

The regular meeting of the Murphy Town Council was held on November 1, 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.

Mayor Ramsey opened the public hearing on proposed amendment to Town Charter to provide that the Mayor and members of the Board of Commissioners be elected every four (4) years according to the non-partisan plurality method.

No person spoke during the public hearing.

Motion was made Ms. Stansell, seconded by Watson, to close the public hearing at 5:01 p.m. Motion carried unanimously.

Public Comment

No person spoke during public comment.

Approval of the Minutes

Motion was made by McClure, seconded by Smith, to approve the October 4, 2021 regular meeting minutes and the October 18, 2021 special meeting minutes as presented. Motion carried unanimously.

Tax Releases and Water and Sewer Adjustments

None.

Code Amendments

Town Manager Chad Simons explained that department heads were tasked with reviewing the Town's code of ordinances, evaluating ordinances that were no longer necessary and updating language to comply with today's requirements. Mr. Simons stated that regulating taxi-cabs is difficult to enforce, and no longer necessary, for example. Mr. Simons also explained that the Town Clerk does not operate a traffic bureau. Mr. Simons stated other examples as well.

Mr. Frank Dickey said this was good book work.

Motion was made by Dickey, seconded by Stansell, to approve the thirty-seven (37) ordinance amendments as presented. Motion carried unanimously. A copy of the amendments are published online at townofmurphync.com, and in the minute book.

Murphy Housing Authority – 2021 Annual Plan and 2021 Capital 5 Year Plan

Ms. Lea Montgomerie, Manager of Murphy Housing Authority, presented the 2021 Annual Plan and the 2021 Capital 5 Year Plan.

Motion was made by McClure, seconded by Hughes, to approve the 2021 Annual Plan as presented. Motion carried unanimously. A copy of the plan is attached in the minute book.

Motion was made by Hughes, seconded by Smith, to approve the 2021 Capital 5 Year Plan as presented. Motion carried unanimously. A copy of the plan is attached in the minute book.

Budget Amendments

Motion was made by Hughes, seconded by Watson, to approve the budget amendments as presented. Motion carried unanimously. A copy of the amendments are attached in the minute book.

Pledge remaining American Rescue Act funds to Ice Plant Rehabilitation

Town Manager Chad Simons stated that the Council has discussed rehabbing the ice plant for several years now, and also explained that the town expected to receive \$300,000 from the Appalachian Regional Commission, and about \$543,000 from the Golden Leaf Foundation to help pay for the project. Mr. Simons said Cherokee County endorsed the town's effort in applying for Golden Leaf Funding. Mr. Simons said the Ice Plant lift station is undersized, and if nothing is done, a sewer moratorium would be imposed upon the Peachtree community and Highway 64 West. Mr. Simons said the project was the number two priority on the town's Capital Improvements Plan, which was approved last June. Mr. Simons said the 10 Year Capital Improvements Plan took a conservative approach, and did not anticipate any grant funding – which is why the Ice Plant rehab project was a three phase project. Mr. Simons said the grants, along with using the second disbursement from the American Rescue Act funds, would enable the Town to fund the entire project in one project ordinance. Mr. Simons said they should expect to receive their second disbursement of about \$264,000 next summer.

Motion was made by Smith, seconded by Dickey, to approve pledging the remaining American Rescue Act funds of \$264,000 toward the Ice Plant rehabilitation project. Motion carried unanimously.

Town Engineer Job Specification and Pay Grade

Town Manager Chad Simons said the current public works director is seeking his registration as an engineer with the state of North Carolina, which would greatly benefit the Town of Murphy. Mr. Simons said should he obtain it, it would justify a new position classification and higher pay grade. Mr. Simons said any new position and changes to the pay plan must be approved by the Town Council in accordance with the Town's personnel policy.

Motion was made by McClure, seconded by Stansell, to approve the presented job classification and pay grade for Town Engineer. Motion carried unanimously. A copy of the job specification and amended pay plan are attached in the minute book.

Resolution to Schedule Public Hearing to amend Town Charter to conform to Council-Manager form of Government

Town Attorney Mack Cowan said the Town opted to amend the charter in 1989 to a Council-Manager form of government, and this should have been acted upon at that time. Mr. Cowan said the town manager is also town clerk, which is why the conflicting language is not a problem. Mr. Cowan said if the positions were ever separated, it could cause problems.

Motion was made by Watson, seconded by Hughes, to approve the Resolution scheduling a public hearing to amend Town Charter to conform to Council-Manager form of Government. Motion carried unanimously. A copy of the Resolution is attached in the minute book.

Alleyway on Peachtree Street

Town Manager Chad Simons explained that Ms. Judy Bruce, owner of Cruise Planners on Peachtree Street, approached the town several months ago wanting to give the alleyway to the town.

Mr. Frank Dickey asked if she was the sole owner. Mr. Simons stated that she was.

Mr. Frank Dickey inquired about the width of the alleyway, and if it posed problems with the Americans with Disabilities Act. Town Attorney Mack Cowan said the alleyway was four (4) feet wide, but did not know if the ADA would present any issues should the town acquire the alleyway.

Mr. Barry McClure said the alleyway would be nice to possess because it would connect to the newly paved town parking lot. Mr. Simons said the town would need a right of way from Mr. Ben Pierce in order to allow access from both sides.

The Town Council opted to look into ADA compliance, and see if Mr. Ben Pierce was willing to give the town a pedestrian right of way for access before proceeding further.

Monthly Reports

Mr. Noland Smith commented about the town's unaccounted water percentage dropping to the low 30s. Mr. Simons said it was a positive trend, and largely accurate since their reading dates have been consistent the past three months. Mr. Simons said the town's water loss is very likely in the mid to low thirties.

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

Discussion

The Town Council discussed their accomplishments over the last four years, and thanked Ms. Karen Watson, Mr. Noland Smith, and Mayor Ramsey for their service to the town.

Closed Session

Motion was made by Stansell, seconded by Dickey to enter into closed session to consider the qualifications, competence, performance, character, fitness, or conditions of initial employment of an individual. Motion carried unanimously.

The Council discussed paying health insurance of a pending retiree. The council agreed that it would set a precedent, present tax issues for the retiree, and pose problems to the Town in the future.

Motion was made by McClure, seconded by Hughes, to enter back into open session at 5:58 p.m. Motion carried unanimously.

No action was taken after entering back into open session.

Adjourn

Motion was made by McClure, seconded by Hughes, to adjourn the meeting at 6:05 p.m. Motion carried unanimously.

Clerk: Signed Chad Simons

Mayor: Signed David Rick Ramsey