

**MURPHY CITY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
TUESDAY, MAY 15, 2012 AT 6:00 PM
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094**

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on 05/15/2012 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1 CALL TO ORDER

2 INVOCATION & PLEDGE OF ALLEGIANCE

3 ROLL CALL & CERTIFICATION OF A QUORUM

4 PROCLAMATIONS & PRESENTATIONS

4.1 Proclamation for Motorcycle Safety Awareness Week

4.2 Proclamation for EMS Week

4.3 Presentation to C.E.R.T. Program Participants

4.4 Presentation from Exchange Club of Murphy

5 PUBLIC COMMENTS

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 a resolution denying Atmos Mid-Tex's proposed rate increase.

7 PUBLIC HEARINGS

7.1 Hold a Public Hearing and Consider and/or act on the application of HELEN PICKARD/CVS PHARMACY requesting a change in zoning of approximately 10.844 acres from SFR (Single Family Residential) to a PD (Planned Development) District for Retail Uses with conditions on property located at SWC FM 544 and McCreary Road. (ZF 2012-01)

8 OTHER CONSIDERATION ITEMS

8.1 Consider and/or act on the application of Landcore Development Company requesting approval of a site plan for a dialysis clinic with additional retail rental space on the property zoned Planned Development for Retail Uses, located at the northwest corner of FM 544 and Maxwell Creek. (Tract I, Block C, Lot 3, Murphy Marketplace)

8.2 Consider and/or act upon ratification of the City Council Focus Areas from the 2012 Strategic Planning Session.

- 8.3** Consider and/or act upon the proposed Multi-Agency Recreation Center joint project with the City of Richardson.

9 DISCUSSION ITEMS

- 9.1** Update on site plan, landscape plan and elevations for 121 E FM544 (Pad 7 – Einstein’s / Chipotle)

10 CITY MANAGERS REPORT

- March Financial Reports
- Stage 2 Water Restrictions
- Primary Election - City Hall Voting
- May 22 - Possible Work Session
- May 28 - City offices closed

11 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:

- 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) regarding Murphy Marketplace, PD District Ordinance No. 09-02-784 and related development agreements.
- 11.4** § 551.071. Consultation with 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 Murphy Marketplace, PD District Ordinance No. 09-02-784 and related development agreements; and the application of Landcore Development Co. requesting approval of a site plan.
- 11.5** § 551.072. Deliberation regarding real property; closed meeting; to deliberate the purchase, exchange, lease, or value of real property.

12 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:

- 12.1** § 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.
- 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; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) regarding Murphy Marketplace, PD District Ordinance No. 09-02-784 and related development agreements.
- 12.4** § 551.071. Consultation with 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 Murphy Marketplace, PD District Ordinance No. 09-02-784 and related development agreements; and the application of Landcore Development Co. requesting approval of a site plan.
- 12.5** § 551.072. Deliberation regarding real property; closed meeting; to deliberate the purchase, exchange, lease, or value of real property.

13 ADJOURNMENT

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on May 11, 2012 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Aimee Nemer, TRMC, MMC
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or anemer@murphytx.org.