

A Public Hearing was held **October 2, 2017** at 5:00 pm in the City Hall building to hear any comments concerning the rezoning of the Ivie property on upper Peachtree Street. No one spoke for or against the re-zoning request. David Hilton made the motion to close the public hearing. Barry McClure seconded the motion. Motion carried.

The regular meeting of the Mayor and Town Council was held on October 2, 2017 at 5:00 pm in the City Hall building with the following present:

Deputy Clerk: P.J. Siler

Attorney: Mack Cowan

Cherokee Scout: Matthew Osborne

Mayor: William N. Hughes

Council: Frank Dickey

Barry McClure

David Hilton

Karen Watson

Mayor Hughes called for a motion to approve the minutes of the last meeting. David Hilton made the motion to approve the minutes of the meetings. Frank Dickey seconded the motion. Motion carried.

By unanimous vote the Board of Commissioners of the Town of Murphy, North Carolina at a regular meeting on October 2, 2017 ADOPTED AND PASSED the Zoning Ordinance. David Hilton made the motion to approve the following ordinance duly seconded by Barry McClure.

AMENDMENT TO THE ZONING ORDINANCE OF THE
TOWN OF MURPHY, NORTH CAROLINA,
AND
THE ZONING MAP OF THE TOWN OF MURPHY, NORTH CAROLINA

WHEREAS, certain property located adjacent to Peachtree Street in the Town of Murphy, North Carolina, is presently located within the use district R-2 High Density Residential District; and

WHEREAS, the owners of said property submitted to the office of the Zoning Administrator of the Town of Murphy an application to have the use district of said property changed from R-2 High Density Residential District to the use district H-B Highway Business District; and

WHEREAS, the Zoning Board of Adjustment of the Town of Murphy, North Carolina, recommended to the Board of Commissioners of the Town of Murphy, North Carolina, that the Zoning Ordinance and the Zoning Map of the Town of Murphy be amended and that the use district of said property be changed from R-2 High Density Residential District to the use district H-B Highway Business District; and

WHEREAS, the Board of Commissioners of the Town of Murphy, North Carolina, after receiving said recommendation from the Zoning Board of Adjustment of the Town of Murphy, North Carolina, at a regular meeting held September 6, 2017, adopted and passed a Resolution which scheduled a public hearing on the proposed Amendment to the Zoning Ordinance and the Zoning Map of the Town of Murphy at 5:00 p.m. on Monday, October 2, 2017, in the Annex to the Murphy Electric Power Board Building, 5 Wofford Street, Murphy, North Carolina, directed that a Notice of said public hearing be published in a newspaper having general circulation in the Town of Murphy, North Carolina, once a week for two successive calendar weeks prior to October 2, 2017, the notice to be published the first time not less than ten days and not more than 25 days before the date fixed for the public hearing, also directed that the Notice of said public hearing be mailed to the owners of the parcel of land involved and to the owners of all parcels of land abutting the parcel of land involved by first class mail at the last addresses listed for such owners on the Cherokee County, North Carolina, Tax Abstracts, the notices to be deposited in the mail at least ten days and not more than 25 days prior to the date of the public hearing, and also directed that the Notice of public hearing be prominently posted on the site proposed for re-zoning or on an adjacent street or highway right-of-way; and

WHEREAS, said Notice of public hearing was published in the September 20, 2017, and

September 27, 2017, editions of the Cherokee Scout Newspaper, a newspaper having general circulation in the Town of Murphy, North Carolina; and

WHEREAS, on September 20, 2017, said Notice of said public hearing was duly mailed to the owners of the parcel of land involved and to the owners of all parcels of land abutting the parcel of land involved by first class mail at the last addresses listed for such owners on the Cherokee County, North Carolina, Tax Abstracts; and

WHEREAS, on September 22, 2017, said Notice of public hearing was prominently posted on the site proposed for re-zoning; and

WHEREAS, said public hearing was held in the Annex of the Murphy Electric Power Board Building, 5 Wofford Street, Murphy, North Carolina, at 5:00 p.m. on Monday, October 2, 2017; and

WHEREAS, it is the opinion of the Board of Commissioners of the Town of Murphy, North Carolina, that the proposed Amendment to the Zoning Ordinance and the Zoning Map of the Town of Murphy, North Carolina, should be approved.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Murphy, North Carolina, that the Zoning Ordinance and the Zoning Map of the Town of Murphy, North Carolina, be and the same hereby are amended by changing the use district of the following described property from R-2 High Density Residential District to the use district H-B Highway Business District effective immediately, to wit:

Situate, lying and being in the Town of Murphy, Murphy Township, Cherokee County, North Carolina, and being more particularly described as follows:

BEGINNING at Tennessee Valley Authority Monument HR 255-3 having grid coordinates X=495,895 and Y=523,271, a point in the boundary line common now or formerly with William F. Forsyth, Jr., and wife, Marion N. Forsyth (Deed Book 722 at Page 201) and runs thence with the boundary line common now or formerly with Forsyth the following two (2) courses and distances: N 08-38-00 W 31.91 feet to Tennessee Valley Authority Monument HR 255-4, and N 66-37-00 W 22.05 feet to an iron pipe, a corner common now or formerly with Forsyth and Steven A. Forrister and wife, Sandy L. Forrister (Deed Book 919 at Page 60); thence leaving the boundary line common with Forsyth and running with the boundary line common with Forrister the following six (6) courses and distances: N 04-23-00 E 5.61 feet to an iron pipe, N 04-23-00 E 25.34 feet to an iron pipe, N 05-16-00 E 26.24 feet to an iron pipe, N 36-54-00 E 96.91 feet to a point, N 36-54-00 E 13.30 feet to an iron pipe, and N 36-54-00 E 0.57 feet to a point in the west margin of Peachtree Street; thence leaving the boundary line common with Forrister and running with the west margin of Peachtree Street S 32-05-00 E 345.86 feet to an aluminum monument, a corner common now or formerly with the Department of Transportation, an agency of the State of North Carolina; thence leaving the west margin of Peachtree Street and running with the boundary common with the Department of Transportation, an agency of the State of North Carolina, the following three (3) courses and distances: S 37-32-00 W 0.99 feet to a right of way monument, thence S 37-33-00 W 130.92 feet to a point and S 37-33-00 W 41.82 feet to an iron pipe in a boundary common now or formerly with Tennessee Valley Authority; thence leaving the boundary common with the Department of Transportation, an agency of the State of North Carolina and running with the boundary line common with Tennessee Valley Authority N 73-40-00 W 292.13 feet to Tennessee Valley Authority Monument HR 255-1 and HR 136-2, a corner common with Forsyth; thence leaving the boundary common with Tennessee Valley Authority and running with the boundary line common with Forsyth the following two (2) courses and distances: N 88-00 E 205.84 feet to an iron pipe and N 16-01-00 W 161.83 feet to

Tennessee Valley Authority Monument HR 255-3 having grid coordinates X=495,895 and Y=523,271, the point and place of BEGINNING, containing 1.43 acres, more or less.

ADOPTED AND PASSED by unanimous vote of the Board of Commissioners of the Town of Murphy, North Carolina, at a regular meeting on the 2nd day of October, 2017.

(signed) Commissioner - Frank Dickey (signed) Commissioner David Hilton
(signed) Commissioner - Barry McClure (signed) Commissioner - Karen Watson

Frank Dickey, duly seconded by Barry McClure, made the motion to approve water and sewer releases totaling \$1652.00. Motion carried.

Eddie Sylvester attended the meeting to check the status of the Bike Trails MOU. Mack Cowan was still working on the project.

Eddie Sylvester was present to give the Council an update on the trail. The installation of signs were placed at the top and the bottom of the entrance to the Piney Knob Road with the help of volunteers the signs were placed the last Saturday of August. He was also able to use volunteers for weed eating replacing the need to get a quote for a long arm mower. Mr. Sylvester is also seeking volunteer efforts for the KIOSK as well. The scheduled Grand Opening is November 18th 2017, with refreshments being served between 12:00 and 2:00 p.m..

Deputy Clerk Siler, requested a budge amendment in the amount of \$100,000.00 from the Utility Fund Prior Years Balance for repairs to the Posey Mountain water tank and the collection system. She also made a request for \$25,000.00 for a 2017 Ford Taurus for the Police Department Frank Dickey made the motion to approve the request. Karen Watson seconded the motion. Motion carried.

There being no further business to discuss, the motion to adjourn the meeting at 5:25 p.m. was made by David Hilton and duly seconded by Barry McClure. Motion carried.

ATTEST:

Clerk

Mayor