

**Marshville Town Council  
Public Hearing for Fiscal Year 2009-2010 Proposed Budget  
followed by Regular Council Meeting  
7:00 P.M. Monday, June 22, 2009  
Marshville Town Hall  
201 West Main St., Marshville, NC**

Present: Mayor Franklin D. Deese, Mayor Pro-Tem Gail Kiker, Council Members Ned Beachum, Dora Bridget and Denise Whitley, Attorney Bobby Griffin, Interim Town Administrator John Munn, Town Clerk/Finance Officer Shelley Maness, Chief of Police Mike Gaddy, Director of Public Works Bivens Steele and Park Director Alan Thifault. Council Member Margaret Bivens was absent.

**PUBLIC HEARING**

Mayor Deese welcomed everyone in attendance and opened the Public Hearing for the FY 2009-2010 Proposed Budget at approximately 7:00 p.m. There being no public comments, the public hearing was closed at approximately 7:10 p.m.

**REGULAR MEETING**

Mayor Deese opened the regular meeting at approximately 7:10 p.m. and again welcomed everyone in attendance. Council Member Beachum 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 a discussion to the agenda regarding a request from the Union County Board of Commissioners concerning the Carolina Thread Trail. Mayor Pro-Tem Kiker seconded the motion. Vote: All ayes. (Added as Item #8)

Council Member Whitley made a motion to add to the agenda consideration of a resolution concerning the 457 retirement plan. The motion was seconded by Council Member Beachum. Vote: All ayes. (Added as Item #9)

Council Member Beachum made a motion to add to the agenda a discussion on the condition of the park shelter. Council Member Whitley seconded the motion. Vote: All ayes. (Added as Item #5a)

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

Choose level of service and approve Centralina COG contract for FY 2009-10 Planning Services.  
Interim TA Munn explained that Centralina COG had prepared two proposals for Planning Services: Option 1 for \$22,000 and Option 2 for \$25,362. The higher proposal amount included a

limited number of actual “office hours” spent in Marshville Town Hall. Council Member Whitley made a motion to approve Centralina COG’s Option 1 for Planning Services for an estimated amount of \$22,000, seconded by Mayor Pro-Tem Kiker. Vote: All ayes.

Call for Public Hearing RZA-09-001 Text Amendment to Article XVI: Floodplains, Drainage, Stormwater Management, Part 1 Floodways and Floodplains to be held on Monday, July 6, 2009 at 7:00 p.m. Interim TA Munn informed Council that, in order to participate in the National Flood Insurance Program (NFIP), the Town must amend the text of its Flood Ordinance. Participation in the NFIP will allow residents that are required to have flood insurance policies to obtain such policies at a more reasonable cost. A public hearing is required to amend the ordinance. Council Member Whitley made a motion to set the date for Public Hearing RZA-09-001 Text Amendment to Article XVI: Floodplains, Drainage, Stormwater Management, Part 1 Floodways and Floodplains for Monday, July 6, 2009 at 7:00 p.m. The motion was seconded by Council Member Beachum. Vote: All ayes.

Discussion of the condition of the Park shelter. Council Member Beachum noted that the Park Shelter area needed to be pressure washed and that Mr. Charlie Boyce said that he could do that on Wednesday at a cost of \$300. Council Member Whitley felt that the Town should not spend \$300 for that service because it was the Park Director’s job to do such work. A discussion followed with references being made to a letter from Mr. Danny Jordan. Since that letter was shown as the next agenda item, Council Member Bridget made a motion to table the current issue until after the next agenda item was discussed. Mayor Pro-Tem Kiker seconded the motion. Vote: All ayes.

Consider request from Danny Jordan for refund of Picnic Shelter rental fees. PD Thifault informed Council that Mr. Danny Jordan had written a letter to request a refund of his rental fee due to the unsatisfactory condition of the picnic shelter area. PD Thifault said that one of the picnic tables was damaged as Mr. Jordan had pointed out, but some of his other claims seemed to be exaggerated or beyond his control. Mayor Pro-Tem Kiker felt that the citizen was offering constructive criticism.

PD Thifault noted that the Town took in \$2,230 last year in facility rental fees, the equivalent of approximately 80 rentals, and has only received two complaints. He also pointed out that he has never held a renter’s deposit money for damages. Council Member Whitley said that policy requires an inspection of the facility before and after the rental. PD Thifault commented that out of three rentals scheduled for the past weekend, only one actually showed up. He said that renters often show up late or not at all and he is not notified. PD Thifault reminded Council that he lives in Monroe and asked if Council expected him to make two or more trips to Marshville on the weekend, and asked, if so, how should he show that on his timesheet.

