

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

**July 19, 2011**  
**6:00 P.M.**

**CALL TO ORDER**

Mayor Baldwin called the meeting to order at 6:02 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**ROLL CALL & CERTIFICATION OF A QUORUM**

Secretary Nemer certified a quorum with the following:

Council Present

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

Council Absent

Councilmember Dave Brandon

**PUBLIC COMMENTS**

Public comments were submitted by John Wideman regarding the Planned Development for the Ranch neighborhood. Mr. Wideman expressed concerns with the masonry requirements for accessory buildings and asked that the requirements be reduced. Mr. Wideman also requested that the entire Planned Development be reviewed to ensure equality with other developments.

**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. Approval of the Minutes from the Regular Meetings of June 21, 2011 and July 5, 2011 and the Work Session of July 8, 2011.**

Council Action

Councilmember Daugherty moved to approve the Minutes as presented. Councilmember Grant seconded the motion. A vote was taken and passed, 6-0 with Councilmember Brandon absent.

**INDIVIDUAL CONSIDERATION**

- 1. Consider and/or act upon approval of a resolution authorizing the City Manager to execute a contract with Blue Cross Blue Shield for group medical insurance and Ameritas for group dental insurance with an effective date of September 1, 2011.**

Council Action

Prior to the consideration of this item, Councilmember Bradley recused himself from deliberation on this item due to a conflict of interest which is on file in the City Secretary's office. Councilmember Daugherty moved to approve a resolution authorizing the City Manager to execute a contract with Blue Cross Blue

Shield for group medical insurance and Ameritas for group dental insurance with an effective date of September 1, 2011. Councilmember Grant seconded the motion. A vote was taken and passed 5-0 with Councilmember Bradley abstaining and Councilmember Brandon absent.

**2. Consider and/or act upon approval of an ordinance amending Appendix A – Fee Schedule, Code of Ordinances, as it relates to various fees.**

**Council Discussion**

Councilmember Halbert asked if there was a reason to make these fees effective immediately rather than the beginning of the budget year. City Manager Fisher explained that it was important to establish the new fees now so that they can be included for future projects. Secretary Nemer explained that the amended fee ordinance would be effective after publication in the official newspaper.

**Council Action**

Councilmember Richmond moved to approve an ordinance amending the fee schedule. Councilmember Daugherty seconded the motion. A vote was taken and passed, 6-0 with Councilmember Brandon absent.

**3. Consider and/ or act upon authorizing the City Manager to approve change orders for the Murphy Community Center.**

**Council Discussion**

City Manager Fisher stated that Councilmember Brandon had some concerns but was not able to attend the meeting. Mayor Baldwin also stated that Councilmember Brandon had expressed concerns but did not know specifically what they were. There was Council discussion and it was determined that since the scope of work was not being changed and the funding amount was actually being reduced, Council should move forward with action on this item.

Councilmember Halbert clarified that the IT budget was actually being reduced by \$70,000.00. Councilmember Richmond clarified that there would be no reduction in services due to the reduction in the IT budget. IT Manager, Wendle Medford, explained that because of the joint contract with PISD, the construction costs to the city were reduced but the services would remain the same.

City Manager Fisher stated regarding the change order for the open lobby concept, that Council could approve half the amount presented or any reasonable amount. Kim Lenoir, Community Services Manager, stated that the \$5115 included professional services from several disciplines to redesign the lobby.

**Council Action**

Councilmember Halbert moved to authorize the City Manager to approve change orders for the Murphy Community Center to the lobby area for the open concept for \$2600.00 to WHR for design services, additional fire protection for \$15,000.00, and for IT hard cable wiring to central dispatch reduced by \$70,000.00. Councilmember Richmond seconded the motion. A vote was taken and passed, 6-0 with Councilmember Brandon absent.

**CITY MANAGER/STAFF REPORTS**

- **July 19 Chamber Lunch**
- **Monthly Financial Reports** –The monthly reports were included in the Council packets.

City Manager Fisher also noted that the TML Region 13 Dinner would be in August and requested Council to let staff know if they plan to attend.

Mr. Fisher also informed Council that a discussion on SB100 and its impact to the City would be scheduled for one of the August agendas.

#### **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:**

- §551.074 Personnel Matters – Evaluation of the Municipal Judge.**
- §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.**
- §551.071 Consultation with City 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 development and referendum issues.**
- §551.072. Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.**

#### **Council Action**

Council convened into Executive Session at 6:27 p.m.

#### **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:**

- §551.074 Personnel Matters – Evaluation of the Municipal Judge.**
- §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.**
- §551.071 Consultation with City 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 development and referendum issues.**
- §551.072. Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.**

**Council Action**

Council reconvened into Regular Session at 7:52 p.m. There was no action taken as a result of the Executive Session.

**WORK SESSION**

• **FY2012 Budget**

Finance Director, Linda Truitt, reviewed the certified totals from the Collin County Central Appraisal District. City Manager Fisher briefly overviewed the FY2012 Proposed Budget Summary. He stated that an additional Budget Work Session would be held on July 26 and that staff would provide additional information on the Utility Fund and proposed staffing.

Regarding the Utility Fund, Mr. Fisher informed Council that the City is very close to reaching a new cap with the North Texas Municipal Water District (NTMWD). Council inquired if the City should implement Stage 2 water restrictions. Councilmember Halbert requested that the City distribute information to citizens about the rate structure that the City pays to NTMWD and how that rate could reach a new cap if water conservation strategies were not implemented.

City Manager Fisher stated he would put together information about water conservation.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:18 p.m.

**APPROVED BY:**

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**Bret M. Baldwin, Mayor**

**ATTEST:**

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**Aimee Nemer, City Secretary**