

Marshville Town Council  
Regular Meeting  
7:00 P.M. Monday, April 7, 2008  
Marshville Town Hall  
201 West Main St., Marshville, NC 28103

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, Atty. Bobby Griffin and Asst. Clerk Debra Leigh

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

Public Comments: Doug Hill, 114 Shady Lane, asked council if they would check and see if there was anything that could be done concerning the barking dogs in the neighborhood that are keeping him and his wife awake nights.

Pastor Mike Oney from Cornerstone Church said the church was interested in buying property located at corner of North Elm St. and Franklin St. to build a church and asked if town would consider furnishing sewer services to this location in the future.

Department Head Comments: PD Thifault said that he had met with the Athletic Association to confirm and coordinate schedule for upcoming games. He said the Marshville School was finishing up their schedule.

PWD Steele said everything in public works was going smooth.

Chief Mike Gaddy said that the recent car break-ins in the area were being investigated. Council Member Whitley said cars were being parked on the sidewalk on East Union Street making it harder to pull out onto North Elm Street and asked if No Parking on Sidewalk signs could be put up.

Adopt Agenda: Council Member Whitley made a motion that the White Street Water Project be added to the agenda, seconded by Council Member Bivens. Vote: All Ayes (Added as Item #8) Council Member Bivens made a motion that J. B. Watson Audit Contract be added to the agenda, seconded by Council Member Beachum. Vote: All Ayes (Added as Item #22) Council Member Whitley made a motion that discussion of number of police officers at police department be added to the agenda, seconded by Council Member Bivens. Vote: All Ayes (Added as Item # 18) Mayor Pro-Tem Kiker made a motion that daily police patrolling at Marshville Elem. School be added to the agenda, seconded by Council Member Whitley. Vote: All Ayes (Added as Item #24)

Consent Agenda: The consent agenda included only the approval of the minutes from the March 17, 2008 meeting. Council Member Bridget made a motion to approve the consent agenda, seconded by Council Member Beachum. Vote: All Ayes

Old Town Hall Landscape Project Bid Opening: There were two bid packages submitted for the landscape project for Old Town Hall, one from Turf Services and the other from Construcco Inc. Matthew Jefferson, Turf Services submitted a bid as proposed in the amount of \$8955, but suggested to council some additions and changes. Charlie Henry, Construcco submitted a bid in the amount of \$13,200 which included additions to the original bid. After discussion, Mayor Pro-Tem Kiker made a motion to award the bid to Turf Services as this was amount budgeted this year for the project and discuss at budget time additions to project, seconded by Council Member Whitley. Vote: All Ayes (attach. 1979a )

White Street Water Project: There were a total of five bids for the White Street Water Project, the lowest bid from C. W. Utilities from Shelby, North Carolina at \$69598.41. Blake Carter, engineer from Hobbs & Upchurch recommended the bid be awarded to C. W. Utilities as the lowest, responsive, responsible bidder. Council Member Bridget made a motion to award the bid to C. W. Utilities, seconded by Council Member Whitley. Vote: All Ayes (attach. 1979b)

Larry Laney Utility Bill: TA Webber said Atty. Joe McCollum had reviewed the utility bill discrepancy between Kenneth Phifer and Larry Laney and the statute of limitations for collection is three years. Council Member Bridget made a motion that an amended letter be sent to Mr. Laney requesting payment of \$986.12, seconded by Council Member Whitley. Vote: All Ayes

No Parking Ordinance on Cherio Street and Chambers Street: Council Member Bivens made a motion to adopt No Parking Ordinance on Cheerio St. and Chambers Street to be effective May 1, 2008, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes (attach.1979c)

Community Room Programs: PD Thifault said that Mark Cirprich, karate instructor was no longer interested in using the Community Room for karate lessons. PD Thifault said that he would like to see the larger room at the Community Center utilized, possibly for persons needing a larger area than the small room for parties. After discussion, Council Member Bridget made a motion that the policy for the use of the small room be implemented for the larger room, seconded by Council Member Bivens. Vote: All Ayes By consent of council the fees for the smaller room apply for the larger room, and if renting the larger room and need use of kitchen then both rooms are to be rented.

Hospice of Union County Funding: Mayor Deese directed council to the letter in the agenda packet from Hospice thanking the town for their generous donation. At the last council meeting it was decided request for funding would be discussed at budget time.

Council Member Whitley made a motion directing TA Webber to write letter clarifying council's decision, seconded by Mayor Pro-Tem Kiker. Vote: All Ayes

Town Hall Day: TA Webber said that Town Hall Day would be on June 4<sup>th</sup> this year and hours had been extended to 7:00 p.m., and needed to know those who wished to attend by the end of the week. Mayor Deese, Council Members Bivens, Bridget and Whitley said they would be attending. TA Webber was instructed to contact other municipalities and see if there would be enough people going for possible bus transportation.

Clerk Certificate of Sufficiency for RHGC Investment and Barrino Annexation: Council received clerk's certificate of sufficiency regarding RHGC Investment and Granger Barrino voluntary annexation. Council Member Bridget made a motion to adopt resolution setting the public hearing date as April 21<sup>st</sup> at 7:00 p.m., seconded by Council Member Beachum. Vote: All Ayes

Policy on Pre-Employment Physical/Functional Capability Exam: After discussion, Council Member Bridget made a motion directing town administrator to research language on policy for pre-employment physical and capability exam, seconded by Council Member Bivens. Vote: All Ayes

Motor Vehicle Records Policy: Council Member Bridget made a motion directing town administrator to draft language provided by NCLM to fit needs of the town, implementing Motor Vehicle Records Policy, seconded by Council Member Bivens. Vote: All Ayes

Authorize Administrator to Request Notification of Driving Violations from NCDMV: TA Webber said the NC Dept. of Transportation offered an online service Transit Driver Program where notification of driving records and violations can be obtained. Council Member Bivens made a motion directing town administrator to research and bring to future council meeting whether it applies to the town, seconded by Council Member Whitley. Vote: All Ayes

Discuss Number of Officers at Police Department: Council Member Whitley said that she had requested this be placed on the agenda for discussion as she felt nine officers at the police department were too many for town of this size. After further discussion, Council Member Whitley made a motion to table at this time and directed town administrator to obtain study from the League on towns of same population and number of officers they employ, seconded by Council Member Bivens. Vote: Ayes; Beachum, Bivens, Kiker and Whitley. Nays: Bridget

Discuss Assistant Police Chief Position: After discussion, Council Member Whitley made a motion that the town administrator inquire of other towns the size of Marshville that have Assistant Police Chiefs and have them send job description for further review, seconded by Council Member Bivens. Vote: All Ayes

Concession Window Replacement: PD Thifault said he felt the concession stand # 2 cover was a safety issue as it hangs on two hooks and is over kids heads. He said the cost of a rollup gate cost approximately \$1700 and had this amount in his budget for repairs. Council Member Bridget made a motion authorizing PD Thifault to buy rollup gate, seconded by Council Member Bivens. Vote: All Ayes

Summer Camp Program Fees: PD Thifault said that the cost of the summer camp program last year was done economically at a cost of \$10 per week and felt this year that the cost should be raised to \$35 per week, would like to purchase a new slide to be used as water slide in the summer at a cost of approximately \$2695. He said he would be placing ad for camp counselors soon and needed to know how council wanted the hiring done this year. Council Member Bivens made a motion that the weekly fee be raised to \$35, authorize PD Thifault to purchase slide and the hiring for summer counselors would be by the hiring policy as it is, seconded by Council Member Whitley. Vote: Ayes; Bivens, Kiker and Whitley. Nays: Beachum and Bridget

J. B. Watson Contract: TA Webber said the contract and submittal letter from J. B. Watson for the coming year audit and the contract was same as last year which is \$8700. Council Member Bridget made a motion to accept the contract from J. B. Watson, seconded by Council Member Beachum. Vote: All Ayes

Patrol at Marshville Elem. School: Mayor Pro-Tem Kiker asked Chief Gaddy if he would make sure there was an officer at Marshville Elem. School to direct traffic every morning to insure traffic flows smoothly and safely. Chief Gaddy said he would make sure an officer was there everyday directing traffic at the driveway.

Comments:

Council Member Beachum said he would like to personally apologize again to James Scott, Chief Gaddy and the police department for the unwarranted suspension that took place and thinks the police department and Chief Gaddy do a great job.

Council Member Bivens said that she had been contacted by a gentleman that lived on J. J. Autry Road concerning water issue.

Council Member Bridget and Whitley had no comment.

Mayor Pro-Tem Kiker asked PD Thifault since the games had started at the park if the concession stands were going to be opened. PD Thifault said they would be open.

TA Webber said the Duke Energy payments were going well; Dr. Byron Ward, who is in the ETJ area had resigned from the Planning and Board of Adjustment Boards as he had a prior engagement on that night. TA Webber said he had placed advertisement for anyone serving on the board as Chairman Carpenter was leaving effective at the April meeting, and had had no response. There would be a small reception at the meeting April 10<sup>th</sup> if anyone was interested in coming. A notice of Education Public Forum Law Update being offered at UNC School of Government if anyone going or if they would like to send someone. Carolyn Haigler had submitted formal notice of her retirement as of April 1, 2009 with 21 years of service.

There being no further comments, the meeting adjourned at 9:45 pm

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

---

Franklin D. Deese  
Mayor

---

Shelley H. Maness  
Town Clerk