



## Village Council Work Session Meeting Minutes

June 30, 2022, 9:00 a.m.

Marvin Village Hall, 10006 Marvin School Road

**Members Present:** Mayor Pollino, Mayor Pro Tempore Vandenberg (via phone, arrived in person at 12:37pm), Councilman Deatherage, Councilman Lein, Councilman Marcolese, Councilman Wortman

**Staff Present:** Christina Amos, Austin W. Yow, Jamie Bays, Hunter Nestor, Derek Durst

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### A. AGENDA ITEMS

#### 1. **Call to Order & Determine Quorum**

Mayor Pollino called the meeting to order at 9:04am and determined a quorum was present.

#### 2. **Consider Allowing Councilmembers to Participate Remotely (If applicable)**

**Moved by** Councilman Marcolese

To allow Councilmembers to participate remotely.

**Vote: Motion Passed Unanimously**

#### 3. **Adoption of the Agenda**

requested to make the following changes:

- Remove Item of Discussion: "Discussion and Consideration of Options for Area Vacated by Oak Tree at Marvin Efird Park"
- Table Item of Discussion: "Discussion of the Village of Marvin's Voluntary Annexation Plan"

**Moved by** Councilman Marcolese

To adopt the agenda as amended.

**Vote: Motion Passed Unanimously**

**B. PRESENTATIONS**

**1. Presentation from the Union County Library Foundation**

TIME STAMP 1:50

*(See attached, Item B.1., which is included as a reference in these minutes).*

Nina Chaffin, Union County Library Director, gave a brief presentation on the construction of the Union County Southwest Regional Library. She discussed the history of discussions and actions of the Union County Board of Commissioners, and the bond referendum that facilitated the construction of the library. She stated that the site will be cleared in September 2022 and final completion is estimated to occur in 2024. Angela Bennett and Julie Thomas of the Union County Library Foundation briefly recapped Marvin's past history with the development of a library in western Union County.

**C. VILLAGE HALL**

TIME STAMP 28:30

Jamie Bays, Finance Officer, reviewed the Village Hall capital project fund, noting remaining commitments and future expenses. These expenses included additional office furniture and sound dampener panels for the Council Chambers. She asked Council to inform her if any member is aware of any further necessary expenditures. Council discussed the fund in depth.

**D. ITEMS OF DISCUSSION**

**1. Discussion of Amending the Village of Marvin Purchasing Policy**

TIME STAMP 37:10

*(See attached, Item D.1., which is included as a reference in these minutes).*

Jamie Bays, Finance Officer, explained that staff has continually struggled to obtain three quotes on smaller expenditure and that staff wishes to amend the policy to remove the three quote requirement for purchases less than \$10,000 and to allow the manager to approve these purchases.

She also requested to change the three-quote requirement to a two-quote requirement for informal bids at higher cost thresholds. Formal bids require three quotes/bids under state statute. She noted that these changes are similar to the purchasing policies in other municipalities. Council discussed this item in depth.

**Moved by Councilman Lein**

To approve the amended purchasing policy as presented.

**Vote: Motion Passed Unanimously**

**2. Discussion and Consideration of Bulletin Board Style and Location on Village Hall Site**

TIME STAMP 53:05

*(See attached, Item D.2., which is included as a reference in these minutes).*

Austin W. Yow, Village Clerk & Assistant to the Manager, asked Council to select a style of a bulletin board to install at the new Village Hall. He also asked them to select a location. Council selected the Community Bulletin Board style depicted on page 1 of the examples and selected Option E for installation. Council agreed by consensus to have park staff to build the structure.

**3. Update on the Village Hall AV Project**

TIME STAMP 1:10:25

Mr. Yow gave an update on the installation of audio/video equipment in the new Village Hall. He explained that the 10 components, largely related to video conferencing and wired internet, remain back ordered through September. He noted that the equipment for the conference rooms is scheduled to be installed by the end of July.

He explained that once installed, the Council Chambers will have large presentation screens, a projector, video cameras, monitors for Councilmembers to view presentations, and an encoder to facilitate live-streaming.

**4. Discussion and Consideration of Storage Shed Options for the New Village Hall**

TIME STAMP 1:16:50

*(See attached, Item D.4., which is included as a reference in these minutes).*

Derek Durst, Public Facilities Manager, shared photographs of an area just off the new connector to the Town Hall Trail, where a 12x12 storage shed could be constructed. Council discussed this item in depth, focusing on the Village's storage needs. Council discussed purchasing a kit from Costco.

