

CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2016 AT 6:00 PM

1. CALL TO ORDER

Mayor Pro Tem Bradley called the meeting to order at 6:00PM.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro Tem Bradley gave the invocation and Mayor Pro Tem Bradley led the Pledge of Allegiance.

3. ROLL CALL & CERTIFICATION OF A QUORUM

City Secretary Susie Quinn certified a quorum with the following Councilmembers present:

Mayor Pro Tem Scott Bradley
Deputy Mayor Pro Tem Owais Siddiqui
Councilmember Betty Nichols Spraggins
Councilmember Sarah Fincanon
Councilmember Rob Thomas

Absent:

Mayor Eric Barna
Councilmember Ben St. Clair

4. PUBLIC COMMENTS

Jennifer Berthiaume, representing Murphy Community Development Corporation (4B - MCDC), is requesting Council to help spread the word on the MCDC grant program. This grant gives groups in Murphy the opportunity to have funding for projects to beautify the city. Spreading the word throughout the community is something the MCDC board will be doing and is asking Council to do the same.

Evelyn Gorman, owner of GNS electric is following up with Council in regards to nonpayment from 3I construction for their work on Safe Routes to School. She explained she has put in an open records request regarding this issue and is waiting for more information. The attorney confirmed they are working on the request.

Ray Shahan, resident addressed Council regarding the screening in the Ranch subdivision in the various phases. He gave documents to the Council for their review, and explained his other thoughts regarding PD 03-10-590.

Jennifer Berthiaume, resident explained she was now speaking as a resident. She explained her concerns regarding the water meter audit. She feels the audit is an expensive option. Berthiaume suggested doing a GIS technology solution. It would allow for a more accurate idea of what water consumption is and can allow residents to monitor their usage to track for leaks.

5. PRESENTATIONS

- A. Proclamation declaring the week of February 15th through February 19th as Wylie ISD Education Foundation Week.

Councilmember Sarah Fincanon gave the proclamation to representatives, Board Secretary Ada Mooney, Board Member Lymari Ames and Board Member Betty Stephens from Wylie ISD Education Foundation.

- B. Presentation of financial report and investment report as of January 31, 2015.

Finance Director, Linda Truitt gave an overview of the January Financials. Truitt explained the investment report is at about 22 million due to the collection of property taxes; interest has increased to 0.26%. The sales tax for the General Fund/MCC/MCDC collected 1.147 million dollars, and the sales tax collected for February for a total of \$1,574,520. Also of note, the city received \$57,000 from a prior period collection that will be reflected in the February financials. The City currently is at 31% of budget. Twelve (12) single family building permits have been issued for a total of 14 for the year. For expenditures, most departments are tracking where they should be for this time of year. Currently, the General Fund expenditures are at 28% overall.

6. APPROVAL OF COUNCIL MINUTES

- A. Consider and/or act on the February 2, 2016 regular meeting minutes.

COUNCIL ACTION (6.A.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve the February 2, 2016 regular meeting minutes as presented. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0 (Mayor Barna and Councilmember St. Clair were absent).

7. INDIVIDUAL CONSIDERATION

- A. Discuss and/or consider implementing regulations relating to the City of Murphy website and Social Media sites.

City Manager James Fisher explained this policy had come before council late in 2015 and has been updated. Fisher explained due to the recent unfortunate events we had to actively pull items that were inappropriate, incorrect information and hurtful towards the families involved. Council asked for clarification on the point that users will be blocked because of their lack of friends. Fisher explained users who continue to violate the policy and post things that are inappropriate will be removed. Users would not be removed solely based on their lack of friends; they would have to violate the policy multiple times. Council requested the "we" to be reworded. Council also discussed how many times a user would be allowed to violate the policy before they would be removed. Fisher confirmed it would not be a rash decision to remove someone after

the policy has been violated repeatedly, and there would be communication between the City Manager, the Leadership Team and Council prior to blocking a user from future posting. Council recommended removing the “we” in the first paragraph, changing it to “and it is considered” and the second “we” change it to “if it is determined”

COUNCIL ACTION (7.A.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to adopt the acceptable use policy with the following changes: in the first paragraph the policy should read “it is considered an important element of the user experience on our website.” And in the third paragraph it should read “If it is determined that an online persona is not real – judging by your "name," your lack of friends, your lack of posts about anything other than our stories, or other factors -- your posts will not be visible.” Councilmember Thomas seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0 (Mayor Barna and Councilmember St. Clair were absent).

- B. Consider and/or act upon the proposed revisions to the Murphy Personnel Policies and Procedures Handbook.

City Manager James Fisher explained the handbook is reviewed annually and this year, staff really tried to clarify and format it to be easier to understand and use. The City Attorney’s office and leadership team worked together to make the suggested changes and to provide a summary of the proposed changes. Council brought up point 3.02 in the handbook, and the proposed change of removing the word “Council” and asked for explanation on this. Fisher explained the removal of the word Council was a clarification; the annual budget is approved by council including wage and salary adjustments to be determined by the City Manager. Item 3.02 from the handbook was discussed at length, regarding who should authorize adjustments, and how adjustments are determined.

