

**Marshville Town Council  
Regular Meeting  
7:00 P.M. Monday, March 3, 2008  
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, Director of Public Works Bivens Steele, Town Administrator Carl Webber, Park Director Alan Thifault, Police Chief Mike Gaddy, and Asst. Clerk Debra Leigh

Mayor Deese opened the meeting and welcomed everyone in attendance. Council Member Bivens gave the invocation. All gave the Pledge of Allegiance.

Public Comments: There were no public comments.

Department Head Comments: Park Director Alan Thifault said the softball tournaments would be on March 28<sup>th</sup> and 29<sup>th</sup>, that the Easter Egg hunt would be on Sunday, March 16<sup>th</sup> from 2pm to 4pm, with rain date of Easter Sunday. He said the Easter Bunny would be there and would have Easter baskets. Mayor Deese said he had received a call complimenting Mr. Thifault and council on the summer camp last year and asking whether they would have the camp again this year. Mayor Deese said he informed her it would be on future agenda.

PWD Bivens Steele said the work on the water line project had been submitted to the state and was waiting on reply back before construction could begin. He said work on the Welcome to Marshville signs had begun.

Chief Gaddy said they had gone in and closed down the Internet Service on East Union St. He thanked PWD Steele and his department for their help with the removal of items in the business. Monroe also had two they went in and closed down. He said that Darryl Gerald was back on regular duty.

Adopt Agenda: Mayor Pro-Tem Kiker made a motion that the memo they had received for a memorial service at the park for a Mrs. Morton's mother be added to the agenda, seconded by Council Member Whitley. Vote: All Ayes. (Added as Item #19). Council Member Whitley made a motion to add to the agenda a discussion of establishing an Asst. Chief of Police position in order to help Chief Gaddy, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes. (Added as Item #20) Council Member Bivens made a motion to add to the agenda discussion of a donation to the Union County Red Cross, seconded by Council Member Whitley. Vote: All Ayes. (Added as Item #21). TA Webber said there was one proposal for the landscaping at the old town hall council could consider

opening and reviewing at this time. Council Member Whitley made a motion to add to the agenda the opening of the landscaping bid proposal, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes (Added as Item #22). Mayor Deese asked that discussion on the Welcome to Marshville signs be added to the agenda. Council Member Whitley made a motion to add brief discussion of signs to the agenda, seconded by Council Member Bivens. Vote: All Ayes. (Added as Item #23).

Adopt Agenda: Council Member Whitley made a motion to adopt the agenda with the additions. Seconded by Council Member Bivens. Vote: All Ayes

Consent Agenda: The consent agenda included only the approval of the minutes from the February 18, 2008 meeting. Council Member Bridget made a motion to approve the consent agenda. Seconded by Council Member Beachum. Vote: All Ayes

Discuss Larry Laney water bill issue: TA Webber said he had received a letter from Attorney Larry Harrington, who is representing Mr. Laney, appealing decision to charge Mr. Laney for the error on billing between him and Mr. Kenneth Phifer, stating that the statute of limitations had expired. Council Member Bridget made a motion to table at this time in order for the town's attorney to review and report back at future meeting. Seconded by Council Member Whitley. Vote: All Ayes

Discuss Karate Classes in Community Center: Mr. Mark Ciprich, 8315 Morgan Mill Rd., Monroe, NC said that he had been teaching karate classes on Tuesday and Thursdays at the Community Center for two years in April. He said there were currently eighteen members, five of which are two-family members. He said twenty members were all he could have because of insurance. He currently charges \$35 family for the first member, \$25 for second and \$15 for third. He said he would like to decline the offer of working for the town and being paid \$20 an hour, instead he was proposing to rent the room at \$150 per month. If he rented another place, he would have to go up on the charge to his students and have more enrolled in the classes. The use of the large room at the community center has to come before council for approval for each use as it is considered a recreational facility, and the current policy only applies to the smaller room. After discussion, Council Member Bivens made a motion to accept his proposal of paying \$150 for the use of the community room. Seconded by Council Member Bridget. Vote: Ayes: Beachum, Bivens, Bridget and Kiker. Nays: Whitley

Discuss request for outside sewer services for medical office: Scott Brown, contractor for the dialysis center being built at 7260 East Marshville Blvd., which is just outside the town limits, requesting to be connected to the town's sewer system. PWD Steele said there would be no expense to the town, the center would run a four inch line to the town's sewer main. After discussion, Council Member Whitley made a motion to approve sewer service contingent with the dialysis center being annexed into town limits. Seconded by Mayor Pro-Tem Kiker. Vote: All Ayes

Discuss request for outside sewer for Granger Barrino: Mr. Barrino is putting in a double wide to replace home that burned. In the process when the lot was cleared off his septic tank was damaged and due to high cost of repair to the septic tank, he is asking if he can be connected to the town's sewer. After discussion, Council Member Whitley made a motion to approve sewer service contingent with Mr. Barrino being annexed into the town limits. Seconded by Council Member Bivens. Vote: All Ayes.

Comprehensive Transportation Plan Update: Mr. Rockne Bryant with NCDOT gave an update on the Comprehensive Transportation Plan, which was adopted on April 1992 and the last meeting date was June 20, 2005 (see attached).

Mayor Deese called for a five-minute recess before going into closed session.

