

CITY COUNCIL MINUTES
MAY 7, 2013 REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

Mayor Pro Tem Grant called the meeting to order at 6:00 p.m.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Councilmember Richmond gave the invocation and led the recitation of the Pledge of Allegiance.

3. ROLL CALL & CERTIFICATION OF A QUORUM

City Secretary, Kristi Gilbert, certified a quorum with the following Councilmembers present:

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

Councilmembers absent:

Mayor Bret Baldwin

4. PUBLIC COMMENTS –

Ray Shahan, 405 Sagebrush Trail – Mr. Shahan addressed the Council on behalf of the Ranch Subdivision property owners regarding the maintenance of the wooden fence along McWhirter Road and the requirements set forth in Ordinance 03-10-590, the planned development regulations for the subdivision.

The following property owners addressed Council regarding the traffic and volume issues on Moonlight Drive:

Greg Matocha, 151 Moonlight Drive
Julia Matocha, 151 Moonlight Drive
Linda Martin, 142 Moonlight Drive

5. PRESENTATION ITEMS –

- A. Kim Lenoir presented the Keep Murphy Beautiful Month wrap up report to the Council.
- B. Mayor Pro Tem Grant read a proclamation declaring May 5-11 as Public Service Recognition Week in the City of Murphy. Mayor Pro Tem Grant presented City Manager James Fisher with a 5 Year Anniversary Certificate. Mr. Fisher presented a 10 Year Anniversary Certificate to Roni Brackett and a 5 Year Anniversary Certificate to Tim Howell. Other 5 Year Anniversary Certificate recipients not in attendance include Kris Riebschlager and Judy Patton.
- C. Councilmember Bradley presented a proclamation to Police Chief GM Cox and the Murphy Police Department declaring May 12-18 as National Police Week in the City of Murphy.
- D. Councilmember Brandon presented a proclamation to Fire Chief Mark Lee and the Murphy Fire Department declaring May 19-25 as Emergency Medical Services Week in the City of Murphy.

6. CONSENT AGENDA

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.

- A. Consider and take action, if any, on the April 16, 2013 Regular Meeting minutes.
- B. Consider and take action, if any, on the Interlocal Agreement between Collin County and the City of Murphy concerning the construction improvements of McCreary Road from McMillen Road to CR 247 (McWhirter Road). (*Assigned CLA No. 1305001*).
- C. Consider and take action, if any, on the approval of an ordinance amending Appendix A – Fee Schedule, Code of Ordinances, as it relates to various fees. (*Assigned Ordinance No. 13-05-949*).

COUNCIL ACTION (ITEMS 6.A. – 6.C.):

APPROVED

Deputy Mayor Pro Tem Halbert moved to approve the consent agenda as presented. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

7. INDIVIDUAL CONSIDERATION

- A. Hold a public hearing and consider and/or act upon approval of amending Chapter 28 Development Standards, Article I, Signs, Section 28-2 to amend the definition of marquee signs; Chapter 28 Development Standards, Article 1 Signs, Section 28-21 to amend the general provisions applicable to signs in business zoning districts; Chapter 28 Development Standards, Article 1 Signs, Section 28-26 to amend the general provisions applicable to signs in residential zoning districts; and, Chapter 70, Subdivisions, Article II Procedures, Section 70-35 to amend the procedures and submission requirements for final plat approval.

Kristen Roberts explained the ordinance revisions to the Council. Ms. Roberts stated that the change relative to changeable message signs is for consistency throughout the code. Ms. Roberts stated that the proposed development regulation changes would allow for the final plat to be approved by Council and save approximately six weeks of submission time.

Mayor Pro Tem Grant opened the hearing to public comment at 6:43 p.m. There were no members of the public signed in to speak in favor of or in opposition to the proposed ordinance amendments. Mayor Pro Tem Grant closed the public hearing at 6:44 p.m.

Deputy Mayor Pro Tem Halbert inquired about the Planning and Zoning Commission's opinion on the changes to the final plat procedures. Ms. Roberts stated provided that the Commission approved of the procedures, provided that the final plat conformed with the construction plat.

COUNCIL ACTION (ITEM 7.A.):

APPROVED

Deputy Mayor Pro Tem Halbert moved to approve an ordinance amending Chapter 28 Development Standards, Article I, Signs, Section 28-2 to amend the definition of marquee signs; Chapter 28 Development Standards, Article 1 Signs, Section 28-21 to amend the general provisions applicable to signs in business zoning districts; Chapter 28 Development Standards, Article 1 Signs, Section 28-26 to amend the general provisions applicable to signs in residential zoning districts; and, Chapter 70, Subdivisions, Article II Procedures, Section 70-35 to amend

the procedures and submission requirements for final plat approval as presented to Council. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. (*Assigned Ordinance No. 13-05-950*).

- B. Consider and/or act upon authorizing the addition of a 3rd CID position in anticipation of the opening of the new Walmart, which would require hiring an additional police officer.

