

**The regular meeting of the Murphy Town Council was held on October 7, 2019 at 5:00 pm in the City Hall building with the following present:**

**Town Manager:** Chad Simons

**Attorney:** Mack Cowan

**Mayor:** Rick Ramsey

**Council:** Barry McClure Frank Dickey

Karen Watson Gail Stansell

Barbara Hughes Noland Smith

**Cherokee Scout and WKRK was present**

Mayor Ramsey led the Town Council with the Pledge of Allegiance

### **Public Comment**

No public comment.

### **Approval of Minutes**

**Motion was made by Smith, seconded by Stansell to approve the August 5, 2019 meeting minutes as presented. Motion carried unanimously. (Town Council did not meet in September 2019).**

### **Water & Sewer & Tax Releases & Refunds**

**Motion was made Watson, seconded by Stansell to approve the water and sewer adjustments of \$4,139.14 for September and \$13,423.08 in August. Motion carried unanimously.**

### **Konehete Street rename – Mayor Rick Ramsey**

**Motion was made by McClure, seconded by Stansell to move up the Konehete Street rename to the top of the agenda. Motion carried unanimously.**

Mayor Rick Ramsey stated to the Council that he, along with County Commission Chairman Hippie Westmoreland, have discussed renaming Konehete Street “Veterans Memorial Lane” on the ball field side; not the state street. Mayor Ramsey said they consulted with Veterans as well, and that they were very appreciative. Mayor Ramsey said there would be a two week public comment period, and if no objections are noted, the street would be renamed. Mayor Ramsey said the change would honor Veterans while continuing to honor the Eastern Band of Cherokee Indians.

**Motion was made by McClure, seconded by Stansell, to approve renaming Konehete Street “Veterans Memorial Lane.” Motion carried unanimously.**

### **Grier Ivie – Damage to vehicle from town speed bump**

Mr. Grier Ivie approached the council to ask for relief concerning damage his vehicle suffered after driving over a speed bump on Manse Street. Mr. Ivie said the Town’s insurance company denied the claim, but he believed the Town should have to pay. Mr. Ivie said the incident

occurred last summer, and total damages were nearly \$1,000.

Town Manager Chad Simons informed the Council that the incident was not reported to the Town until well over a month after it had occurred, and that there was no incident/accident report associated with the claim. Mr. Simons also said the Town's insurance carrier strongly encouraged the Council not to adjudicate insurance claims that were denied, as it would set a dangerous precedent.

After a brief discussion, the Town Council opted not to take any action.

### **Christmas Parade Planning – Murphy Business Association**

Wayne Peacock said the plan is to have the Christmas Parade on the first Saturday in December, and to do another evening parade. Mr. Peacock said a rain date would be for the next day. The parade will start at 4 p.m. and will go until the tree lighting and other events. Mr. Peacock said there would be no vendors. Mr. Peacock said the events scheduled are activities geared towards families, and to encourage local merchants to open their doors. Mr. Peacock also asked the Council to sponsor high school bands to be involved in the parade.

Mr. Frank Dickey said the Council should look into doing this, as it would support the schools and help bring more local bands to the parade. Mr. Dickey said the Town might be able to pay for it as well. Mr. Frank Dickey said they should limit the potential funds to 20 or more members from educational institutions.

Karen Watson stated that the Council should put a dollar sign on it. Barry McClure said it was a great idea. Mr. Peacock said they would reach out to high school bands.

Mayor Ramsey asked if the funds would be for Cherokee County bands only. Mr. Dickey said that may limit the potential of what this could do.

**Motion was made by Stansell, seconded by Watson to appropriate \$1,500 from fund balance to help contribute to educational bands, a maximum of 10, participating in the Murphy Christmas Parade. Motion carried unanimously.**

**Motion was made by Hughes, seconded by Watson to close Tennessee Street from the intersection to McClelland Street on Saturday or Sunday, December 7-8, from noon until dark for the Murphy Christmas Parade. Motion carried unanimously.**

**Budget Amendments -      \$30,000 TVA for erosion control at Konehete Park  
\$10,000 Utility Maintenance Bypass Pump Rental  
\$10,000 for backup Sanitation Truck**

**Motion was made by Smith, seconded by Watson to appropriate \$30,000 in miscellaneous revenue for riprap erosion control (Recreation Capital Outlay) project at Konehete Park. Motion carried unanimously.**

**Motion was made by McClure, seconded by Hughes to appropriate \$10,000 from Utility Fund Balance into 30-810-71 (Utility Maintenance Capital Outlay) for the temporary rental of a bypass pump to shore up the US Forest Service bypass control operations. Motion carried unanimously.**

**Motion was made by Stansell, seconded by McClure to appropriate \$10,000 from general fund balance into 10-580-51 (Sanitation Capital Outlay) for the purchase of a 1998 20 yard Freightliner Truck from Bryson City. Motion carried unanimously.**

### **Discussion on Minimum Housing Code Regulations Proposal – Mayor Rick Ramsey**

Mayor Ramsey said an incident occurred that forced several of his neighbors to complain about the state of a particular home, and he learned the Town had no way of doing anything about it. Mayor Ramsey said the proposed minimum housing code regulations would give the Town the ability to deal with some of these issues, while giving all persons due process. Mayor Ramsey said it was modeled after other towns.

