

MINUTES
REGULAR CITY COUNCIL MEETING
CITY OF MURPHY
206 North Murphy Road
Murphy, Texas

May 17, 2011
6:00 P.M.

CALL TO ORDER

Mayor Baldwin called the meeting to order at 6:00 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Baldwin gave the invocation and led the Pledge of Allegiance.

ROLL CALL & CERTIFICATION OF A QUORUM

Secretary Nemer certified a quorum with the following:

Council Present

Mayor Bret Baldwin

Mayor Pro Tem John Daugherty

Deputy Mayor Pro Tem Halbert

Councilmember Scott Bradley

Councilmember Dave Brandon

Councilmember Dennis Richmond

Councilmember Mike Daniel

PROCLAMATIONS & PRESENTATIONS

• **Proclamation recognizing May as Asian Heritage Month**

Mayor Baldwin issued a proclamation with representatives from the DFW Asian American Citizens Council accepting.

PUBLIC COMMENTS

Ms. Angela Eisenzopf addressed Council with concerns about the website. She stated she liked the aesthetics of the site, but didn't like having to create an account and found it difficult to find documents such as Minutes and Agendas.

INDIVIDUAL CONSIDERATION

1. **Consider and/or act upon approval of a resolution prohibiting the placement of political signs on certain City owned property.**

Council Action

There was no action on this item. Staff will bring this item back as an ordinance.

2. **Consider and/or act upon approval of an ordinance modifying Chapter 30, Article II, Section 21 and Section 27 (Smoking) of the City of Murphy Code of Ordinances as it relates to where smoking is not prohibited.**

Council Action

There was no action on this item. Staff will bring back with additional information.

3. Consider and/or act upon approval of the water meter audit and results.

Council Action

Councilmember Halbert moved to approve. Councilmember Daugherty seconded the motion. A vote was taken and passed 6-1 with Councilmember Brandon voting in opposition. Councilmember Brandon was attempting to ask a question when the motion was made.

4. Consider and/or act upon approval of the recommended plans for purchase, installation, and maintenance of water meters.

Council Action

Councilmember Halbert moved to approve and accept the recommended plans for purchase, installation, and maintenance of water meters to enable Flexnet and changing section 3 to reflect a three year time frame. Councilmember Daniel seconded the motion. A vote was taken and passed, 7-0.

5. Consider and/or act upon approval of a resolution authorizing the City Manager to execute a contract with Aqua Metric for the purchase and installation of Sensus iPerl Meters and Flexnet Network Communications System through HGACBUY.

Council Action

Councilmember Brandon moved to approve a resolution authorizing the City Manager to negotiate and execute a contract with Aqua Metric for the purchase and installation of Sensus iPerl Meters and Flexnet Network Communications System through HGACBUY as per the discussion for agenda item 4. Councilmember Bradley seconded the motion. A vote was taken and passed, 7-0.

Item 4 Discussion included:

- Replacing approximately 650 meters
- Implement the Flexnet Network Communication System with the Sensus iPerl meters
- Replace additional meters that are out of warranty as necessary with the Sensus iPerl meters over a three year period

6. Consider and/or act upon approval of the funding for the purchase and installation of Sensus iPerl Meters and Flexnet Network Communications System from Aqua Metric through HGACBUY with FY 2009 Certificates of Obligation.

Council Action

Councilmember Halbert moved to approve the funding for the purchase and installation of Sensus iPerl Meters and Flexnet Network Communications System from Aqua Metric through HGACBUY with FY 2009 Certificates of Obligation. Councilmember Richmond seconded the motion. A vote was taken and passed, 7-0.

7. Consider and/or act upon approval of an ordinance establishing a tiered water rate structure.

Council Action

Councilmember Brandon moved to approve a tiered water rate structure effective July 1, 2011 with the following as listed below. Councilmember Halbert seconded the motion. A vote was taken and passed, 7-0.

Base Rate is	\$20.00
Rates for Sprinkler and Irrigation	\$3.65 \$3.80 \$4.00 \$4.25
Tier 1 is 0-15,000	\$2.65
Tier 2 is 15,001-30,000	\$2.80
Tier 3 is 30,001-45,000	\$3.00
Tier 4 is 45,001 and above	\$3.25

8. Consider and/or act upon approval of a resolution adopting an Interlocal Agreement with the North Central Texas Council of Governments for a cooperative program for water and sewer service line protection programs.

Council Action

There was no action on this item.

9. Consider and/or act upon approval of a resolution authorizing the City Manager to execute a contract amendment with Waste Management of Texas, Inc., for household hazardous waste collection service for the City of Murphy.

Council Action

There was no action on this item. Council requested additional information and further research on other programs including educational programs.

CITY MANAGER/STAFF REPORTS

City Manager Fisher reported on the following:

- May 20, 2011 at North Hill Park, Moonlight Movies - *Despicable Me*.
- May 21, 2011 Chamber of Commerce Spring Fever
- May 24, 2011 Special Council Meeting –Canvass Election Returns - *also reception for Councilmember Daniel at 5:30*
- May 31, 2011 Special City Council meeting, goal setting and FY 2012 budget –*would like to meet earlier in order to tour the Community Center.*
- *Mobile Office Hours for Sam Johnson’s office –May 26, 10 am – 12.*

EXECUTIVE SESSION

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§551.074 Personnel Matters – Evaluation of the City Manager.

§551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving *Michael Cantrell v. City of Murphy, et al.*, Cause No. 6:09-cv-225.

§551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding development issues.

Council Action

Council convened into Executive Session at 8:43 p.m.

RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

§551.074 Personnel Matters – Evaluation of the City Manager.

§551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving *Michael Cantrell v. City of Murphy, et al.*, Cause No. 6:09-cv-225.

§551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding development issues.

Council Action

Council reconvened into Regular Session at 9:53 p.m. There was no action on the first two Executive Items listed. The following action was taken regarding 551.071 – Development Issues:

Councilmember Halbert moved to approve a waiver of the one year waiting period for the application for the northwest corner of FM 544 and FM 2551 known as Murphy Plaza, LLC. Councilmember Bradley seconded the motion. A vote was taken and passed, 7-0.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:54 p.m.

ATTEST:

Aimee Nemer

Aimee Nemer, City Secretary



APPROVED BY:

Bret M. Baldwin

Bret M. Baldwin, Mayor