

**Marshville Town Council
Regular Meeting
7:00 P.M. Monday, April 6, 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, Director of Public Works Bivens Steele 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:

Ernest Medley of 608 Hallman Drive appeared before Council to request the Town's assistance in resolving a water drainage issue on his property. Council Member Bivens said this was the drainage issue she had brought to Council's attention at a previous meeting. Mayor Deese noted that there may not be anything that the Town can do since the problem seemed to be on private property, but that DPW Steele would look into the matter to see if there was anything that the Town could do and, if so, it would be brought back to Council.

Dura Mae Hall of 610 Hallman Drive said that the drainage issue extended to her property as well. Ms. Hall said that she could not park her car in her driveway during times of heavy rain due to the level of standing water. Ms. Hall also requested that the Town assist in resolving the issue.

Adopt Agenda:

Council Member Whitley made a motion to adopt the agenda with the changes requested by staff and Mayor Deese to include adding to the agenda a discussion of a pay scale adjustment for the Police Department (added as Item #8) and to change item #10 to a Closed Session to review resumes for the Interim Town Administrator position (changed to Item #13). The motion was seconded by Council Member Bivens. Vote: All ayes.

Consent Agenda:

The consent agenda included only the approval of the minutes of the March 16, 2009 Regular Meeting and the March 28, 2009 Special Meeting. Council Member Whitley made a motion to approve the consent agenda as presented, seconded by Council Member Beachum. Vote: All ayes.

Review Bid Opening for Marshville Sewer Rehabilitation Project, Award Contract: Hobbs, Upchurch & Associates. DPW Steele said that the representatives from Hobbs, Upchurch were not able to attend the meeting due to sickness. He explained that the Sewer Rehab Project was split into two different bid contracts: slip-lining and manhole rehabilitation. He recommended awarding the contracts to the lowest bidders as follows: Contract 1 for \$90,805.00 to Southeast Pipe Survey and Contract 2 for \$153,700.00 to Insituform Technologies. DPW Steele said that references had been checked on both

contractors and everything looked good. He also noted that Southeast Pipe Survey did the slip-lining work on Highway 74 two years ago.

Council Member Whitley made a motion to accept the recommendation and award Contract 1 to Southeast Pipe Survey for \$90,805.00 and Contract 2 to Insituform Technologies for \$153,700.00. The motion was seconded by Council Member Bivens. Vote: All ayes.

Discuss Union County failure to issue letter of sewer flow acceptance for First Baptist Church Project. TA Webber said that it was essential for Hobbs, Upchurch representatives to be in attendance for this discussion and asked Council to consider tabling the matter until such time that they can be available. Council Member Whitley made a motion to table the matter of Union County's failure to issue letter of sewer flow acceptance for First Baptist Church Project until a future meeting, seconded by Council Member Bivens. Vote: All ayes.

Discuss possible acquisition of retired fire truck for use by Public Works. Mayor Deese reminded Council that Beaver Lane Volunteer Fire Department had offered to donate a 1973 Ford fire truck to the Town. DPW Steele said that, among other things, the truck could be used to pump from one lagoon to another instead of having to rent a pump or buy one for \$6,000.

Council Member Whitley made a motion to accept the acquisition of the 1973 Ford fire truck as offered by the Beaver Lane Volunteer Fire Department to the Town of Marshville. The motion was seconded by Council Member Bivens. Vote: All ayes.

DPW Steele was excused from the remainder of the meeting.

Consider pay scale adjustment for the Police Department. Chief Gaddy reminded Council that money was budgeted to implement a new pay scale adjustment this fiscal year and asked for their approval to move forward with the new pay scale. He noted that no officer has received a pay scale increase this fiscal year. He also pointed out that his position is not affected by the pay scale. After some discussion, Mayor Pro-Tem Kiker made a motion to approve the new pay scale with an effective date of Friday, April 10, 2009. The motion was seconded by Council Member Bridget. Vote: All ayes.

Consider Appointment to Union County Commissioner Transportation Advisory Committee. Mayor Deese informed Council that Union County was creating a Transportation Advisory Committee and has asked that each municipality appoint a representative to the serve on the Committee. Mayor Deese appointed Council Member Whitley to the committee since she volunteered to serve. He appointed Council Member Bivens as an alternate.