Many suggestions and comments were made by Council to be added to the policy. Fisher explained he needs to have the ability to make adjustments within the Council approved budget, to ensure the success of the organization. It was mentioned by Council that the salary adjustment study was not approved so this might be a way around that to increase salaries for individuals. Fisher explained he felt the comments made were out of line and requested the item to be pulled.

This item was postponed until the next meeting.

COUNCIL ACTION (7.B.):

NO ACTION

- C. Consider and/or act upon the Murphy Matters – Outstanding Citizen Award program.

City Manager, James Fisher explained this is to recognize citizens in the community. Council asked regarding budget for this item. Fisher confirmed it is an unbudgeted item, and there would be dollars used for paper and seal stickers for each award. Council asked for clarification on eligibility for the award, Fisher explained it can be a citizen, or business owner in Murphy. Council discussed the possibility of a citizen who is not a Murphy resident nor Murphy business

owner being eligible for the award. The following wording is to be added "or at the discretion of City Council" under eligibility.

COUNCIL ACTION (7.C.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve adding the following verbiage to the eligibility requirements, "or at the discretion of City Council". Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0 (Mayor Barna and Councilmember St. Clair were absent).

- D. Consider and/or act to authorize the City Manager to execute the Contract for Election Services for the May 7, 2016 General Election between the City of Murphy and the Elections Administrator of Collin County, Texas.

No discussion on this item.

COUNCIL ACTION (7.D):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to authorize the City Secretary's office to move forward with the Contract for Election Services for the May 7, 2016 General Election between the City of Murphy and the Elections Administrator of Collin County, Texas, with the total budget including a possible runoff to not exceed \$25,000. Councilmember Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0 (Mayor Barna and Councilmember St. Clair were absent).

- E. Consider and/or act upon the Code of Ordinances, Chapter 1 General Provisions; Article 1.02 City Council; Division 2 Governance Policy and Rules of Procedure.

Council explained wishes to not discuss this today, to allow Council time to comb through this in its entirety. City Manager James Fisher explained at this time he would recommend clarify in 1.02.34 the Mayor has the ability to declare a state of emergency, as it is state law. Council asked for this item to be on the March 15th meeting.

COUNCIL ACTION (7.E.):

POSTPOINED NO ACTION

- F. Discuss the Draft FY 2015 Comprehensive Financial Report.

City Manager, James Fisher explained the auditor will be here March 1st to discuss the Comprehensive Financial Report (CAFR) document/item and any findings. Fisher explained the City reserves are at approximately 32% which is due in part to vacancies in various positions, and contracts being renegotiated. Finance Director Truitt will be sending the report out on Wednesday. Council asked for clarification of the date it needs to be approved. Fisher explained it will be on the March 1st agenda for approval, and requested any questions be sent to staff prior to the meeting to ensure questions can be answered as to not delay any approval for this item.

8. CITY MANAGER/STAFF REPORTS

A. Timbers Nature Preserve

The final walkthrough will be February 18th from 9:30-11:30, but if Council is unable to attend Thursday Matt Foster with Parks will be available tomorrow at 3:30 to walkthrough with him and give feedback.

B. Betsy Lane Road Widening Project

This item is wrapping up and the speed limit signs will be brought back to Council March 1st.

C. South Maxwell Creek Parallel Trunk Sewer Line

The 5 month extension has been granted to be completed in the August-September time frame.

D. North Murphy Road

There was a walkthrough today, and representative Laubenburg has tentatively scheduled a meeting with the HOA's on March 4th, at 3pm.

The fishing tournament will be on Saturday February 20, 2016 from 9:30 to 11:00 am.

9. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) at 7:25 p.m. to discuss the following:

- A. §551.071 Consultation with Attorney on a matter when the governmental body seeks the advice of its attorney about: (A) pending litigation; or (B) a settlement offer (re: Hermes vs City of Murphy).
- B. §551.087 Deliberation regarding Economic Development Negotiations: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

10. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Regular Session at 7:49 p.m., pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. §551.071 Consultation with Attorney on a matter when the governmental body seeks the advice of its attorney about: (A) pending litigation; or (B) a settlement offer (re: Hermes vs City of Murphy).
- B. §551.087 Deliberation regarding Economic Development Negotiations: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has

received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

C. Take Action on any Executive Session Items.

No actions were taken on any Executive Session Items.

10. ADJOURNMENT

With no further business, the regular council meeting was adjourned at 7:49 PM.



ATTEST:

A handwritten signature in blue ink, appearing to read 'Susie Quinn', is written over a horizontal line.

Susie Quinn, City Secretary

APPROVED BY:

A handwritten signature in blue ink, appearing to read 'Scott Bradley', is written over a horizontal line.

Scott Bradley, Mayor Pro Tem