

**Marshville Town Council
Regular Meeting
7:00 P.M. Monday, May 5, 2008
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, Margaret Bivens, and Denise Whitley, Town Attorney Bobby Griffin, Director of Public Works Bivens Steele, Town Administrator Carl Webber, Park Director Alan Thifault, Police Chief Mike Gaddy, and Town Clerk/Finance Officer Shelley Maness.

Mayor Deese opened the meeting at approximately 7:00 p.m. and welcomed everyone in attendance. Council Member Beachum gave the invocation. All gave the Pledge of Allegiance.

Public Comments:

Linda Smosky, Union County Council on Aging representative, thanked Council for their support in years past. Ms. Smosky noted that the Council on Aging had moved to a new facility on Skyway Drive, Monroe, NC. She reviewed some statistics regarding the aging population of Union County and noted that it was their goal to keep these folks in their own homes.

Gladys Kelly, 412 S. Elm Street, said that she was there to answer any questions that Council may have regarding the letter she sent. Mayor Deese noted that Ms. Kelly's letter gives her opinion on Marshville's hiring procedures, the proposed assistant police chief position, collecting Duke payments and charitable contributions. Ms. Kelly stated that she thought about these issues for some time before she wrote the letter. She commented that the Town Charter had not been updated since 1985.

Matthew Jefferson, Turf Services representative, 622 N. Elm St., reported that he had chosen David Helms to supervise the Old Town Hall project. Mr. Jefferson brought masonry samples for Council to choose from. He also asked if their contract could be amended to allow for partial payment in advance, noting that the company's primary product supplier had closed their doors since the original contract was signed. Mayor Deese asked TA Webber to work with Mr. Jefferson to reword the contract and bring the revised version back to Council at the next meeting.

Department Head Comments:

PD Thifault informed Council that "Day in the Park" was scheduled for Saturday, May 10th.

DPW Steele reported that they would be installing additional fire hydrants around Town within the week. Also, the "no parking" sign on Cherio Street would be installed the following day.

Chief Gaddy said things had been relatively quiet, but calls had picked up some. Mayor Pro-Tem Kiker thanked the Police Department for their presence at Marshville Elementary School.

Adopt Agenda:

Mayor Deese requested that Council add a closed session to the agenda to receive or give advice regarding a potential claim against the Town. Council Member Bridget made a motion to add a closed session to the agenda, second by Council Member Beachum. Vote: All Ayes. (Added as Item #16).

Council Member Bridget made motion to adopt the agenda as amended, second by Council Member Beachum. Vote: All Ayes.

Consent Agenda:

The consent agenda included only approval of the minutes from the April 21, 2008 public hearing and regular meeting. Council Member Bridget made motion to approve the consent agenda as presented, second by Council Member Bivens. Vote: All Ayes.

Presentation by Turning Point – Kristen Jacobs. Ms. Jacobs explained how Turning Point helps victims of domestic violence and then thanked Council for supporting the shelter.

National Police Week Proclamation – Elizabeth Crooke. TA Webber explained that Ms. Crooke had a scheduling conflict and would not be able to attend. He reported that May 11th – 17th is recognized as National Police Week and May 15th is designated as Peace Officers' Memorial Day. Council Member Whitley made a motion to proclaim May 11th through May 17th as National Police Week, second by Council Member Bivens. Vote: All Ayes.

Energy Audit report – Tim Gause, Duke Energy; Dan Welch, Advanced Energy; Roshena Ham, Centralina COG. Mr. Gause explained that Duke Energy had met with Centralina COG in the fall of 2007 and Marshville was chosen as one of three communities selected to participate in an energy efficiency audit. Mr. Welch reported that the audit had revealed a significant amount of cost savings potential. He estimated that the Town could save about \$9,400 per year in energy costs by making upgrades, etc., requiring a one time cost of approximately \$7,150.

Mayor Deese called for a five minute recess at approximately 8:00 p.m. The meeting resumed at approximately 8:05 p.m.

