of the proposed sidewalk would be exactly one mile with an estimated cost of \$236,000. TA Webber noted that the application was submitted with a request to be considered for 100% funding under the Fast Track program. If the grant is not awarded under the Fast Track program, the Town would be expected to provide a 20% match. TA Webber confirmed that Powell Bill funds could be used for the match.

Update on Code Enforcement activities – Mr. Webber. TA Webber reviewed a report of Code Enforcement activities. See attachment (Att. 2089a)

Consider revision of Personnel Policy on Discipline. Council Member Whitley made a motion to table the matter until further notice, seconded by Council Member Bivens. Vote: All Ayes.

Consider Contract to trim trees at Town Hall. TA Webber informed Council that he had received an unsolicited proposal to trim the trees at Town Hall. He noted that DPW Steele did not feel it was necessary and advised Council not to move forward. Council agreed with DPW Steele.

Consider adopting Legislative Positions Resolution. Mayor Deese explained that the mayors of Union County municipalities had met and established a list of legislative positions that they felt were important and would benefit the municipalities in Union County. Mayor Deese said that Matthew Delk had compiled the positions in the form of a resolution for each municipality to consider for adoption. Mayor Deese noted his support of the resolution. Council Member Whitley made a motion to adopt the Resolution to Adopt Legislative Positions for the 2009-2010 Session of the North Carolina General Assembly and authorize Mayor Deese to sign, seconded by Council Member Bivens. Vote: All ayes.

Comments

Mayor Pro-Tem Kiker congratulated Attorney Griffin for receiving Union County's "Man of the Year" award.

Council Member Whitley informed Council that she had been asked by the NCLM to serve on the Planning and Services Legislation Action Committee as an at-large position for two years. Council Member Whitley accepted the position and was honored that the League did recognize that Marshville could offer some valuable input.

Council Members Beachum, Bivens and Bridget had no comments.

C/FO Maness said that the hiring committee had met and selected five candidates to interview that week.

TA Webber reminded Council of the upcoming Marshville Chamber of Commerce Banquet. He also informed Council that Centralina COG will offer Quasi Judicial training on March 24th at Mint Hill Town Hall at a cost of \$275 per community regardless of the number of attendees. TA Webber said that it would be a two hour training session with the specific time to be determined. TA Webber also noted that the Union County Chamber of Commerce would host a blood drive in memory of Carroll Edwards on February 11th from 12:00 to 4:00 p.m. TA Webber acknowledged that he had received notification that the Town of Marshville Cemetery was named as a beneficiary of the estate of Sidney Lynn Harrell.

TA Webber noted that he had also received an invitation from Bob Haynes, NCLM Risk Management Director, inviting him to serve in a staff capacity on the Leagues Risk Management Board. TA Webber said that he was honored but had to decline the offer because he did not feel he could do the position justice considering his other commitments locally. TA Webber agreed

with Council Member Whitley that it was noteworthy that two Marshville representatives had been asked to serve in such capacities.

Mayor Deese congratulated both Council Member Whitley and Attorney Griffin for their achievements. He also recognized that Mayor Pro-Tem Kiker and her family were going through a tough time and reminded everyone to keep them in their thoughts.

At approximately 8:10 p.m., Council Member Whitley made a motion, seconded by Council Member Bridget, to go into Closed Session per NCGS 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiation agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. The property to be discussed is approximately 14.4 acres owned by Shanna Ann Stegall Yates, located on Olive Branch Street and abutting the Marshville Municipal Park, for the purpose of expanding the recreational facilities of the Town of Marshville. Vote: All Ayes.

CLOSED SESSION

CM Bridget made a motion to come out of closed session, seconded by Council Member Whitley. Vote: All ayes.

In open session, there was no action taken as a result of the Closed Session. There being no further comments, the meeting was adjourned at approximately 8:20 p.m.

These minutes approved this ____ day of _____, 2009.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk