

**Town of Marshville  
Town Council  
Regular Meeting  
Monday, August 17, 2009  
7:00 p.m.**

Present: Mayor Franklin Deese, Mayor Pro-Tem Gail Kiker, Council Members Ned Beachum, Margaret Bivens, and Denise Whitley, Interim Town Administrator John Munn, Attorney Bobby Griffin, Public Works Director Bivens Steele, Chief Mike Gaddy, Parks Director Alan Thifault and City Clerk/Finance Director Shelley Maness.

Absent: Council Member Dora Bridget

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.

Rusty Johnson, 115 Shady Lane, appeared before Council to express his disappointment in the lack of order at the July 20, 2009 Council Meeting resulting in the Mayor having to recess the meeting. Mr. Johnson stated that the conduct of the Council was embarrassing, and he felt a public apology was needed. He urged Council to work together and move forward to do what was best for the town.

Mayor Deese noted that he had tried to personally apologize to those in attendance and was sorry if he had missed Mr. Johnson.

John Edmondson advised that it was difficult to hear at the meetings and asked if the Council members could speak louder or use the microphone so that everyone could hear.

Mayor Deese reminded Council to speak louder in order to be heard by the audience.

There were no other public comments.

Adopt Agenda.

Mayor Deese requested that a closed session be added to the agenda in order to give an update on personnel matters. Council Member Whitley made a motion to add a closed session to the agenda according to NCGS 143-318.11(a)(6). Mayor Pro-Tem Kiker seconded the motion. Vote: All ayes. (Added as Item #9).

Council Member Bivens made a motion to add to the agenda a discussion of the overgrowth of vegetation on Bost Street. Council Member Whitley seconded the motion. Vote: All ayes. (Added as Item #8)

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

### Consent Agenda.

The consent agenda included only the approval of minutes from the June 22, 2009 Public Hearing and Regular Town Council Meeting. Council Member Whitley made a motion to approve the consent agenda as presented, seconded by Council Member Bivens. Vote: All ayes.

### League of Women Voters of Union County Candidates' Forum.

Mayor Deese advised that the Union County League of Women Voters had forwarded a letter to the Town with an offer to host a candidates' forum in Marshville as they have done in the past during election years. Council Member Bivens made a motion to direct the staff to coordinate with the Union County League of Women Voters for a candidates' forum to be held in the library, or if not available, in the Community Center. Council Member Whitley seconded the motion. Vote: All ayes.

### Code Enforcement Update..

Mayor Deese advised that James Luster with Centralina Council of Government had provided a written code enforcement update in the agenda package. After some discussion and questions regarding the report, Council Member Bivens made a motion to table this item until the next Council meeting and directed the staff to contact Mr. Luster to ask him to attend the meeting. Council Member Beachum seconded the motion. Vote: All ayes.

### Consider Advertising for Bids to Lease Town Property Located at 107 N. Elm Street.

Mayor Deese advised that the lease on the Town's property located at 107 N. Elm Street would expire on September 30, 2009, and the renter had notified the Town that she would not renew the lease. Council discussed the terms contained in the current lease. Council Member Whitley moved to direct the staff to publish an advertisement for bids to lease the property located at 107 N. Elm Street for a minimum bid amount of \$475 per month for the first year, and bids to be submitted for opening on September 15, 2009. The motion was seconded by Council Member Bivens. Vote: All ayes.

### Discussion of Overgrowth of Vegetation on Bost Street.

Council Member Bivens expressed her concern regarding the overgrowth of vegetation on Bost Street and the numerous police calls in the area. Public Works Director Steele advised that according to the Town's ordinance, grass cannot be higher than 24 inches. Council discussed contacting the owner of the property and asking him to clean up the property to improve the appearance. Council also discussed what role the Town should play in such situations. It was the consensus of the Council to direct Public Works Director Steele to clean the sidewalk area and right of way on Bost Street, after which, Council would look at the results and determine if any further action was needed.

Council Member Whitley made a motion to go into closed session according to NCGS 143-318.11(a)(6) and to include full Council, Clerk Maness, Chief Gaddy and Interim Town Administrator Munn and Town Attorney Griffin, seconded by Council Member Bivens. Vote: All ayes.



## **Closed Session.**

Council returned to Open Session.

### Discussion and Possible Action Regarding Town Administrator Position.

Council discussed the traits and abilities they wanted the next Town Administrator to have. Some of the suggestions included being friendly, willing to take time with residents, willing to relocate to Marshville, experience in government and knowledge of planning and zoning.

Council Member Whitley made a motion to excuse the Town Attorney and any department heads that wished to leave the meeting. Mayor Pro-Tem Kiker seconded the motion. Vote: All ayes.

It was the general consensus of the Council that the candidate should have some municipal experience, and, even though education was important, experience would carry more weight than education.

### Comments.

Mayor Pro-Tem Kiker expressed her feeling that the Council worked together at the meeting. She also advised that she did apologize for the lack of order at the last meeting.

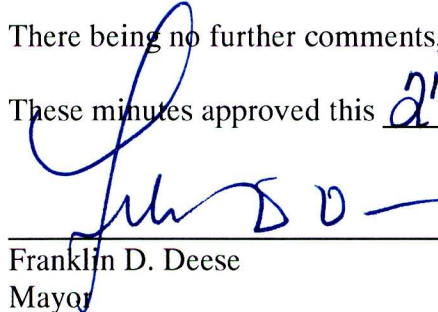
Council Member Bivens asked that the issue of animal cruelty be added to the next council meeting agenda.

Interim Town Administrator Munn advised that the terms for the purchase of land adjoining the town park were still under negotiations. Mr. Munn also reported that two-thirds of the State funds from Beer and Wine revenues would not be distributed to the municipalities this year resulting in a deficit for the Town of approximately \$8,830.

Council Member Whitley moved to re-schedule the September 7, 2009 Regular Council Meeting to Tuesday, September 8, 2009 at 7:00 p.m. due to the Labor Day holiday. Mayor Pro-Tem Kiker seconded the motion. Vote: All ayes.

There being no further comments, the meeting was adjourned at approximately 8:20 p.m.

These minutes approved this 2nd date of August, 2010.

  
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Franklin D. Deese  
Mayor

Attest:   
\_\_\_\_\_  
Int. Clerk

*(Minutes transcribed by Karen B. Price)*

