

The regular meeting of the Murphy Town Council was held on October 3, 2022 at 5:00 pm at City Hall.

Town Manager: Chad Simons

Attorney: Mack Cowan

Council: Barry McClure, Frank Dickey
Keisha Dockery, Gail Stansell
Barbara Hughes, Charlene Smith
Mayor Tim Radford

Mayor Tim Radford led the town with the pledge of allegiance.

Approval of Agenda

Motion was made by Stansell to approve the Agenda as presented. Motion carried unanimously.

Public Comment

Mrs. Edie Spence spoke out in opposition to a proposed social district in downtown Murphy.

Ms. Apyril Scayola, owner and manager of the Mason Bar, spoke out in favor of a proposed social district in downtown Murphy.

Approval of the Minutes

Motion was made by McClure to approve the September 6, 2022 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

Motion was made by Smith to approve the tax releases as presented. Motion carried unanimously. A copy of the releases are posted below. A copy of the releases are attached in the minute book.

Dog Park in Konehete Park Approval

Downtown Development Director Laura Lachance informed the Council that a fenced in dog park at Konehete Park had finally been approved by the Tennessee Valley Authority through a section 26A permit. Mrs. Lachance said the park, if approved, would be constructed below the Murphy Power pole yard along the paved portion of the River Walk. Mrs. Lachance said she was not asking for money for the park, only approval to move forward with the project. Mrs. Lachance noted that former Mayor Rick Ramsey conceptualized the project a few years ago, but the Covid 19 pandemic thwarted plans for the project. Mrs. Lachance stated she had plans to attend a future Cherokee County Board of Commissioners meeting to get their approval in the near future.

Mr. Frank Dickey said a dog park has been brought up for many years and that it was a good idea.

Motion was made by Dockery to approve the plans to move forward with the dog park in Konehete Park as presented. Motion carried unanimously. A copy of the Section 26A permit is attached.

Water/Sewer Cost Recovery Fee Waiver Request – Mitch Nimey

Mr. Mitch Nimey discussed plans to develop multi-family units at 802 Hiwassee Street. The apartments as tentatively planned would have 8 units in seven different buildings. Mr. Nimey stated the apartments would be market rate, and that he was not asking for any handouts. Mr. Nimey said Wells and West would be the contractor, and that Stillwell Engineering was completing the water/sewer design work. Mr. Nimey said each unit would be a two bedroom, two bath. Mr. Nimey said this would be the first of many projects to address housing in Murphy. Mr. Nimey said each unit would have a separate meter. Mr. Nimey said the goal was to break ground in the spring, but noted that they did not know pricing yet. Mr. Nimey added that they would offer discounts for public safety employees. Mr. Nimey said the plans came out of Aspen, Colorado, and he said they would include a sprinkler system and elevators.

Mr. Frank Dickey asked for a reminder about what the Town Council did for Valley River Apartments development behind Wal-Mart. Town Manager Chad Simons said the cost recovery fees were waived and that the town approved a master meter as well.

Mr. Dickey said the town set a precedent for that multifamily development, and that they should follow through for this one.

Mr. Simons said both developments were located inside the city limits.

Mrs. Dockery said the apartments are very needed. The Town Council agreed that the housing shortage is a critical economic development issue, and welcomed this development.

Motion was made by McClure to approve the water/sewer cost recovery fee waiver request for the Mitch Nimey multifamily development at 802 Hiwassee Street. Motion carried unanimously.

Discussion about creating Social District in downtown Murphy

Ms. Keisha Dockery expressed her desire for the town to look into creating a social district in downtown Murphy, believing it would attract more people to the downtown area – bringing in more revenue for the town and sales revenue for businesses. Mrs. Dockery said other towns have adopted social districts throughout the state, and no town has experienced any increases in crime as a result. Mrs. Dockery said the district would allow alcohol consumption in common areas designated by the town, which is all to be decided, but would be heavily regulated by the state ABC laws. Mrs. Dockery added that she has not found any negative things pertaining to social districts in her research.