**5. Consider Waiving the Two-Quote Requirement (if needed) and Entering into an Agreement with JHM Creative Co. for Social Media Marketing and Newsletter Services in an Amount not to Exceed \$15,000 per Year, Contingent Upon Attorney Review**

TIME STAMP 1:37:25

*(See attached, Item D.5., which is included as a reference in these minutes).*

Mr. Yow explained that staff is seeking to contract with a social media marketing consultant to reinvent and greatly expand the Village's communications. He noted that outside help could improve communications with customized graphics, analytics, redesigned newsletters, and moving to new platforms. He explained that quotes were sought from multiple vendors and that two-quotes were received.

He noted that this would also bolster the Village's marketing of annexation and community events, such as Marvin Day and National Night Out. He explained that he would be responsible for meeting with the vendor to determine communication goals, review the performance of posts, and to plan and approve content.

Lastly, he stated that with the approval of the purchasing policy revisions that only two quotes were required, therefore Council did not need to waive the two-quote requirement. He stated that he recommended that Council approve the agreement with JHM Creative Co, pending attorney review.

**Moved by Councilman Marcollese**

To enter into an agreement with JHM Creative Co. for social media marketing and newsletter services in an amount not to exceed \$15,000 per year, contingent upon attorney review.

**Vote: Motion Passed Unanimously**

**6. Consider Adoption of Resolution Directing the Clerk to Investigate Petitions Received Under NCGS 160A-31 (Voluntary Annexation)**

TIME STAMP 1:49:20

*(See attached, Item D.6., which is included as a reference in these minutes).*

Mr. Yow explained that the Village had received annexation petitions from two of the remaining non-annexed parcels in Weddington Chase. He stated that Council must pass a resolution directing him to investigate the sufficiency of the petitions, in order to move the annexation process forward.

**RS-2022-06-01**

**A Resolution Directing the Clerk to Investigate Petitions Received Under G.S. 160A-31**

**G.S. 160A-31 (Contiguous) Parcels:**

06156229 (7317 Stonehaven Drive, Weddington Chase)

06156341 (7111 Stonehaven Drive, Weddington Chase)

**Whereas**, petitions requesting annexation of an area described in said petitions have been received by the Marvin Village Council; and

**Whereas**, G.S. 160A-31 provide that sufficiency of the petition be investigated by the Clerk of the municipality before further annexation proceedings take place; and

**Whereas**, the Marvin Village Council deems it advisable to proceed in response to this voluntary annexation request; and

**Now, Therefore, Be It Resolved** by the Marvin Village Council that the Village Clerk is hereby directed to investigate the sufficiency of the above-described petitions and to certify, as soon as possible, the result of his investigation and present those findings to the Council.

*Adopted this the 30<sup>th</sup> day of June 2022.*

**Moved by** Mayor Pro Tempore Vandenberg

To adopt the Resolution Directing the Clerk to Investigate Petitions  
Received Under NCGS 160A-31

**Vote: Motion Passed Unanimously**

**7. Discussion of the Village of Marvin's Voluntary Annexation Plan**

This item was tabled to the July 28 Village Council Work Session.

**8. Discuss and Consider Adoption of Ordinance Amending the General Fund Budget for Longevity Benefits**

TIME STAMP 1:50:33

*(See attached, Item D.9., which is included as a reference in these minutes).*

**OR-2022-06-03**

**An Ordinance Amending the General Fund Budget Ordinance**

**Be it Ordained** by the Village Council of the Village of Marvin, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

**Section 1.** To amend the General Fund Budget, the revenues and appropriations are to be changed as shown.

TYPE	BUDGET ACCOUNT	AMENDMENT AMOUNT	FROM	TO
Expense	General Fund - Culture & Recreation Gross Wages: Park Maintenance A/C 6711	(\$1,000)	\$35,000	\$34,000
Expense	General Fund – Culture and Recreation Longevity	\$1,000	\$0	\$1,000

**Reason:** To appropriate \$1,000 to Culture and Recreation for Staff Longevity Pay for FY22.

**Section 2.** Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

*Adopted this 30th day of June 2022.*

**Moved by** Mayor Pro Tempore Vandenberg

To adopt the Ordinance amending the General Fund Budget as presented.

**Vote: Motion Passed Unanimously**

**9. Consider Call for Public Hearing on July 12 at 6PM at Village Hall for Special Use Permit Application #22-12905**

TIME STAMP 1:51:00

*(See attached, Item D.9., which is included as a reference in these minutes).*

**Moved by** Mayor Pro Tempore Vandenberg

To Call for Public Hearing on July 12th at 6PM at Village Hall for Special Use Permit Application #22-12905 to allow a detached accessory structure to encroach into the front yard located at 909 Woodland Forest Drive, per §151.054(B)(2)

**Vote: Motion Passed Unanimously**

**10. Consider Adoption of Resolution to Oppose Union County CZ Application 2021-04 (Henry Nesbit RV and Boat Storage Facility)**

TIME STAMP 1:53:10

*(See attached, Item D.11., which is included as a reference in these minutes).*

Mr. Nestor explained that a conditional rezoning proposal has been received by Union County for an RV and boat storage facility on the corner of Henry Nesbit and Waxhaw-Marvin Road. He explained that the County recommends that the Council adopt a resolution to state the board's opinion on the proposal. He noted that the County Planning Board will

probably hear the proposal in July and that the Board of Commissioners would likely hear the proposal at their first meeting in August. He stated that he will keep the Council updated on the status of the proposal.

**RS-2022-06-02**

**A Resolution Opposing Union County Conditional Zoning Application 2021-04 (Henry Nesbit Rezoning)**

**WHEREAS**, the Marvin Village Council's purpose is to represent the desires of its residents and to serve as a voice for the greater good of the community and support the same for neighboring municipalities; and

**WHEREAS**, the Village of Marvin is a member of the Western Union Municipal Alliance, which seeks to study, investigate, advocate for, and promote regional issues affecting the towns in the Western Union County area, including, land use planning, transportation concerns, economic development, and other issues that affect the quality of life of their citizens; and

**WHEREAS**, CH Nesbit, LLC has submitted to the Union County Planning and Zoning Department a conditional rezoning request from RA-40 to B-4 with conditions to develop a parking area for storing RVs, boats, and other vehicles; and

**WHEREAS**, this conditional zoning request is for the property located at the intersection of Henry Nesbit and Waxhaw-Marvin Roads (Tax Parcel ID: 06231001A) abuts the Village of Marvin municipal limits; and

**WHEREAS**, the Marvin Village Council recognizes that many Marvin residents are not in favor of this proposal and that the proposed development puts a burden on the surrounding residential properties; and

**WHEREAS**, the proposed application would not be compatible or be in harmony with the existing residential area; and

**WHEREAS**, this proposed rezoning can pose a threat to the public health, welfare, safety, environment, and property values either directly through the facility themselves or indirectly by causing changes to the subject property and the surrounding parcels; and

**NOW, THEREFORE, BE IT RESOLVED** that the Marvin Village Council does hereby request that the Board of County Commissioners of Union County consider the well-being, quality-of-life, financial security, and



safety of existing residents and taxpayers in the area of this proposed application; and

**BE IT FURTHER RESOLVED** that the Marvin Village Council does hereby request that the Board of County Commissioners of Union County deny the proposed application.

*Adopted this the 30th day of June 2022.*

**Moved by** Mayor Pro Tempore Vandenberg

To adopt the Resolution Opposing Union County CZ Application 2021-04 (Henry Nesbit/Waxhaw Marvin RD Conditional Rezoning)

**Vote: Motion Passed Unanimously**

**11. Discussion and Consideration of Pursuing Referendum to Obtain General Obligation Bonds for Increasing the Village Roadway System and Entering Contract with First Tryon to Assist in Analytical Discovery and LGC Preapplication at an Hourly Rate**

TIME STAMP 1:57:00

*(See attached, Item D.11., which is included as a reference in these minutes).*

Mayor Pro Tem Vandenberg requested to table this item until the August work session, so Councilmembers may meet with Ms. Amos to discuss and research this topic. Council agreed by consensus to table the item until the August work session.

**12. Discussion and Consideration of Marvin Branding Initiative as Portion of Wayfinding Project at a Cost Not to Exceed \$7,000**

TIME STAMP 2:03:15

*(See attached, Item D.13., which is included as a reference in these minutes).*

Ms. Amos reminded Council that they previously approved an agreement with Arnette Muldrow to design and install wayfinding signs. Ms. Amos asked Council whether they wanted to use this opportunity to complete a branding initiative to accompany the wayfinding signs.

**Moved by** Mayor Pro Tempore Vandenberg

Motion to Approve the Branding Initiative Add-on with Arnette Muldrow at a Cost Not to exceed \$7,000 and Authorize Manager to Execute Agreement Contingent Upon Attorney Review

**Vote: Motion Passed Unanimously**

**13. Discussion and Consideration of Wayfinding Steering Committee**

TIME STAMP 2:16:00

*(See attached, Item D.14., which is included as a reference in these minutes).*

Ms. Amos explained that a steering committee will need to be formed to guide the wayfinding and branding initiatives. She asked Council to have people in mind that could theoretically be appointed.

**14. Review of Council Minutes from the 5/26/22 (Work Session) and 6/7/22 (Regular) Meetings**

TIME STAMP 2:19:20

Council reviewed the minutes from the 5/26/22 (Work Session) and 6/7/22 (Regular) meetings and made no revisions. Council directed Mr. Yow to place the minutes on the consent agenda for the July 12 regular meeting.

**E. OPEN TOPICS**

TIME STAMP 2:20:10

**Tree Removal on Amber Meadows Trail**

Councilman Deatherage explained that a tree on the Amber Meadows Trail needs to be removed due to safety concerns. Mr. Durst explained that he received three quotes and the lowest was \$3,000. Ms. Amos explained that staff will have the tree removed and may need to have Council approve a budget amendment at the next meeting.

**Installation of Pavers around Flagpole**

Councilman Wortman proposed installing black pavers in a circular pattern around the flagpole. He noted that the pavers could be engraved to memorialize residents. Council discussed the pavers and installation methods in depth. Council agreed by consensus to install the pavers in the proposed patterns. Councilman Wortman stated he would get pricing for the pavers.

## **Marvin City Limit Sign on Marvin Road**

Councilman Lein stated that the Marvin City Limit Sign on Marvin Road is very dirty. He asked if staff could clean the sign.

## **F. COMMUNICATIONS**

### **1. Discussion of July and August Communications**

TIME STAMP 2:42:25

Mr. Yow asked Council for feedback on proposed communications for the months of July and August. He noted that the scheduling of the posts would be left up to the communications consultant, so that the posts could target and reach greater numbers of residents.

**Moved by** Councilman Wortman

To recess at 11:49am.

**Vote: Motion Passed Unanimously**

## **G. REPORTS AND UPDATES**

### **1. Manager's Report**

TIME STAMP 2:44:50

Mayor Pollino reconvened the meeting at 12:16pm.

#### **a. Union County Sheriff Contract**

Ms. Amos explained that the cost of the Sheriff's contract increased 6 percent. She noted a budget amendment may be needed.

#### **b. Placement of Village Hall Plaque**

Ms. Amos asked Council if they would be okay with installing the bronze dedication plaque on the left side of the doors on the parking lot side. Council agreed by consensus to this request.

#### **c. Marvin Day 2023 Date**

Ms. Amos asked Council what date they would like to pick for the 2023 Marvin Day Celebration, as the previously selected date, May 6, is the weekend of many college graduations. Council selected Saturday, June 3, 2023, as the tentative date of the 2023 Marvin Day Celebration.

#### **d. Ribbon Cutting Date**

Ms. Amos reminded Council that they selected Thursday, September 1 as the date for the ribbon cutting ceremony. Ms. Amos reminded them that the upcoming weekend is Labor Day Weekend. Council confirmed Thursday, September 1 from 6-8pm as the date and time for the event.

She then asked Council for their preferences for music for the event. Council agreed that staff should arrange for live music. Council also agreed that beer, wine, and appetizers should be done.

#### **e. Tom Short Maintenance**

Ms. Amos explained that there is a median on Tom Short Road that is overgrown. She added that maintenance of a portion of the median is the responsibility of Amber Meadows, but that the portion in question is maintained by NCDOT. NCDOT's standards are lower, which results in the overgrown weeds. Council discussed this item in depth. Councilman Deatherage agreed to ask the Amber Meadows HOA to get a quote for the additional maintenance of the median.

Mayor Pro Tem Vandenberg arrived in person at 12:37pm.

Ms. Amos then explained that the bridge at Tom Short and Rea Road is not Marvin and the aesthetics are not maintained by any entity. She noted that the functionality of the bridge is maintained by NCDOT. She asked Council if they wished to get an encroachment agreement with NCDOT to maintain the aesthetics of the bridge. Council discussed this item in depth and agreed that NCDOT should be responsible for the bridge. Council asked Ms. Amos to have discussions with HOAs regarding the maintenance of the bridge.

#### **f. Henry Nesbit Road Petition**

Ms. Amos and Councilman Wortman asked Council if they were interested in assuming maintenance of Henry Nesbit Road, as it has been recently resurfaced. Council discussed this item in depth and agreed not to petition NCDOT to assume maintenance at this time.

#### **g. RAB Crosswalks**

Ms. Amos stated that she asked NCDOT if they would install crosswalks at the Marvin Road / New Town Road roundabout. She stated that NCDOT would not install crosswalks without sidewalks present on each

side of the roundabout. Ms. Amos and Mr. Nestor stated that they would work with NCDOT to ensure crosswalks are installed.

