

The regular meeting of the Murphy Town Council was held on July 6, 2021 at 5:00 pm at City Hall.

Town Manager: Chad Simons
Attorney: Mack Cowan

Mayor: Rick Ramsey
Council: Barry McClure Frank Dickey
Karen Watson Gail Stansell
Barbara Hughes Noland Smith

Mayor Ramsey opened the meeting with the pledge of allegiance.

Public Comment

Bill Hughes thanked the Town Council for renaming a portion of Central Street in his honor. Mayor Hughes said he wished his grandparents could have seen the event happen. Mayor Hughes stated his grandmother would have been very pleased, and his grandfather very surprised. Mayor Hughes also thanked the Town Council for doing a great job, commenting on how great the July 4th festival went.

Kym Simpson – Mr. Simpson stated that the Council should look into having a pill drop-off box to properly dispose of unused medications. Mayor Ramsey informed him of the fact that the Town of Murphy does have such a drop-box located at the police department in downtown.

Margaret Ackiss – Ms. Ackiss stated that she was excited about how Murphy was growing and how Murphy was doing, but added that growth does bring problems. Ms. Ackiss stated that a property owner near her neighborhood on Valley River Avenue was trying to turn the single family home into a multi-family unit. Ms. Ackiss asked the Council to please prevent this from occurring. Ms. Ackiss also said Valley River Avenue has a lot of transient walkers on their residential street, saying everyone knows where they are going and what they are doing. Ms. Ackiss said she worries about the safety of the residents on their street, and she wanted to know if the town could levy an additional business tax on certain businesses that attract more crime. Ms. Ackiss said she is thankful for everything the council has done, and wanted to offer solutions.

Mr. Dickey commented that the zoning permit application to turn a single family home on Valley River Avenue was denied, because such homes are not allowed in R-1 Residential Districts.

Approval of the Minutes

Motion was made by McClure, seconded by Hughes, to approve the June 7, 2021 regular meeting minutes and the June 29, 2021 special meeting minutes as presented. Motion carried unanimously. A copy of the minutes are attached in the minute book and posted online at townofmurphync.com.

Tax Releases and Water and Sewer Adjustments

None

Opioid Resolution and MOU Approval

Town Manager Chad Simons informed the Council that Cherokee County, along with every other county, is set to receive funds from the Opioid settlement. Mr. Simons said Murphy would not receive funds directly because they do not have over 30,000 residents. Mr. Simons did state that what is good for Cherokee County in this case is good for the Town of Murphy. Mr. Simons said municipalities needed to sign onto the resolution and MOU in order for their respective counties to receive future funding from the settlement.

Motion was made by Smith, seconded by Stansell, to approve the Opioid Resolution and MOU as presented. Motion carried unanimously. A copy of the Resolution and MOU is attached in the minute book.

Vote on Amendment to Abandoned Structures Ordinance

Town Manager Chad Simons said Cherokee County Code Enforcement is responsible for enforcing the town's abandoned structures ordinance, and they no longer wanted that responsibility. Mr. Simons said the council needed to appoint the Manager to enforce the ordinance, or do away with it entirely.

Motion was made by Dickey, seconded by Stansell to approve the amendment to the Abandoned Structures Ordinance making the Town Manager responsible for enforcing the ordinance. Motion carried unanimously. A copy of the amendment is attached in the minute book.

Vote on Amendment to close a portion of Alley Street to vehicular use

Town Manager Chad Simons said the proposed ordinance would close the alleyway to vehicular use only, which means the Council could reopen the alleyway in the future. Mr. Simons also said Fire Chief Al Lovingood could make the turn at the intersection of the alleyway and Alley Street, but he had to back up and out several times to do so. Mr. Simons added that ladder trucks do not articulate like an 18-wheeler. Mr. Simons also said the fire department could use Central Street or go in the wrong direction if necessary, and would only get ladder trucks into the parking lot because of the power lines.

