

MURPHY CITY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 13, 2012 AT 6:00 P.M.  
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 November 13, 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.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

Bret Baldwin  
Mayor

ROLL CALL & CERTIFICATION OF A QUORUM

John Daugherty  
Mayor Pro Tem

PUBLIC COMMENTS

Colleen Halbert  
Deputy Mayor Pro Tem

CONSENT AGENDA

Dennis Richmond  
Councilmember

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.

Scott Bradley  
Councilmember

Bernard Grant  
Councilmember

Dave Brandon  
Councilmember

- A. Consider and/or act upon the approval of meeting minutes:
  1. October 16, 2012 Regular City Council meeting;
  2. October 25, 2012 Special City Council Meeting; and,
  3. October 30, 2012 City Council Work Session.
- B. Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a construction plat for Maxwell Creek North Phase 11A on property zoned PD (Planned Development) District No. 00-06-486 and No. 00-06-487 for Single Family Uses. This property is generally located southwest of the intersection of McMillen Road and McCreary.
- C. Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a construction plat for Maxwell Creek North Phase 11B on property zoned PD (Planned Development) District No. 00-06-486 and No. 00-06-487 for Single Family Uses. This property is generally located southwest of the intersection of McMillen Road and McCreary.
- D. Consider and/or act upon Resolution approving the 2012 tax roll with a total levy of \$8,699,950.81 as certified by Kenneth L. Maun, Tax Assessor Collector for Collin County.
- E. Consider and/ or act upon a resolution authorizing the Mayor to sign the Interlocal Agreement between Collin County and the City of Murphy for the Collin County Funding Assistance Program grant of \$500,000 for the Murphy Regional Hike and Bike Trail Connector Project.

James Fisher  
City Manager

INDIVIDUAL CONSIDERATION

- A. Hold a public hearing and consider and/or act on the application of **Mike Horn**, property owner, requesting approval of an ordinance for a SUP (Specific Use Permit) to allow a drive-thru window for a Braum's Ice Cream Store on property zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses on property located on FM 544 between Brand Road and Murphy Road. **ZF 2012-07.**
- B. Consider and/or act on the application of **Mike Horn** requesting approval of a site plan for Braum's Ice Cream Store on property zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses on property located on FM 544 between Brand Road and Murphy Road.
- C. Consider and/or act on the application of **Mike Horn** requesting approval of a construction plat for Braum's Ice Cream Store on property zoned PD (Planned Development) District No. 09-12- 823 for Retail and Office Uses on property located on FM 544 between Brand Road and Murphy Road.
- D. Consider and/or act upon approval of the NCTCOG Interlocal Agreement for the TCEQ Solid Waste Implementation Grant Project, authorize \$16,800 of the recycle rebate funds as matching funds for the \$67,200 TCEQ Solid Waste Grant Award to purchase BigBelly solar compactor trash and compactor recycle bins for Murphy Park pavilions, and authorize the City Manager to sign all necessary documents.
- E. Consider and take action, if any, on the renewal notice for Solid Waste Collection and Transportation Agreement with Waste Management of Texas, Inc.
- F. Discussion/review of Water Conservation Plan and Enforcement Ordinances.
- G. Consider and take action, if any, on adding December 31, 2012 as an additional employee holiday in 2012.
- H. Consider and take action, if any, on the proposed revisions to the Code of Ethics of the City of Murphy and the proposed Rules and Procedures of the Ethics Review Commission.
- I. Consider and take action, if any, on an Ordinance concerning the position of the City Secretary.

CITY MANAGER/STAFF REPORTS

North Murphy Road Construction Update  
McCreary Road Construction Update  
TML Annual Conference – November 14-16, Gaylord Texan Conference Center  
Leadership North Texas – November 16  
Holiday Hams to be distributed November 19 at 11:00am  
Chamber Luncheon – November 20

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:

§551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation involving:

- a) George Parker and Parker Tree Services.
- b) Johnny Boles v. City of Murphy, et al., Civil Action No. 4:11-cv-682
- c) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- d) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.

RECONVENE INTO REGULAR SESSION

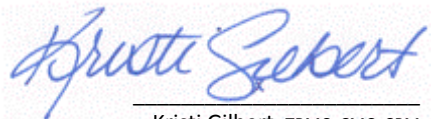
The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

§551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation involving:

- e) George Parker and Parker Tree Services.
- f) Johnny Boles v. City of Murphy, et al., Civil Action No. 4:11-cv-682
- g) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- h) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.

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 November 9, 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.



Kristi Gilbert, TRMC, CMC, CPM  
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 kgilbert@murphytx.org.