

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

**January 3, 2012**  
**6:00 PM**

**1. CALL TO ORDER**

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

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

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

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

All councilmembers were present.

**4. PUBLIC COMMENTS**

Mr. Keith Patton addressed Council in appreciation for posting the Minutes.

**5. EDC Update**

Staff provided Council with an update on Economic Development items, specifically the Buy Murphy and ShopsQA programs.

**6. CONSENT ITEMS**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

**6.1. Approval of the November 15, 2011 and December 6, 2011 City Council Minutes.**

**6.2. Consider and/or act upon approval of a Construction Plat for The Gables at North Hill, Phase 2B on property zoned PD (Planned Development) District for Single Family Uses on property located southwest of McCreary Road and McWhirter Road.**

Councilmember Daugherty requested to remove Item 6.3 from the Consent Agenda.

**VOTING**

Motion by: Colleen Halbert to approve the remaining Consent Agenda Items, 6.1-6.2.

Second by: John Daugherty

Councilmember	YES	NO	ABSTAIN	RECUSE
Baldwin, Bret	x			
Bradley, Scott	x			
Brandon, Dave	x			
Daugherty, John	x			
Grant, Bernard	x			
Halbert, Colleen	x			
Richmond, Dennis	x			

**6.3. Consider and/or act upon approval of the Construction Plat for The Gables at North Hill (Park Lots) on property zoned PD (Planned Development) District for Single Family Uses.**

**VOTING**

Motion by: John Daugherty to approve with the ornamental fencing to be a requirement.  
 Second by: Colleen Halbert

Councilmember	YES	NO	ABSTAIN	RECUSE
Baldwin, Bret	x			
Bradley, Scott	x			
Brandon, Dave	x			
Daugherty, John	x			
Grant, Bernard	x			
Halbert, Colleen	x			
Richmond, Dennis	x			

**7. ORDINANCE APPROVAL**

**7.1. Consider and/or act upon the approval of an ordinance amending the FY 2010-2011 budget for the General Fund.**

**VOTING**

Motion by: John Daugherty approve ordinance amending the FY 2010-2011 budget for the General Fund.  
 Second by: Colleen Halbert

Councilmember	YES	NO	ABSTAIN	RECUSE
Baldwin, Bret	x			
Bradley, Scott	x			
Brandon, Dave	x			
Daugherty, John	x			
Grant, Bernard	x			
Halbert, Colleen	x			
Richmond, Dennis	x			

**8. OTHER CONSIDERATION ITEMS**

**8.1. Consider and/or act upon a request for a rate increase by Waste Management for sanitation services.**

Mr. John Kleiber, representing Waste Management, addressed Council requesting a rate increase based on CPI per the City's contract. Several issues were raised by Council including an audit of the recycling account, instructing staff to opt out of the contract prior to the 2013 renewal, and the CPI adjustment for the recycling rebate. Mr. Kleiber stated he would research these issues and have information by the first meeting in February. Council postponed action on this item to the first meeting in February.

**8.2. Consider and/or act upon hours of operation, membership rates, room rental rates, room reservation policy, alcohol use liability agreement and catering policy for the Murphy Community Center.**

**VOTING**

Motion by: Colleen Halbert to approve this item with Option 2 for the annual membership rates and with the exception of the Alcohol Use Policy.  
 Second by: John Daugherty

Councilmember	YES	NO	ABSTAIN	RECUSE
Baldwin, Bret	x			
Bradley, Scott	x			
Brandon, Dave	x			
Daugherty, John	x			
Grant, Bernard	x			
Halbert, Colleen	x			
Richmond, Dennis	x			

**8.3. Consider and/or act upon approval of Board and Commission descriptions.**

**VOTING**

Motion by: Colleen Halbert to approve with corrections to the Park Board

Second by: Scott Bradley

Councilmember	YES	NO	ABSTAIN	RECUSE
Baldwin, Bret	x			
Bradley, Scott	x			
Brandon, Dave	x			
Daugherty, John	x			
Grant, Bernard	x			
Halbert, Colleen	x			
Richmond, Dennis	x			

**9. DISCUSSION ITEMS**

**9.1. Discussion concerning the drought contingency plan.**

Staff updated Council on information from the North Texas Municipal Water District concerning water restrictions and drought issues.

**10. CITY MANAGERS REPORT**

**Board Interviews (TBD)**

**1/16 - City Offices Closed for MLK Day**

**1/17 - Joint Mtg with Richardson on MARC**

**1/19 - Historical Society Meeting**

**1/20 - City Council Individual Mtgs with facilitator**

**1/26 - Tentative PH on MARC**

**2/23-24 - City Council Strategic Planning Session**

Staff updated Council on the listed items. Board interviews were scheduled for January 24-26 with appointments scheduled for January 31.

**11. EXECUTIVE SESSION**

Council convened into Executive Session at 7:57 p.m.

**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:**

**11.1. 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.**

**11.2. 551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving Johnny Boles v. City of Murphy, et al., Civil Action No. 4:11-cv-682.**

11.3. **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; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**

12. **RECONVENE INTO REGULAR SESSION**

Council reconvened into Regular Session at 8:37 p.m. No action was taken as a result of the Executive Session.

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

12.1. **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.**

12.2. **551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving Johnny Boles v. City of Murphy et al., Civil Action No. 4:11-cv-682.**

12.3. **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).**

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:37 p.m.

APPROVED BY:

  
Bret M. Baldwin, Mayor

ATTEST:

  
Aimee Nemer, City Secretary