Gail Stansell said the Town should proceed with adopting the regulations, seeing the need for it.

**Motion was made by McClure, seconded by Stansell to adopt the Minimum Housing Code Regulations as presented. Motion carried unanimously. A copy of the law is attached in the minute book.**

### **Transportation MOU on Involuntary Commitments**

Town Manager Chad Simons informed the Council that Mr. Mack Cowan did research into whether or not the Town could get reimbursed from private providers, but the answer was no. Mr. Simons said the only way they could get reimbursed for the costs associated with transporting involuntary commitment(s) would be through Cherokee County. Town Attorney Mack Cowan said the MOU is written in accordance with state law.

**Motion was made by McClure, seconded by Watson to approve the Transportation Memorandum of Understanding on Involuntary Commitments as presented. Motion carried unanimously.**

### **New Position – Library Custodian**

Town Manager Chad Simons said the Council must approve all new positions with an appropriate class title and grade. Mr. Simons recommended the class title of custodian, with a grade of 4; Mr. Simons said the starting salary would be \$16,057, but the position would only work 8-10 hours a week.

Motion was made by Stansell, seconded by Hughes to approve the new position of Custodian, with the salary grade of 4 in the Town of Murphy Pay Plan. Motion carried unanimously.

### **Century Care Nursing Home System Development Fees**

Mayor Ramsey said he, along with Public Works Director Joe Stillwell and Town Manager Chad Simons, met with the owners of the new nursing home a few weeks ago. Mayor Ramsey said they were hit with some unexpected costs, such as a new turn lane on Highway 141. Mayor Ramsey said the Town recently realized that institutions like the nursing home need sewer screens to operate in order to protect the town's sewer system. The Town negotiated with the owners to get them to install a bar screen to prevent solids from entering the town sewer system.

**Motion was made by McClure, seconded by Hughes to reduce the system development fees for the new nursing home by \$34,020.00. Motion carried unanimously.**

### **Resolution to set Public Hearing for Amendment to Subdivision Ordinance – Town Attorney Mack Cowan**

Town Attorney Mack Cowan informed the Council about the proposed amendment, stating that it was recommended by the Planning Board. Mr. Cowan said the proposed amendment would take some divisions of property out of the definition of subdivision, and the other part would make the subdivision administrator the ultimate authority over approving proposed subdivisions instead of the Town Council.

**Motion was made by McClure, seconded by Stansell, to approve the Resolution to set a public hearing for proposed amendments to subdivision ordinance for 5 p.m. on Monday November 4, 2019. Motion carried unanimously. A copy of the Resolution is attached in the minute book.**

### **Contract with Town of Andrews – Water Plant ORC Services**

**Motion was made by McClure, seconded by Stansell to approve the proposed contract with the Town of Andrews and Town of Murphy for the Water Plant ORC services. Motion carried unanimously.**

### **Monthly Reports**

**Motion was made by McClure, seconded by Stansell to approve the Monthly Reports for August and September. Motion carried unanimously.**

### **Discussion**

The Council commented on how beautiful the new lights were on Hiwassee Street.

Karen Watson asked about the new LED lights for the tennis courts. Town Manager Chad Simons said he would consult with Murphy Power Board about the cost associated with new LED lights at the tennis courts.

Mayor Ramsey said Duke and other adjacent streets will be closed for Halloween.

Frank Dickey informed the Council that he has asked the Town Manager to get department heads to think of energy saving ideas in their monthly reports, at least once quarterly.

Mr. Dickey asked the manager if the Town had documentation on dormant taps. Mr. Simons said that's questionable. Mr. Dickey said the Town needs to look into better documenting taps. Mr. Dickey also announced that if anyone was getting water illegally it would be considered a felony, and encouraged anyone getting water illegally to call the Town and get legal. Mr. Dickey also said that if people did not know where their water came from, then they could call the Town to check.

### **Adjourn**

**Motion was made by McClure, seconded by Watson, to adjourn the meeting at approximately 6:10 p.m. Motion carried unanimously.**

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Rick Ramsey, Mayor

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Chad Simons, Town Clerk