#### Closed Session

Meeting was reconvened. Council Member Whitley made a motion to go into closed session per NCGS 143-318.11(a)(6) to hear investigative complaint concerning public employee and include Chief Gaddy, TA Webber, Deputy Clerk, investigator and the town attorney. Seconded by Council Member Beachum. Vote: All Ayes

Mill Street Speed Hump Request: TA Webber reviewed with council members the Traffic Analyzer Study that was done on Mill Street beginning on February 13, 2008 and ended on February 16, 2008. PWD Steele said there were places a speed hump could be placed. After further review, Mayor Pro-Tem Kiker made a motion directing staff to proceed with the erection of a speed hump on Mill Street. Seconded by Council Member Whitley. Vote: All Ayes.

Approve Ordinance prohibiting parking on Cherio Street: Received letter at last meeting concerning parking on the streets from Piedmont Commercial Roofing. In order to prohibit parking on Cherio Street, an ordinance specific to no parking on Cherio Street would need to be approved. Chief Gaddy said that if there is an ordinance for no parking they would have to enforce it and start towing vehicles and need the support of council. Council Member Whitley made a motion to approve the ordinance. Seconded by Council Member Kiker. Vote: Ayes: Kiker and Whitley. Nays: Beachum, Bivens and Bridget.

Approve Day in the Park contract, Concealed Weapons classes, Approve Soccer Field use: PD Thifault said that he had not received any information concerning the classes for concealed weapons or the use of the soccer field. He said the contract for the "Day in the Park" was the same as last year with the exception of price increase of \$600. Council Member Bridget made a motion to approve the "Day in the Park" contract with the rate increase. Seconded by Council Member Bivens. Vote: All Ayes

Approve Duke Energy Contract: Council Member Bridget made a motion to approve the contract for the town to be a collection agent for Duke Energy. Seconded by Council Member Bivens. Vote: 4 Ayes (Beachum, Bivens, Bridget and Kiker) Nays: 1 (Whitley)

Review of Hiring Policy: At the August 2006 meeting council voted four to one that department heads do the hiring and after they are hired to present them to council. Council Member Whitley said that the citizens look at the council as their responsibility to do the hiring, that in the past a committee was formed to review the applications and bring to council their decision. Council Member Bridget said that the department heads knew the jobs and felt they were better qualified to know if the applicant was qualified to access who they need to hire for the job. Mayor Deese said that in his opinion it was the job of council to set policy, not to micro manage, and feels there are more important issues that council needs to be concerned about. He feels that the council should have enough faith in the department heads to let them doing the hiring. Council Member Beachum said he thought the hiring should be left to the department heads, did not feel council should micro manage. Council Member Whitley said that any employee was a liability to the town and ultimately council was responsible. Council Member Whitley made a motion to change the policy to state that council do the hiring and to include regular employees and the department heads. Seconded by Council Member Bivens. Vote: Ayes: Bivens, Kiker and Whitley. Nays: Beachum and Bridget. Mayor Deese nominated Council Members Bivens, Kiker and Whitley as the committee to review and hire any new employees. The hiring of new employees will follow the Procedure for Hiring Personnel as in the personnel policy (see attached).

Request to hold Memorial at Park: TA Webber said that he had a request to hold a memorial at the park for a Mrs. Morton's mother when she passed away. Council Member Bridget made a motion to allow the memorial service at the park. Seconded by Mayor Pro-Tem Kiker. Vote: All Ayes

Discuss establishing Assistant Chief of Police Position: Council Member Bridget made a motion to establish the assistant chief of police position in an effort to help ease the workload of Chief Gaddy. Seconded by Council Member Bivens. Vote: All Ayes

Discuss donation to Union County Red Cross: Council Member Bivens said she had been chosen to raise \$1000 for the Union County Red Cross and was asking if the town would donate toward this goal. She said all the money raised would be used in Union County. Council Member Bridget said that council had agreed to donate money to only organizations they had donated to in the past. Council Member Whitley made a motion to donate \$250 to Union County Red Cross. Seconded by Council Member Bivens. Vote: Ayes, Bivens, Kiker and Whitley. Nays: Beachum and Bridget

Review Landscape Proposal for Old Town Hall: TA Webber said there was only one proposal for the landscape project at the old town hall and he had received it late in the day and did council want to open at this time. Everything Under the Sun's proposal was for \$3600 and said it would take a day and a half to complete the project.

After discussion Council Member Bridget asked that decision be tabled at this time and for photos of their work be on the next agenda for further review. Seconded by Council Member Whitley. Vote: All Ayes

Discuss Welcome to Marshville signs: Mayor Deese said the Welcome to Marshville were meant to capture things that are important to this area and felt as renowned as U. S. Helicopter was to the area, asked if helicopter could be added to the sign. Council Member Bridget made a motion to add helicopter to the Welcome to Marshville sign. Seconded by Council Member Whitley. Vote: All Ayes

Comments:

Council Member Beachum said that he agreed with the letter they received from Attorney Bobby Griffin

Council Member Bivens, Bridget, Kiker and Whitley had no comments.

TA Webber said he had received a letter concerning the code enforcement on Hill Street and a copy was placed in their boxes and the asbestos had been removed from house at 200 S. Carelock Drive. He said there was a meeting at SPCC on Tuesday, March 4, 2008 at 5:30pm, which would go over Parliamentary Procedures if anyone was interested in going. He said the cost was \$20 per person, and had reserved five places. He said the Marshville site was now on online and available for use, and asked council to update their information and if they would like to submit a message to bring to him. He said he realized the importance of Chief Gaddy retiring in about three years, but informed council that Tax Collector Carolyn Haigler would be retiring next year the first of April and most of what is done is done only once a year. Council needs to be giving considerable thought on whether they want to go ahead and hire someone as soon as possible.

There being no further comments, the meeting adjourned at 10:25 p.m.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Franklin D. Deese  
Mayor

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