Receive Voluntary Annexation Petition – Eddins/Kimrey property; Direct Clerk to investigate sufficiency. TA Webber explained that the annexation request pertains to two parcels of land, each of which is partly inside the city limits. The parcels are located on Hasty Road near Crestway Court. The owners have requested that the Town annex the portions that are not within the city limits. Council Member Bridget made motion to receive the voluntary annexation petition and direct the Clerk to investigate the sufficiency, second by Council Member Bivens. Vote: All Ayes.

Amend Ordinance establishing Auxiliary Police, increasing number of Auxiliary Officers. TA Webber reminded Council that the current ordinance allows for five auxiliary officers. He explained that auxiliary officers work on a voluntary basis and are not paid. The only cost associated with an auxiliary officer is workers comp insurance premiums and one uniform per season. Council Member Bridget made a motion to amend the ordinance to increase the maximum number of auxiliary officers to eight, second by Council Member Beachum. Vote: All Ayes.

Approve agreement with Andy Silver of Resolution Experts for budget workshop facilitation.

TA Webber reminded Council that the budget retreat was scheduled for May 29th at 5:30 p.m. He explained that Andy Silver of Resolution Experts would facilitate the meeting for a fee of \$125/hour. Council Member Bivens made a motion to approve the agreement with Andy Silver of Resolution Experts for budget workshop facilitation, second by Council Member Bridget. Vote: 3 to 2 (Council Member Whitley and Mayor Pro-Tem Kiker opposed)

Update on progress of Assistance Chief Study. TA Webber reported that he was still doing research on the Assistance Chief position. He explained that the information he was seeking was not readily available and it would take more time to compile the data. Council Member Whitley asked TA Webber to use his years of experience as a law enforcement officer to develop a job description for the position.

Update on Marshville/Wingate joint economic development study. TA Webber explained that Wingate was concerned that there would not be enough time left in the budget year for Greenfield to do a sufficient study. After some discussion on the matter, the general consensus of the board was to roll the budgeted funds over into FY 08/09. TA Webber was directed to bring back a revised, more formal agreement to extend the completion date of the study.

Comments:

Council Members Beachum, Bivens, Bridget and Whitley had no comments.

Mayor Pro-Tem Kiker gave her condolences to Council Member Whitley in regards to the death of Mrs. Whitley's aunt, Ms. Ethel Whitley. Aware that there was some concern, Mayor Pro-Tem Kiker clarified that she had donated a condemned house to Beaver Lane VFD to be used for fire training and that it was intentionally burned.

Clerk/Finance Officer Maness reported that her department was preparing for fiscal year end. She noted that budget amendments may be forthcoming.

Administrator Webber referred to a letter from Centralina COG indicating the Town of Marshville as an adjoining property owner to 515 N. Elm Street, Union County Public Schools, who has issued a special use permit for one mobile classroom at Marshville Elementary School. The Marshville Board of Adjustment planned to hear the special use request at 7:30 p.m. on May 8, 2008 at Marshville Town Hall. Council was encouraged to attend the meeting. TA Webber informed Council that statutes regarding involuntary annexations were being challenged and the School of Government's Dr. Karl Knapp had prepared a sample resolution in support of sound, fair and uniform municipal annexation statutes. TA Webber advised Council to familiarize themselves with the matter and consider adopting the resolution. The American Red Cross sent a thank you card for hosting a blood drive in which they received nine units of blood. TA Webber said that budget requests were in from all department heads as required. He noted that this was a property revaluation year and additional steps must be taken to determine a revenue neutral tax rate. The budget proposal would be available on or before May 29, 2008, the date of the budget retreat. TA Webber also referenced a calendar of events for the Union County Chamber of Commerce.

Mayor Deese offered his condolences to Council Member Whitley, also. Mayor Deese reminded everyone that the following day was Election Day and asked everyone to please vote.

Council Member Bridget made a motion to go into closed session to consult with an attorney employed or retained by the public body to receive or give advice regarding a potential claim against the Town in order to preserve the attorney-client privilege between the attorney and the public body as per NC G.S. 143-318.11 a (3), second by Council Member Bivens. Vote: All Ayes.

(Closed Session)

In open session, there were no further comments. The meeting was adjourned at approximately 9:05 p.m.

These minutes approved this ____ day of _____, 2008.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk