

**VILLAGE OF MARVIN**  
Council Regular Meeting  
July 10, 2018 – Village Hall/Banks Sanctuary

Mayor Pollino called the regular meeting to order at 6:30 pm at the Village Hall.

Quorum was determined with the following members in attendance: Mayor Joe Pollino, Mayor Pro Tem Nick Dispenziere, and Councilwoman Kim Vandenberg

Absent: Councilman Ron Salimao and Councilman Robert Epps

The following staff were present:  
Christina Alphin, Village Administrator  
Christine Robertson, Finance Officer  
Barbie Blackwell, Village Clerk  
Melanie Cox, Village Attorney

**1. ADOPTION OF AGENDA**

No additions or deletions were added.

**Motion:** Mayor Pro Tem Dispenziere moved to adopt the agenda as presented.

**Vote:** The motion carried with a unanimous vote.

**2. PLEDGE OF ALLEGIANCE**

Council led the pledge of allegiance.

**3. DISCUSSION AND CONSIDERATION OF COUNCILMAN'S SALIMAO'S RESIGNATION AND VACANCY APPOINTMENT**

Council discussed Councilman's Salimao's resignation in detail.

**Motion:** Councilwoman Vandenberg moved to accept Councilman Salimao's resignation letter dated on June 6, 2018.

**Vote:** The motion carried with a unanimous vote.

Council discussed the vacant seat and the appointment in detail.

**Motion:** Councilwoman Vandenberg moved to declare the seat vacant upon Councilman Salimao's resignation.

**Vote:** The motion carried with a unanimous vote.

**4. PUBLIC COMMENTS**

Mayor Pollino opened the floor for public comments:

- Ms. Jennifer Slotten, 1110 Meadowlark Lane, Marvin, NC 28173, addressed Council and submitted her written statement for the record to the Clerk.

Due to seating limitations at the Village Hall, Mayor Pollino requested a motion to recess the meeting to Banks Sanctuary to accommodate visitors.

**Motion:** Mayor Pro Tem Dispenziere moved to recess the meeting at 6:38 pm to reconvene at Banks Sanctuary located at 10012 New Town Road adjacent to the Village Hall.

**Vote:** The motion carried with a unanimous vote.

**Motion:** Mayor Pro Tem Dispenziere moved to reconvene the meeting at 6:45 pm at Banks Sanctuary at 10012 New Town Road.

**Vote:** The motion carried with a unanimous vote.

The Clerk passed the Public Comment Sign-Up Sheet around the room. Mayor Pollino opened the floor for public comments again for all residents attending the meeting. He offered Ms. Slotten another opportunity to express her comments to Council. He reminded speakers that comments are limited to three minutes.

- Ms. Jennifer Slotten, 1110 Meadowlark Lane, Marvin, NC 28173, addressed Council and submitted her written statement for the record to the Clerk.
- Ms. Tiffany Chepul, 1221 Larkridge Court, Marvin, NC 28173, addressed Council and submitted her written statement for the record to the Clerk.
- Mr. Chris Smith, 1216 Meadowlark Lane, Marvin, NC 28173, addressed Council and submitted his written statement for the record to the Clerk.
- Mr. Mike Gilboy, 126 Stonehurst Lane, Marvin, NC 28173, addressed Council and submitted his written statement for the record to the Clerk.
- Ms. Kristy Maher, 8306 Woodmont Drive, Marvin, NC 28173, addressed Council and submitted her written statement for the record.
- Mr. Michael Shkut, 9610 Belmont Drive, Marvin, NC 28173, addressed Council and submitted his written statement for the record.
- Mr. Ed Hill, 3405 Rainbow Drive, Marvin, NC 28173, addressed Council and submitted his written statement for the record.
- Mr. John Chepul, 1221 Larkridge Court, Marvin, NC 28173, addressed Council and submitted his written statement for the record.
- Mr. Mark Petersen, 1129 Berwick Court, Marvin, NC 28173, addressed Council and submitted his written statement for the record.

**5. MAYOR COMMENTS**

Mayor Pollino share his comments with the public.

**6. CONSENT AGENDA**

Council took the following actions:

- Made minor revisions on the minutes for the April 10, 2018 Budget Work Session and Regular meetings.
- Removed items h and i to discuss under New Business, 11.a meeting schedule changes.

Ms. Shkut requested Mayor Pollino to clarify an item on the Consent Agenda.

Mayor Pollino explained: Council made a motion earlier not to recognize Ms. Shkut's appointment and the vacant Council seat. Mayor Pollino asked Ms. Shkut to leave the Council Table and not interrupt the meeting. He invited her to sit in the audience for the remainder of the meeting.

**Motion:** Mayor Pollino made a motion requesting Ms. Shkut to be removed from the Council seat.

**Vote:** The motion carried with a unanimous vote.

There was some debate between Mayor Pollino and Ms. Shkut regarding her legal right to hold the Council seat until the matter was resolved by the courts.

Mayor Pollino requested a motion to recess the meeting at 7:31 pm.

**Motion:** Mayor Pro Tem Dispenziere made a motion for a brief recess at 7:31 pm.

**Vote:** The motion carried with a unanimous vote.

Mayor Pollino requested a motion to reconvene the meeting at 7:47pm.

**Motion:** Councilwoman Vandenberg made a motion to reconvene the meeting at 7:47 pm.

**Vote:** The motion carried with a unanimous vote.

**Motion:** Councilwoman Vandenberg made a motion to approve the consent agenda as amended.

**Vote:** The motion carried with a unanimous vote.

**7. ADMINISTRATOR'S REPORT**

Ms. Alphin explained: Notices were sent out regarding the shutdown and residents could receive official Village Business from the Village Website. The questions and concerns regarding the community gardens will be placed on the next Council agenda for discussion.

Council noted staff would handle all questions.

**8. PLANNING BOARD CHAIR UPDATE**

Chairman John Jones gave a brief update on the Landowners meeting from May 22, 2018. He explained: Planning Board is making good progress on the Land Use Plan and the new survey. They reviewed the major sections with staff and provided feedback for revisions.

**9. PR&G BOARD CHAIR UPDATE**

No update was given.

**10. UNFINISHED BUSINESS**

**a. Discussion and Consideration of meeting minutes from December 12, 2017**

Council tabled the meeting minutes until the next meeting.

**b. Discussion and Consideration of Branding and Website Design:**

Council agreed to invite a branding company to make a presentation at the next meeting.

**Motion:** Councilwoman Vandenberg made a motion to invite a branding company to make a presentation at the next meeting.

**Vote:** The motion carried with a unanimous vote.

**c. Discussion and Consideration of protocol on public comments:**

Council agreed that the public comment period is a time for the public to express their concerns and for Council to listen and not engage with them. Council directed staff to create a policy for Council to review and approve.

**Motion:** Councilwoman Vandenberg made a motion to direct staff to create a policy that Council will listen and not to engage with the public during the public comment period.

**Vote:** The motion carried with a unanimous vote.

**d. Discussion and Consideration of an agreement with NCDOT to share the cost for the New Town and Marvin Roads roundabout:**

Ms. Robertson explained: NCDOT wanted to remind Council the new design on the third roundabout could potentially have cost overruns and that Council agreed to share the cost 50/50. She said that NCDOT also requested that Council confirm their agreement of the cost sharing for potential overruns.

Council gave authority to the Administrator to hire officers to handle traffic during school closing.

**e. Update on meeting with Ravi Vasireddy:**

Councilwoman Vandenberg explained: She and Mayor Pollino met with Mr. Vasireddy regarding his interested in selling his property or becoming involved with future development in the Village of Marvin. Mr. Vasireddy owns the property adjacent to the Village's lot on the corner. She noted that he was not interested in selling his property but wanted to be involved and willing to work with the Village of Marvin on additional land for parking and/or turn lanes.

Mayor noted for the record: He said, that he is animate about involving the landowners in all development discussions for the Village of Marvin.

**f. Discussion and Consideration of NCDOT presentation on NC16 widening scheduled for August 14, 2018:**

Ms. Robertson explained: She and Lara Carnow attended a meeting at the Town of Weddington with other towns that would be impacted by the NC16 widening. NCDOT wants to schedule a presentation with Council to discuss the road plans. She noted that NCDOT is considering superstreets.

**11. NEW BUSINESS**

**a. Discussion and Consideration of Council schedule changes:**

Councilwoman Vandenberg requested moving the July 26 public hearing meetings to July 30.

