

**Marshville Town Council
Special Meeting
7:00 P.M. Tuesday, January 20, 2009
Marshville Town Hall
201 West Main St., Marshville, NC**

Present: Mayor Franklin D. Deese, Council Members Ned Beachum, Margaret Bivens, Dora Bridget and Denise Whitley, Attorney Bobby Griffin, Town Administrator Carl Webber, and Director of Public Works Bivens Steele. Mayor Pro-Tem Gail Kiker and Town Clerk/Finance Officer Shelley Maness were absent.

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.

Adopt Agenda:

Council Member Bivens made a motion to adopt the agenda as presented, seconded by Council Member Bridget. Vote: All ayes.

Consent Agenda:

The consent agenda included only the approval of the minutes of the December 22, 2008 and the January 5, 2009 Regular Meetings. Council Member Bridget made a motion to approve the consent agenda as presented, seconded by Council Member Beachum. Vote: All ayes.

Consider making public the minutes of the Closed Session of the January 5, 2009 meeting as authorized by NCGS 160A-168(c)(7). Council Member Whitley asked if the minutes were made public would that also make the tape recording of the meeting public. TA Webber confirmed that it would. Council Member Whitley made a motion to make public the minutes of the Closed Session of the January 5, 2009 meeting, seconded by Council Member Bivens. Vote: 3 to 1 (Council Member Beachum opposed).

Approve Contract with URS Corporation regarding Pedestrian Plan. TA Webber reminded Council that the Town had been approved for Pedestrian Planning Grant and Council had previously agreed to use the services of URS Corporation. Council Member Whitley made a motion to approve the contract with URS Corporation regarding the Pedestrian Plan and authorize the Mayor to execute the contract, second by Council Member Bivens. Vote: All Ayes.

Discuss Amendment to Waste Water agreement proposed by Union County. TA Webber stated that he had received correspondence from Union County requesting that the Town consider an amendment to the Waste Water agreement between the Town and the County. The County notes that it is their opinion that the contract expired in October 2008, based on the original 1978 contract. TA Webber pointed out that a 1994 subsequent contract states that it supersedes and replaces the 1978 contract. TA Webber was of the opinion, and thought Attorney Griffin would agree, that the 1994 contract began a new 30-year agreement, valid through 2024. Mayor Deese directed TA Webber to get with former mayor Charles Harvey Griffin to determine what the intent of the contract was and also, to let the County know that the Town is willing to talk to them about the matter.

Authorize staff to arrange for repair/replacement of drive-thru window at Town Hall. TA Webber said that C/FO Maness was confident that funds were available in the budget to cover the proposed cost to replace the window in the amount of \$7,535.00 plus tax. Council Member Whitley made a motion to authorize staff to arrange to repair or replace the drive-thru window at a figure not to exceed \$7,535.00 plus tax, seconded by Council Member Bivens. Vote: 3 to 1 (Council Member Bridget opposed).

Comments

Council Members Beachum, Bridget and Whitley had no comments.

Council Member Bivens responded to an article that was recently published in the Enquirer Journal Newspaper regarding the hiring of two new police officers. She noted that the hiring committee, which included Chief Gaddy, made their decision based on what they thought was best for the Town of Marshville. She also clarified that she did not find the recent incident at the park as being “funny.” Council Member Bivens recommended that Council consider including in the next budget funds to install video cameras at the park.

TA Webber said the he attended the NCLM’s Regional Legislative Update in Concord. Council had been given a copy of the legislative issues as provided by the League. TA Webber asked Council to familiarize themselves with those issues.

TA Webber noted that he had received a compliment from a resident regarding Public Works’ clearing the snow from the streets. The resident said the streets were better in Marshville than anywhere else they had been. TA Webber noted that DPW Steele and his crew began plowing the streets as early as 3:00 a.m.

TA Webber notified Council that a police officer was involved in a single car traffic accident the previous week. TA Webber said that the officer swerved to avoid hitting a deer and ran off the road into a ditch. He said that there was no damage to other property and no injuries, but there was approximately \$8,000 in damages to the patrol car. The insurance company approved the repair of the vehicle. TA Webber said that the officer was given a drug test, per policy, and that the Highway Patrol investigated the accident. He said that there were no apparent wrongdoings by the officer. The accident happened while the officer was on duty around 4:00 a.m.

Mayor Deese reminded Council to start thinking of the upcoming budget. Mayor Deese concurred with Council Member Bivens that, although there were some “chuckles” about the incident at the park, he felt that everyone took the matter seriously.

There being no further comments, the meeting was adjourned at approximately 7:45 p.m.

These minutes approved this ____ day of _____, 2009.

Franklin D. Deese
Mayor

Attest: _____
Shelley H. Maness
Town Clerk