Mr. Fisher and Police Chief GM Cox provided the Council with an update regarding Walmart's opening time frame and the need for an additional CID position.

COUNCIL ACTION (ITEM 7.B.):

POSTPONE

Councilmember Daugherty moved to postpone consideration until the June 4, 2013 Council meeting. Councilmember Bradley seconded the motion. For: Halbert, Richmond, Daugherty, Bradley and Brandon. Opposed: Grant. The motion carried by a vote of 5 to 1.

- C. Consider and take appropriate action, if any, on an ordinance amending the FY 2012-2013 expenditure budgets for the General Fund and the Murphy Community Development Corporation (4B).

Council held discussions with regard to items that had previously been authorized.

COUNCIL ACTION (ITEM 7.C.):

APPROVED

Deputy Mayor Pro Tem Halbert moved to approve an ordinance amending the FY 2012-2013 expenditure budgets for the General Fund and the Murphy Community Development Corporation (4B) to authorize the purchase of a speed trailer in the amount of \$9,500 and \$10,300 for landscape improvements to North Hill Park. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. The Council took no action on the remaining budget amendments. (*Assigned Ordinance No. 13-05-951*).

- D. Review and discuss FM 544 sidewalk/trail concept plan, phasing strategy, and grant funding options.

Mr. Fisher stated that he would be contacting TxDOT to see if they were able to assist with the project costs. He stated that the project could be a possible capital improvement project considered in the future.

Deputy Mayor Pro Tem Halbert stated that she would like the Parks Board to provide a list of priority items for the Council to consider.

COUNCIL ACTION (ITEM 7.D.):

NON ACTION ITEM

The Council took no action on Item 7.D.

- E. Consider and/ or act upon a authorizing the City Attorney and City Manager to establish a 501(c)3 Community Foundation that will include the Friends of the Parks, Keep Murphy Beautiful, and *Tree Murphy* programs.

Mr. Fisher stated that the MDD would be willing to provide seed money to start the foundation. Mr. Fisher stated that the Friends of the Parks program would not be responsible for city events or the administration of the amphitheater.

COUNCIL ACTION (ITEM 7.E.):

APPROVED

Deputy Mayor Pro Tem Halbert moved to authorize the City Attorney and City Manager to establish a 501(c)3 Community Foundation that will include the Friends of the Parks, Keep Murphy Beautiful, and *Tree Murphy* programs with final approval by City Council. Councilmember Brandon seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

- F. Discussion and update on the City of Murphy Mosquito Management Response Plan. Mr. Fisher stated that the City had already begun trapping and has extended the contract with the Health Inspector to include services related to West Nile Virus. He continued to state that the Code Compliance department is working on properties that have standing water. Ms. Lenoir updated the Council on the City's Mosquito Management Response Plan and the City's educational efforts. Ms. Lenoir stated that the City is monitoring and testing four to five sites on a weekly basis, as well as, using larvacide for specific locations, monitoring standing water locations, trapping based on citizen complaints and working with Collin County in their efforts.

COUNCIL ACTION (ITEM 7.F.):

NON ACTION ITEM

The Council took no action on Item 7.F.

- G. Discussion and update on the implementation of Stage 3 water restrictions to take effect on June 1, 2013. Mr. Fisher advised that, due to inadequate rainfall and the limited water resources from Lake Texoma, Stage 3 water restrictions would go into effect on June 1, 2013. Mr. Fisher stated that Stage 4 restrictions may be a possibility in the near future.

COUNCIL ACTION (ITEM 7.G.):

NON ACTION ITEM

The Council took no action on Item 7.G.

- H. Consider and take action, if any on the Solid Waste Collection & Disposal and Recyclable Material Collection & Processing services for the City of Murphy. Mr. Fisher provided the Council with an update on the implementation of solid waste services with Progressive Waste Solutions.

COUNCIL ACTION (ITEM 7.H.):

NON ACTION ITEM

The Council took no action on Item 7.H.

8. CITY MANAGER/STAFF REPORTS

Mr. Fisher provided the Council with an update on the following items:

- McCreary Road Construction Update
- Update on TXDOT SRTS Sidewalk and Crosswalk Project
- Moonlight Movie – May 10th
- Election Day - May 11th

Reception for Mayor Baldwin and outgoing Council Members has been moved to May 21st immediately following the swearing in of the new officers.
Canvass Election Results – May 21st

9. EXECUTIVE SESSION

The City Council convened into Executive Session at 7:38 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§ 551.076. DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS Discussion regarding a contract with TFE Connect for Access Control/Video Surveillance for the Municipal Complex.

§ 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).

10. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 7:55 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§ 551.076. DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS Discussion regarding a contract with TFE Connect for Access Control/Video Surveillance for the Municipal Complex.

§ 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).

No action was taken as a result of executive session items.

11. ADJOURNMENT

With no further business, the meeting was adjourned at 7:55 p.m.

APPROVED BY:

Bret M. Baldwin, Mayor

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, on this the 21st day of May, 2013.



Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Kristi Gilbert, City Secretary
City of Murphy