*Motion:* Councilwoman Vandenberg made a motion to move the July 26 public hearing meetings to July 30.

*Vote:* The motion carried with a unanimous vote.

**b. Discussion and Consideration of forming a legal subcommittee:**

Council discussed seeking outside Counsel for legal consultation. Village Attorney explained the importance of forming a legal subcommittee.

*Motion:* Mayor Pollino made a motion to authorize the Village Attorney to consult with outside legal Counsel for purposes of dealing with this pending issue in challenging the vacant seat.

*Vote:* The motion carried with a unanimous vote.

*Motion:* Councilwoman Vandenberg made a motion to form a legal subcommittee.

*Vote:* The motion carried with a unanimous vote.

*Motion:* Mayor Pollino made a motion to appoint Councilwoman Vandenberg and Mayor Pro Tem Dispenziere to serve as members on the legal subcommittee.

*Vote:* The motion carried with a unanimous vote.

*Motion:* Mayor Pollino made a motion, if necessary, to authorize the Village Attorney to act on Council's behalf in filing a lawsuit, if necessary, regarding the issue of the vacant seat.

*Vote:* The motion carried with a unanimous vote.

**c. Discussion and Consideration for the vacant seat process for Council:**

Council discussed the vacant seat process in detail. They invited Marvin residents interested in serving on the Council to submit an application to the Clerk. Council is allowing 60 days for residents to submit an application for the vacant seat for Council to consider.

**d. Discussion and Consideration of staff meeting protocol with Council:**

Council discussed Council meeting with Village staff in detail.

Council directed staff to develop a protocol for meeting with Council members to review at their next meeting.

**e. Discussion and Consideration of Village Attorney attendance at work session meetings:**

Council discussed the Village Attorney's attendance at work session meetings in detail. They agreed the Village Attorney would only attend work session meetings when necessary.

**f. Discussion and Consideration of add time limits on agenda items that are up for debate:**

Council discussed adding time limits on agenda items in detail.

**g. Discussion and Consideration to add a rule banning all electronic devices during Council meetings:**

Council discussed a rule banning all electronic devices during Council meetings in detail.

Council directed staff to develop a policy to ban cell phones at Council meetings for review at the next meeting.

**h. Discussion and Consideration of Employee Contracts:**

Council tabled this item.

**12. UPDATE ON VILLAGE HALL**

Ms. Robertson took the Village Hall examples submitted by the Planning Board to the architect. She shared the architect's drawing made from the examples to Council, which was in their agenda packet.

Councilwoman Vandenberg gave a brief update on the Reason's property located at 10002 New Town Road as a potential site for the Village Hall. She explained: The Reason's are in favor of the property potentially being the Village Hall. She said the next steps is to determine structurally if it could be a Municipal Building. The Reasons have agreed to have engineers review the property.

Council directed staff to contract with AMT to perform a structural evaluation of the property structure.

**13. UPDATE ON SUBDIVISION ROADS:**

- a. Ms. Robertson will redistribute the Engineer's 4-year Road Project to Council.
- b. The detours for the roundabouts have been posted to the website.

**14. COUNCIL COMMENTS**

**Mayor Pro Tem Dispenziere stated:** This Council worked on the budget. Everyone on Council knew that I was going on vacation on May 30 and would not be available. It had been planned 3-months in advance. Council worked on the budget for 4 or 5 meetings. On May 25, the budget was finished. The only thing left to do was the public hearing on May 31 and approval. Councilman Salimao and Councilman Epps for some reason decided it need to be put off for another 2-weeks to give the public a chance to review. This has never happened before. I was being taken out of the equation because I was not going to be at the meetings for the next 3-months. The budget should have been passed on May 31, 2018.

**Councilwoman Vandenberg:** No comment

**Mayor Pollino:** No Comment

**15. ADJOURNMENT**

**Motion:** Councilwoman Vandenberg moved to adjourn the meeting at 9:01 pm

**Vote:** The motion passed with a unanimous vote.

Adopted: \_\_\_\_\_

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Joseph E. Pollino Jr., Mayor  
Village of Marvin

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Barbara R. Blackwell, NCCMC  
Clerk, Village of Marvin