Ms. Karen Watson stated that they needed to look into it further to ensure delivery trucks could access Alley Street. Mr. Dickey said if trucks could enter they could also exit, adding that it really isn't a great place for 18 wheelers anyway.

Ms. Karen Watson said it would be best to wait until the businesses with concerns could verify that they had access to the back of their buildings. Ms. Watson also said the town needed to clean up that area before making any changes. Mr. Dickey said that was the whole idea behind the motion, to help clean up the area. Ms. Gail Stansell said she agreed with Mr. Dickey. Ms. Watson commented that businesses may still struggle getting their supplies behind their buildings. Ms. Watson also said she is all for making it better, but hoped it would not become a hiding place for transients.

Ms. Stansell said they should proceed with closing it, make improvements, and reopen it if it does not work out. Mr. Noland Smith said he had a number of businesses express their displeasure with closing the alleyway to him.

Mr. Smith asked if the Town could make Bill Hughes Avenue a two-way street from Valley River Avenue up to the parking lot. Mayor Ramsey said he had concerns with court days if that were to occur.

Motion was made by Dickey, seconded by Stansell, to close a portion of Alley Street to vehicular use. Voting Yes: Dickey, Stansell, and Hughes. Voting No: McClure, Watson, and Smith. Mayor Ramsey voted yes to break the tie. The motion passed, but could not go into effect due to lacking a 2/3 majority on the first reading. Amendment will come back up for a vote at the August regular meeting.

Mr. McClure commented that he wanted more time to study the issue to make sure all of his concerns were addressed.

Jerry Dickey – Tap Fee approval for past agreement

Mr. Jerry Dickey informed the Council that he started his trailer park back in 2000, and that Clifton Precision's pollution emerged at the same time. Mr. Dickey said they needed to get off the wells as a result, and used Alec Stillwell Engineering to design a water system for the trailer park. Mr. Dickey said it was designed for 80 hook-ups, and they still need 38. Mr. Dickey said they have paid for 29. Mr. Dickey said the original agreement was \$1,000 per tap. Mr. Dickey said they did not have anything in writing, except the payment history, and that they have paid \$1,000 per tap for 29 hook-ups. Mr. Dickey said the next 11 taps should only be \$1,000 a piece in order to honor the agreement. Mr. Dickey said the former manager decided to increase the tap fees at some point, but that was not part of the original agreement.

Mr. Dickey said he wants to completely retire from operating the park, and wants this issue to reach a conclusion. Mr. Dickey asked the Council to honor the original agreement.

Town Manager Chad Simons said the problem or disagreement between Mr. Dickey and the former Town Manager was likely the result of the town passing the Cost Recovery Fee Ordinance during the 2007-2008 housing boom when capacity was becoming an issue, which increased residential water tap fees outside the city limits by \$1,000. Mr. Simons stated that he believed Mr. Dickey, but could not unilaterally approve the original agreement.

Ms. Karen Watson said they should grandfather Mr. Dickey in. Mr. Jerry Dickey said they had no problem paying the current fees once they pay for the remaining 11 for \$1,000 each. Mr. Dickey said the remaining taps should be assessed what every other person must pay.

Motion was made by Watson, seconded by Smith, to honor the original agreement with Jerry Dickey to charge \$1,000.00 per tap for the remaining 11 water taps at Deerfield Trailer Park. Motion carried unanimously.

Amendments to Pay Plan and Approval of Street Maintenance Worker Classification

Town Manager asked the Council to approve the new position of Street Maintenance Worker in the town pay plan, and moving the Firefighter pay grade to grade 22, and custodian pay grade to grade 9.

Motion was made by Smith, seconded by Stansell, to approve the amendments to the pay plan and position classification system. Motion carried. A copy of the amended pay plan is attached in the minute book.

Parking Lot Bid Approval

Town Manager Chad Simons said the bid advertisement was posted two weeks ago, and sent to HMC Paving in Bryson City, Parker Paving in Sylva, and Higdon Construction in Andrews. Mr. Simons said Higdon Construction was the only one to respond, and that they were a reputable company that has performed really well for the town in the recent past. Mr. Simons said the bid for the parking lot came in at \$57,880.00. Mr. Simons said it was an informal bid, and therefore did not need more than three.

Mr. Dickey asked when the work would start. Mr. Simons said the bid advertisement stipulated the work must be completed before Labor Day.

Ms. Stansell asked for the town manager to consult Higdon Construction and ensure his team could make any necessary improvements to safely open Alley Street to large trucks so the council could safely close the alleyway to vehicular traffic.

Mayor Ramsey said a change order might be in order for additional work.

Mr. Simons said two additional gravel roads were included in the bid sheet after the public works team evaluated the need and practical implications of paving each gravel road. Mr. Simons said Axley Street, the Wells Street Alleyway, and Payne Street were on the list of gravel roads needing to be paved. Mr. Simons said Payne Street would require consulting the Tennessee Valley Authority, and would take time they do not have. Mr. Simons said they could move forward on the other two gravel roads, and save money in the long run from having to maintain them.

Motion was made by McClure, seconded by Watson, to award the downtown parking lot bid to Higdon Construction of \$57,880.00, to pave Axley Street for \$7,400 and Wells Street Alleyway for \$7,800.00.

Adoption of 10 Year Capital Improvements Plan

Motion was made by Dickey, seconded by McClure, to approve the ten (10) year water/sewer Capital Improvements Plan (CIP) as presented. Motion carried. A copy of the CIP is included in the minute book.

Monthly Reports

Motion was made by Stansell, seconded by Watson to approve the monthly reports as presented. Motion carried unanimously. A copy of the reports are attached in the minute book.

Discussion

The Council congratulated the Murphy Business Association and other leaders who organized the July 4th Festival last weekend.

Mr. Dickey reminded citizens that the Town of Murphy taxpayers paid \$12,000 for the fireworks show.

Closed Session: To consider the qualifications, competence, performance, character, fitness, and conditions of appointment or employment of a public employee or public officer.

Motion was made by Watson, seconded by McClure to enter into closed session at 5:51 p.m. Motion carried unanimously.

Town Manager Chad Simons presented the amended pay plan for the police department, which is presented in response to Cherokee County increasing the minimum pay of sworn law enforcement officers by \$3.00/hr. Mr. Simons said one Murphy patrol officer was already offered a job, and more would likely go. Mr. Simons said the department has a good culture, but the pay would be too much to compete with in order to retain and attract quality patrol officers. Mr. Simons said the plan also moved sworn officers through the pay plan by rewarding 1% for every year of service in order to avoid compression. Mr. Simons said the move would increase operational expenses by over \$90,000.00, but strongly felt like the town needed to do it.

Police Chief Justin Jacobs stated that he did not have an issue with the pay plan amendment as proposed.

Mr. Dickey asked what bringing on a new officer as planned would do to the budget. Mr. Simons said the additional officer would likely result in the town having no capital outlay buffer for the general fund, meaning revenues would only meet operational expenses. Mr. Simons said a tax increase had to be on the table next fiscal year as a result. Mr. Simons added that the town would be dipping into reserves regardless for the 2021-2022 fiscal year due to purchasing a new fire truck, three police vehicles and paving the parking lot.

Motion was made by McClure, seconded by Stansell to end the closed session and enter back into open session at 6:05 p.m. Motion carried unanimously.

Motion was made by Watson, seconded by Stansell, to approve the pay plan amendments for the police department as presented. Motion carried unanimously. A copy of the amended pay plan is attached in the minute book.

Adjourn

Motion was made by Smith, seconded by Stansell, to adjourn the meeting at 6:09 p.m. Motion carried unanimously.

Clerk: Signed Chad Simons

Mayor: Signed David Rick Ramsey