Mr. Frank Dickey said it was not an alcohol issue, but asked if the district would be for the common good and questioned whether it was.

Mrs. Dockery said it would draw visitors here, whether services, retail or restaurants; and the uptick in sales would be beneficial to all.

Mr. Dickey said the district may incentivize people to leave restaurants sooner than they otherwise would. Mr. Dickey also said the traffic patterns in Sylva is different. Mr. Dickey asked if open containers are permitted when someone walks across the street, and stated there are so many unanswered questions pertaining to the topic. Mr. Dickey reiterated his earlier point that it was not a question of serving alcohol, but whether or not the town could manage it.

Mrs. Dockery said people could cross the street with open containers if crosswalks were within the social district, based on what she has seen in other towns. Mrs. Dockery also said the social district cups would

be unique and stand out to allow for better enforcement. Mrs. Dockery also said any business can opt out if they wanted to, and not allow patrons with social districts cups to enter their establishment. Mrs. Dockery said she would not mind for people to drink in her retail store. Mrs. Dockery also said people participating in the social district would drink responsibly. Mrs. Dockery said the cups would be reusable, and that ultimately the town would have a lot of control, and that a lot of towns are using trial periods.

Mrs. Hughes asked who would be there to monitor alcoholic consumption. Mrs. Dockery said the police department is fully staffed, but that most people drinking in the social district would drink responsibly.

Mrs. Smith asked who would be responsible for people who drink and drive after consuming alcohol in the district. Mrs. Dockery said it would operate the same way for bars and restaurants now.

Mrs. Stansell said one of the concerns she had would be that the town would be placing businesses that opt out in a situation where they are having to regulate patrons coming into their stores with alcohol.

Mrs. Dockery said communication would be essential if the town moves forward. Mrs. Dockery also added that most retail establishments close at 5 or before, and the social district hours would most likely be after 5 pm. Mrs. Dockery also said some businesses allow pets and others don't, and some businesses allow food and others don't.

Mr. McClure stated he wanted to know how other restaurants feel. Mr. McClure also said they needed to listen to residents because they are our constituents.

Mrs. Dockery agreed and said the town should get feedback from residents and businesses.

Downtown Development Director Laura Lachance said Main Street Directors in Pilot Mountain and Sylva said their social districts leveled the playing field for bars relative to breweries, allowing them to participate in special events. Mrs. Lachance also shared advice she was given if the town moved forward, saying they should sit down with merchants and be patient and take it slow. Mrs. Lachance also said parking lots needed to be considered.

Mr. Dickey asked for clarification on bars participating in special events, saying he was not aware of that restriction. Mrs. Lachance said a traditional bar that does not manufacture their own alcohol cannot participate in special events because their ABC license does not allow it.

Mayor Radford said the town would attempt to have a special called meeting to discuss social district and also allowing the farmer's market to use the L&N Depot every Saturday.

Budget Amendment – Fire Department Grant

Town Manager Chad Simons explained that Fire Chief Al Lovingood had obtained \$35,000 from American Rescue Act monies. Mr. Simons said those funds needed to be appropriated as revenue, and an increase of 10-530-capital outlay line item needed to coincide with it.

Motion was made by McClure to approve the budget amendment as presented. Motion carried unanimously.

Temporary Easements for Propane Tanks

Motion was made by Dickey to approve the HH&K temporary easement for propane tanks as presented. Motion carried unanimously. Council Member Keisha Dockery recused herself from voting.

Motion was made by Dickey to approve the Charles McHan temporary easement for propane tanks as presented. Motion carried unanimously.

Letter of Support/Endorsement for Rural Transformation Grant

Motion was made by Smith to allow the Town Manager and Mayor to write a letter to support the town's application for the Rural Transformation Grant. Motion carried unanimously.

Monthly Reports

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

Discussion

Mr. Frank Dickey asked the Town Attorney to research smoking regulations in front of businesses, to see how much discretion the town had.

Adjourn

Motion was made by Hughes to adjourn the meeting at 5:55 p.m. Motion carried unanimously.