

**Town of Marshville
Town Council
Work Session
Tuesday, January 19, 2010 at 7:00 p.m.
Marshville Town Hall
201 W. Main Street**

Present: Mayor Franklin Deese, Mayor Pro-Tem Margaret Bivens, Council Members Beachum, Bridget, Jefferson and Whitley, Interim Town Administrator John Munn, Attorney Bobby Griffin, Town Clerk and Finance Officer Shelley Maness, Chief Mike Gaddy and Public Works Director Bivens Steele

Mayor Deese opened the meeting at 7:00 p.m. and welcomed everyone in attendance. Mayor-Pro Tem Bivens gave the invocation. All gave the Pledge of Allegiance.

Public Comments.

There were no public comments.

Adopt Agenda.

Council Member Whitley made a motion to add to the agenda a discussion to consider extended hours at the Community Center, seconded by Council Member Jefferson. Vote: All ayes.

Council Member Beachum made a motion to adopt the agenda as amended, seconded by Council Member Whitley. Vote: All ayes.

Consent Agenda.

Council Member Whitley made a motion to approve the consent agenda as presented which included the following items:

- a. Received Budget Report
- b. Approved Minutes of July 27, 2009 Council Meeting reconvened from July 20, 2009.

The motion was seconded by Council Member Beachum. Vote: All ayes.

Proposed Public Health Nuisance Ordinance.

Council reviewed the Public Health Nuisance Ordinance drafted by the town's attorney. Interim Town Administrator Munn noted the change of grass height from 24 inches to 18 inches that would be in violation of the ordinance. Attorney Griffin advised that he believed the Council had already voted on this ordinance, but he had just changed the format of the ordinance and that did not require a vote. Council Member Whitley agreed that she believed this had been voted on before. Mayor Deese asked Town Clerk and Finance Officer Maness to make sure the ordinance had been properly adopted and voted on. If Ms. Maness found that it was not, Mayor Deese directed her to bring it back to the Council for vote at the next meeting.

Possible Revision to Water Adjustment Policy.

Mayor Deese advised that due to the numerous complaints regarding high water bills he would ask the Council if they wished to consider some changes to the current policy.

Public Works Director Bivens reviewed the current policy and pointed out that in the case of a customer with an excessive bill, the policy called for the customer to be billed at regular rates for three times the customer's average monthly water and sewer use. Any consumption in excess of three times the customer's average monthly use would be billed at a rate equal to the wholesale rate. Mr. Bivens noted that the town had very few misreads of the meters.

Council discussed the current policy and whether to make any revisions. It was the general consensus of the Council to allow a break based on a 6-month average bill, allowed only once a year and direct the Town Clerk and Town Attorney to work together to make the revisions for consideration by Council at the next meeting.

Discuss Rules of Procedure for Town Council.

Town Clerk and Finance Officer Maness explained that the Council had considered using the rules of procedure suggested by the School of Government but had not formally adopted the selections set out in the example.

Interim Town Administrator Munn advised that adopting rules of procedure was not a simple matter. Council discussed waiting until the new Town Administrator had been hired to allow him to propose rules of procedure. Council Member Bridget suggested that the Council ask the Interim Town Administrator to work on this matter due to his extensive experience.

It was the consensus of the Council to ask Mr. Munn to begin working on a draft of the Rules of Procedures.

Discuss Possibility of a Town "blog".

Council Member Jefferson suggested it would be good for the town to have an official "blog" site. Council had a number of questions regarding how this would work for the town. Attorney Griffin suggested checking with the League of Municipalities.

It was the consensus of the Council to direct Interim Town Administrator Munn to contact N.C. League of Municipalities for information regarding Town "blogs" and look into how other towns have used this tool.

Discussion and Action to Consider Extending Hours at the Community Center.

Council Member Whitley advised that several citizens had asked about the possibility of using the exercise equipment at the Community Center after hours, maybe from 5:00 to 9:00 p.m. Monday-Thursday. Council Member Whitley stated that she did not want to add the responsibility of closing up to the police officers, therefore, she would be happy to look after locking up. Mayor Deese asked if there should be a responsible individual present during those after hours. Council agreed it would be beneficial to have the extended hours, but there should

be a schedule. Council Member Whitley said she would bring back to the Council suggestions for volunteers.

Update on Streetlight Issue.

Interim Town Administrator Munn advised that he would be scheduling a meeting with a representative of Duke Energy, Chief Gaddy and himself. Mr. Munn stated that he would be asking for a one to two-day response time on the outages reported by the Town. Mayor Deese asked Mr. Munn to remind Duke Energy that the Town is aware that we are paying monthly for lights that are out. Mr. Munn said he would bring a report back at the next Council meeting.

Comments.

Mayor Pro-Tem Bivens reported that the Town Administrator interviews were going well. She also reminded Council that she believed something still needed to be done about the dog situation.

Chief Gaddy advised that there were two positions open in the police department, and he had a reserve officer in line for one of the positions. The Chief asked if he should use an outside agency for the background checks. The consensus was to use the outside agency.

Interim Town Administrator Munn advised that there would be a RPO meeting on Thursday at 6:00 p.m. in the Community Center. Mr. Munn shared some concerns regarding the possibility of combining RPO with MUMPO which would leave Marshville without a vote. Mr. Munn suggested talking with the area's congressmen.

Mr. Munn noted that Mr. Crummy with the planning office at NCDOT in Raleigh would like to meet prior to the RPO meeting on Thursday. Council Member Whitley and Mr. Munn agreed they would be able to meet with Mr. Crummy.

Mr. Munn advised Council that Mr. Chaffin had asked for an appeal to his termination from the police department. Mr. Chaffin also asked that the appeal be in open session. Mr. Munn informed Council that the Town must give him at least 3 days notice. Council had a number of concerns regarding hearing the appeal in open session and whether information discussed in closed session was allowed to be discussed in the open. Attorney Griffin advised Council to review the town's personnel policy thoroughly before meeting with Mr. Chaffin. Mayor Deese suggested including a closed session at the February 8, 2010 Council meeting to receive information from the Attorney regarding a personnel matter.

There being no further comments, the meeting was adjourned at approximately 8:50 p.m.

These minutes approved this _____ day of _____, 2010.

Franklin D. Deese
Mayor

Attest: _____

(Minutes transcribed by Karen B. Price)