Mayor Deese warned Council about setting a precedent of refunding the fees, particularly when the policy says fees are non-refundable. Attorney Griffin said that there was conflicting evidence between the claims made in the letter and the thoughts of Council Member Beachum and PD Thifault. He also said that the policy is not clear as to when the inspection is to be done. Mayor Deese recognized that the policy needed to be addressed soon, but that the issue before them was to consider Mr. Jordan’s request for a refund. Council Member Whitley made a motion not to refund Mr. Jordan’s picnic shelter rental fee, seconded by Council Member Bridget. Vote: All ayes.

Discussion of the condition of the Park shelter (cont.) Council Member Beachum said that if Council Member Whitley and PD Thifault felt that the park director could and should do the job,

then so be it. Mayor Pro-Tem Kiker noted that PD Thifault had a valid point about renters showing up late. C/FO Maness was asked to add a discussion regarding park shelter policy and procedures/inspections, etc., to the next agenda.

Skateboard Park – Consider Liability insurance coverage; Consider furnishing helmets. Council Member Whitley was under the impression that the skateboard park was already covered, noting that was the reason for keeping the ramps under 3 feet in height. She felt that furnishing helmets would create a bigger liability. Council Member Whitley made a motion to close the skateboard park until the issue was resolved and to direct PD Thifault to post a notice of such immediately and until further notice. The motion was seconded by Council Member Beachum. Vote: All ayes. Mayor Deese asked that Interim TA Munn and PD Thifault to provide the requested documents to the League and get a quote on the premium to cover the skateboard park.

Discussion regarding letter from Union County Board of Commissioners concerning the Carolina Thread Trail. Mayor Deese explained that Union County had included a provision in their resolution of support of the Carolina Thread Trail that rejects the use of eminent domain for the acquisition of the property to be used for the trail. They requested that each municipality amend their resolutions to include the same language. Council Member Bridget made a motion to keep the original resolution as it was originally adopted, seconded by Mayor Pro-Tem Kiker. Vote: All ayes.

Consider resolution concerning the 457 Retirement Plan. Mayor Deese reviewed the resolution that was required to implement the 457 Retirement Plan with ICMA. It was noted that the plan was an optional benefit available to all Town employees. Council Member Whitley made a motion to adopt the resolution as presented, seconded by Council Member Bridget. Vote: All ayes.

Discuss and approve 2009 – 2010 Fiscal Year Budget Ordinance. Mayor Deese noted that C/FO Maness had made the adjustments to the proposed budget as requested by Council (*see attached “Adjustments made to FY 2009/10 Proposed Budget”*). Mayor Deese made a request to forego his quarterly pay and instead, use those funds to work on the welcome signs, to develop a Town crest or emblem and to purchase “Keys to the City” that could be presented to deserving individuals. Council Member Bridget made a motion to honor Mayor Deese’s request by allocating \$2,100 to be used as described. The motion was seconded by Council Member Whitley. Vote: All ayes. C/FO Maness confirmed that the change would not have an effect on the Budget Ordinance presented because it would not change the total allocation for the Elected Officials department.

Upon C/FO Maness’ request, Council Member Whitley made a motion that Council Member’s quarterly base pay is to include both regularly scheduled meetings each month. The motion was seconded by Council Member Beachum. Vote: All ayes.

Council Member Whitley made a motion to approve the 2009 – 2010 Fiscal Year Budget Ordinance as presented, seconded by Council Member Beachum. Mayor Pro-Tem Kiker asked about the idea of spreading the increase in garbage rates over two years. Council Member Bridget said that that service should be user pay and she didn’t see how the Town could afford to do otherwise. Vote: All ayes.

Comments

Council Member Beachum felt that everyone did a good job on the budget, noting that they had “tightened their belt” by cutting out a lot of things and freezing salaries.

Mayor Pro-Tem Kiker said that she hoped next year would be a better year economically so that the Town could give employees a raise.

Council Member Whitley concurred, but noted that they were fortunate to be able to keep all the employees at a time when so many employers are laying off workers.

DPW Steele informed Council that a local person wanted to put in a proposal for street sweeping services. He said that everything was fine with service currently being provided, but felt that there may be an opportunity to save a little money. In fairness to the current service provider, DPW Steele said that he would give them an opportunity to submit their best price and then choose the best option for the Town.

Mayor Deese said that he appreciated everyone for doing their best with the budget.

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

These minutes approved this \_\_\_\_ day of \_\_\_\_\_, 2009.

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Franklin D. Deese  
Mayor

Attest: \_\_\_\_\_  
Shelley H. Maness  
Town Clerk