#### **h. Acoustic Panels for Council Chambers**

Ms. Amos stated that she has a vendor coming to give a quote in the next week. She stated she would bring this topic to a future meeting.

#### **i. Update on Greenways/Trails Request for Proposals**

Ms. Amos informed Council that staff has not sent out an RFP for an all-inclusive agreement for trail construction this fiscal year. She noted that no funds have been earmarked for trail construction this year, as funds have been diverted towards the engineering portion of the CRTPO grant project.

### **2. Planner's Report**

TIME STAMP 3:40:35

#### **a. Pulte Park Update**

Mr. Nestor stated that the last town homes at the Towns at Ardrey Park subdivision have closed and the developer is turning the land over to the HOA on July 26. He stated that after that date, the Village can meet with the HOA about having the land donated for a park. He noted that the Village may also use the opportunity to discuss annexation.

#### **b. Creation of Village Civic Zoning District and Updates to Future Land Use Map**

Mr. Nestor asked Council if they would be interested in creating a Civic Zoning District to rezone the schools, parks, churches, and government parcels. He explained that this district would aid in protecting these parcels and their current uses from future development. He stated that this would update the future land use map. Council agreed by consensus for Mr. Nestor to move forward.

#### **c. Update on Nuisance and Animal Ordinance Revisions**

Mr. Nestor stated that the Council would see the revisions to the nuisance and animal ordinances in July.

#### **d. Update on CH. 93 Tree Ordinance Revisions**

Mr. Nestor stated that the Council would see the revisions to the tree ordinance in the fall. He stated that there was a goal to make Marvin a Tree USA Community with these revisions.

#### **e. Heritage at Marvin Rezoning**

Mr. Nestor stated he anticipates the Planning Board making a recommendation at their next meeting. He asked Councilmembers to meet with him and the developer in small groups. He stated he expects Council to hold a public hearing in August or September.

### **H. AGENDA ITEMS**

#### **1. Review of Action Items**

- Councilman Wortman will get pricing for the pavers to be installed around the flagpole outside Village Hall.
- Mr. Durst will have his park staff clean the Marvin City Limit sign on Marvin Road.
- Staff will table the discussion of general obligation bonds to the July Work Session.
- Councilmembers will meet with Ms. Amos to discuss and research general obligation bonds.
- Ms. Amos will speak with the relevant HOAs on the maintenance of the aesthetics of the bridge at the Tom Short / Rea Road intersection.
- Ms. Amos will execute the contract with JHM Creative Co.
- Ms. Amos will have the tree removed from the Amber Meadows Trail.
- Ms. Amos and Mr. Nestor will work with NCDOT on installing crosswalks with the construction of the Marvin Road / New Town Road roundabout.
- Mr. Nestor and Mr. Yow will send the resolution opposing the Henry Nesbit conditional rezoning to Union County and WUMA member municipalities.
- Mr. Yow will use Council feedback to prepare a plan for a bulletin board to be constructed and installed at Village Hall.

**2. Review of Ongoing Action Item List**

Council reviewed the Ongoing Action Item List and made revisions.

**3. Council Comments**

**Mayor Pollino:** He expressed condolences to the Marvin family that recently lost their daughter to a car accident on Crane Road. He stated he was going to work with the Principal on an awareness program. He wishes everyone a relaxing summer.

**Councilman Deatherage:** He thanked law enforcement for their hard work.

**Councilman Wortman:** He stated that a previous Council rejected the voluntary annexation of the Chimneys at Marvin. He stated that the Village should pursue the Chimneys at Marvin in their annexation efforts.

**I. CLOSED SESSION**

**Moved by** Mayor Pro Tempore Vandenberg

To recess into Closed Session pursuant of NCGS 143-318.11(a)(1)(3) for Review of Closed Session Minutes; and to Consult with an Attorney Employed or Retained by the Public Body to Protect the Attorney Client Privilege.

**Vote: Motion Passed Unanimously**

**1. Recess into Closed Session Pursuant to NCGS 143-318.11(a)(1) for Review of Closed Session Minutes**

**2. Recess into Closed Session Pursuant to NCGS 143-318.11(a)(3) to Consult with an Attorney Employed or Retained by the Public Body to Protect the Attorney Client Privilege**

**J. ADJOURNMENT**

**Moved by** Mayor Pro Tempore Vandenberg

To adjourn the meeting at 1:58pm.

**Vote: Motion Passed Unanimously**

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Joseph E. Pollino Jr.

Mayor

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Austin W. Yow

Village Clerk & Assistant to the Manager