

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

February 21, 2012
6:00 PM

1. CALL TO ORDER

Mayor Baldwin called the meeting to order at 6:04 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

The following Councilmembers were present:

Mayor Bret Baldwin
Mayor Pro Tem John Daugherty
Deputy Mayor Pro Tem Colleen Halbert
Councilmember Dennis Richmond
Councilmember Scott Bradley
Councilmember Bernard Grant
Councilmember Dave Brandon

4. Presentation from Congressman Sam Johnson

Mayor Pro Tem John Daugherty introduced Congressman Sam Johnson who presented a plaque of gratitude to Councilmember Scott Bradley. The plaque honored the Councilmember's military service as part of the Congressional Veteran Commendation program.

5. PUBLIC COMMENTS

No public comments were submitted.

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. Consider and/or act upon approval of the January 3, 2012, Minutes, January 17, 2012, Minutes, and January 31, 2012, Minutes.

VOTING

Motion by: Colleen Halbert to approve the Consent Agenda, Item 6.1, as presented.
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			

7. CONTRACT APPROVAL

7.1. Consider and/or act upon approval of a change order to the Muniz Construction contract to repair 2 sanitary sewer aerial crossings and to install the PISD sanitary sewer line.

There was some discussion and clarification regarding why this project was not competitively bid, previous change orders, and the original scope of the project.

VOTING

Motion by: Colleen Halbert to approve change order 4 to the Muniz Construction project as presented to include the two aerial crossings and the PISD sewer replacement additions.

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			

8. OTHER CONSIDERATION ITEMS

8.1. Consider and/or act upon approval to purchase historical display cabinets for City Hall.

Ms. Donna Jenkins and Lolisa Laenger, representing the Murphy Historical Commission, addressed Council and explained the type and use of the historical display cabinets. There was some discussion regarding the type and amount of items to be displayed and the various types of display cabinets that could be used.

VOTING

Motion by: Colleen Halbert to approve the purchase of display cabinets not to exceed \$5500.

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			

8.2. Consider and/or act upon adding sidewalk extension from Liberty Ridge Park to Featherwood Drive.

There was considerable discussion regarding the funding of the sidewalk extension, specifically, whether or not the funding would come from the Safe Routes to School grant and if so, when those funds would be released.

There was also discussion on whether to use Council contingency funds, reserve funds, or bond funds. Councilmember Halbert stated she would prefer to use contingency or reserve funds and not bond funding.

There was some discussion regarding the type of landscape islands and placement.

Councilmember Halbert requested a list of unconnected sidewalks throughout the City.

VOTING

Motion by: Colleen Halbert to approve sidewalk extension from Liberty Ridge to Featherwood Drive with landscape islands not to exceed \$29,000.

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 on construction plans for Murphy Central Park and the Maxwell Creek Trail Extension Project.

Council requested to postpone this item for discussion at the Strategic Planning Session.

8.4. Consider and/or act upon approval of plans for Timbers Nature Preserve Park (Bunny Run, City Park, and ONCOR) Trail.

Council requested to postpone this item for discussion at the Strategic Planning Session.

8.5. Consider and/or act upon award of bid for the City Mowing Contract.

There was no action on this item. After Council requested additional information and contract specifics, City Manager Fisher recommended postponing this item until March and stated that staff will break out the bid in detail.

Issues raised by Council were contract specifics related to drought watering restrictions and subcontracting. Council requested to specify in the contract that there would be no subcontracting. Councilmember Richmond stated that he has not been impressed with the work done previously by the recommended company. Councilmember Halbert requested further research on previous customer service issues.

8.6. Consider and/or act upon reallocation of the 2008 bond funds.

Council requested to postpone this item for discussion at the Strategic Planning Session.

VOTING

Motion by: Colleen Halbert to postpone Items 8.3, 8.4, and 8.6 to the Strategic Planning Session on Thursday and Friday.

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			

8.7. Consider and/or take action regarding executing a street name change for E FM544, W FM544, E Betsy Ln, and W Betsy Ln.

There was no action on this item. Council discussed the pros and cons of changing the street names. There was some support for changing Betsy Lane to Park, but it was determined that a coordinated effort between neighboring cities would make more sense. Council determined to delay further discussion indefinitely.

9. **CITY MANAGERS REPORT**
- Feb 23-24 Council Planning Session
 - March 3 -MCC Grand Opening
 - Council Scope for Boards
 - Schedule Board Orientation Date
 - Governance/Ethics Policy Review

In addition to the above listed items, City Manager Fisher reported on the following:

- Update on utility relocations for North Murphy Road project and signal at Glenridge
- Governance/Ethics policies will be sent out for review prior to consideration at March 6 meeting
- McCreary project will go to Council in March; 3-6 month project
- Councilmember Halbert requested to discuss the Betsy Lane construction project and 2012 scope for boards at Council Retreat

10. **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:

The Executive Session was not held.

10.1. **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.**

10.2. **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. **RECONVENE INTO REGULAR 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:

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.**

12. **ADJOURNMENT**

With no further business, the meeting was adjourned at 7:47 p.m.

APPROVED BY:


Bret M. Baldwin, Mayor

ATTEST:


Aimee Nemer, City Secretary