Consider Letter of Interest for Planning Board/Board of Adjustment: Brian Weber. Mayor Deese informed Council that Mr. Brian Weber, 404 Perry Lane, had submitted a letter of interest to serve on the Planning Board/Board Adjustment. Mr. Weber, who previously resided in Minnesota, has lived in Marshville for about six weeks. Council Member Whitley asked Mr. Weber if he had had a chance to attend one of the Planning Board meetings. Mr. Weber said that he had not. Council Member Bridget thanked Mr. Weber for his interest in serving and made a motion to appoint Mr. Weber to the Planning Board/Board of Adjustment. Mayor Pro-Tem Kiker seconded the motion. Vote: 2 to 3 (Council Members Beachum, Bivens and Whitley opposed). Each of the opposing Council Members said that they felt like Mr. Weber needed to reside in the Town for more than six weeks before being appointed to such a board.

Discuss joint meeting with Board of County Commissioners; issues to be raised. Mayor Deese said that he had received a letter from the Union County Board of Commissioners inviting the Marshville Town Council to hold a joint meeting with their board. Mayor Deese said that he would like to go to them with a plan. Council Member Bivens felt that it was a good gesture by the BOC and a joint meeting would help to create a relationship between the two boards. Council Members Whitley and Bivens concurred that they should go ahead and meet, even without a plan. Mayor Deese commented that he did not see anything productive coming out of the meeting without having a plan in mind, but agreed to have TA Webber contact them to see what they had in mind as far as when and where to meet. Mayor Deese asked everyone to be thinking of issues to be discussed at the meeting.

Comments

Mayor Pro-Tem Kiker thanked everyone for their support on the illness and death of her husband.

Council Member Bivens said that there were still some junk car problems in Town that needed to be taken care of. She also asked that the Board continue looking into the dog issue. Council Member Bivens said that the citizens need to know what can be done about the mistreatment of animals.

In reference to the junk car issue, TA Webber reminded Council that notice must be given to the owner before a vehicle can be towed.

TA Webber said that Centralina COG sent a letter to notify the Town, as an adjacent property owner, that there would be a hearing for a Special Use Permit request from Bruce Cuddy to open a Farmers' Market at 1528 Hasty Road. TA Webber informed Council that Town Hall Day is scheduled for Wednesday, May 6th.

TA Webber notified Council that an unsolicited proposal was submitted by Barrett's Supreme Detailing offering to pressure wash Town Hall and surrounding areas and treat for mildew at a cost of \$2,800. TA Webber said that DPW Steele did not see the need to enter into such a contract. Adams Mills with Mills Landscaping also submitted a letter of interest to submit a bid for landscaping services.

Council Members Beachum, Bridget, Whitley and C/FO Maness had no comments.

Council Member Beachum made a motion to go into Closed Session per G.S. 143-318.11(a)(6) and to include all Council Members and Mayor Deese, TA Webber, Attorney Griffin, and C/FO Maness. Council Member Bivens seconded the motion. Vote: All ayes.

At approximately 8:00 p.m., Mayor Deese called for a five-minute recess prior to the Closed Session discussion. The meeting reconvened at approximately 8:05 p.m.

CLOSED SESSION

At approximately 8:24 p.m., in Open Session, Council Member Whitley made a motion to recess the meeting until 7:00 p.m., April 7, 2009 at Town Hall. The motion was seconded by Council Member Bivens. Vote: All ayes.

There being no further comments, the meeting was recessed at approximately 8:25 p.m.

The meeting reconvened at 7:00 p.m. on April 7, 2009 at Marshville Town Hall. Mayor Pro-Tem Kiker and Council Member Bridget were not present for this portion of the meeting.

Mayor Deese stated that the previous meeting was recessed to allow time to contact a candidate for the Interim Town Administrator position. Mayor Deese then reviewed a memo from TA Webber stating that he, Clerk Maness and Mayor Deese had met with Mr. John Munn to discuss the details of his serving as Interim Town Administrator. The memo also stated that Mr. Munn had agreed to work a minimum of 10 hours per week, plus Council meetings, but not to exceed 20 hours per week at a rate of \$35.00 per hour.

Both TA Webber and Mayor Deese recommended that Council hire Mr. Munn to serve as Interim Town Administrator.

Council Member Whitley made a motion to hire Mr. Munn as Interim Town Administrator to work a minimum of 10 hours per week, plus Council meetings, but not to exceed 20 hours per week at a rate of \$35.00 per hour. The motion was seconded by Council Member Bivens. Vote: All ayes.

Mayor Deese welcomed Mr. Munn. Council Member Whitley suggested that Mr. Munn work the maximum number of hours while TA Webber is still here.

There being no further comments, the meeting was adjourned at approximately 7:05 p.m.

These minutes approved this ____ day of _____, 2009.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk