

MURPHY CITY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
DECEMBER 11, 2012 AT 6:00 P.M.
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094



Bret Baldwin
Mayor

John Daugherty
Mayor Pro Tem

Colleen Halbert
Deputy Mayor Pro Tem

Dennis Richmond
Councilmember

Scott Bradley
Councilmember

Bernard Grant
Councilmember

Dave Brandon
Councilmember

James Fisher
City Manager

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 December 11, 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. PUBLIC COMMENTS

5. PRESENTATION ITEMS

- A. Presentation of Certificates of Appreciation:
Murphy Messenger - Monthly Media Award;
Windy Hills Homeowners Association – Civic Award; and,
Joe Wetzel – Litter Law Enforcement Award
- B. Exchange Club Presentation
- C. Murphy Chamber of Commerce Presentation

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/or act upon the approval of the November 27, 2012 meeting minutes.
- B. Consider and/or act upon awarding bid to the low bidder, Barbosa A. Construction, Inc. for constructing the sanitary sewer line extension for Kinney Road Addition.

7. INDIVIDUAL CONSIDERATION

- A. Consider and/or act upon the recommendations from the Council Interview Panel regarding appointing board members to the Planning and Zoning Commission, Board of Adjustments, Murphy Municipal Development District, Murphy Community Development District (4B), the Animal Shelter Advisory Committee, the Ethics Review Commission, the Parks and Recreation Board and the Building and Fire Code Board of Appeals.

- B. Hold a public hearing and consider and/or act on the proposed amendments to the Comprehensive Zoning Ordinance text.
- C. Hold a public hearing and consider and/or act on the proposed clarifications to the Zoning Map, as shown on the proposed Zoning Map #2 ("Zoning Map #2") for adoption. Specifically:
 - 1) Amending the Zoning Map legend/labels as outlined within this item.
 - 2) Amending various Planned Development ordinance numbers so that these are accurately shown on the Zoning Map.
 - 3) Amending the colors on the Zoning Map to clarify current zoning in various areas of the City.
- D. Hold a Public Hearing and consider and/or act on the zoning category change of **415 Oriole Drive, Hunt Elementary**, from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).
- E. Hold a Public Hearing and consider and/or act on the zoning category change of **621 Waters Edge Way, Tibbals Elementary** – from Single-Family Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).
- F. Hold a Public Hearing and consider and/or act on the zoning category change of the **1302 Rodeo Drive properties** to include: a) **North Hill Park** from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK); b) **Murphy City Water Tower** from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP); and c) **North Hill Amenity Center and pool** from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreation (PPK).
- G. Hold a Public Hearing and consider and/or act on the zoning category change of **121 Heritage Parkway (Oakbrook School)** from Public/Semi Public (P/SP) to Neighborhood Service (NS).
- H. Hold a Public Hearing and consider and/or act on the zoning category change of **725 FM 544** from Single Family Residential 15 (SF-15) to Public/Semi Public (P/SP).
- I. Hold a Public Hearing and consider and/or act on the zoning category change of City of Murphy public maintenance yard along the railroad south of municipal complex and adjacent to Murphy Road (**Murphy Municipal Center (CMR), BLK A, Lot 3, 3.982 Acres**) from Town Center (TC) to Public/Semi Public (P/SP).
- J. Hold a Public Hearing and consider and/or act on the zoning category change of **Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres** from Parks/Open Space (PK) to Public/Semi Public (P/SP).
- K. Hold a Public Hearing and consider and/or act on the zoning category change of **Murphy Central Park properties** to include: a) **Murphy Central Park** from

Public/Semi Public (P/SP) to Parks/Open Space (PK); b) **Murphy Central Park** from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK); and c) **Murphy Central Park** from Single-Family Estate (SF-E) to Parks/Open Space (PK).

- L. Hold a Public Hearing and consider and/or act on the zoning category change of a) **Murphy Community Center, 205 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK); b) **Murphy Activity Center, 201 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK).
- M. Hold a Public Hearing and consider and/or act on the zoning category change of **Timbers Nature Preserve Park, 324 Pine Top Drive** from Single Family Residential - 20 (SF-20) to Parks/Open Space (PK).
- N. Hold a Public Hearing and consider and/or act on the zoning category change of a) **Willow Wood Ranch Estates #1, Lot 1 and 2** from Single Family Estate (SF-E) to Public/Semi Public (P/SP); b) **A0582 JAS W Maxwell Survey, Tracts 43 and 60** from Single Family Estate (SF-E) to Parks/Open Space (PK)
- O. Hold a Public Hearing and consider and/or act on the zoning category change of **ABS A0588 C A McMillan Survey, Tract 57** from Private Recreation (PPK) to Parks/Open Space (PK).
- P. Hold a Public Hearing and consider and/or act on the zoning category change of the following properties from Office (O) to Single-Family Residential-9 (SF-9):
**1) 213 N. Murphy Road; 2) 215 N. Murphy Road; 3) 217 N. Murphy Road;
4) 223 N. Murphy Road; 5) 225 N. Murphy Road; 6) 227 N. Murphy Road;
7) 231 N. Murphy Road; 8) 233 N. Murphy Road; 9) 235 N. Murphy Road;
10) 237 N. Murphy Road; 11) 239 N. Murphy Road; 12) 241 N. Murphy Road;
13) 243 N. Murphy Road; and 14) 501 N. Murphy Road.**
- Q. Hold a public hearing and consider and/or act on the adoption of the Official City of Murphy Zoning Map 2012, as shown as proposed official Zoning Map #3.

8. CITY MANAGER/STAFF REPORTS

North Murphy Road Construction Update
McCreary Road Construction Update
Oncor Electrical Outages
Upcoming Council Meetings – Wednesday, January 2 and Tuesday, January 15
City Holidays – December 24, 25 and 31 and January 1

9. 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 advice from City Attorney involving:

- a) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- b) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.
- c) Nathan Burgess Complaint

§551.072 Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.

§551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City of Murphy Planning and Zoning Commissioners, Board of Adjustment Board Members, Murphy Municipal Development District Members, the Murphy Community Development Members, the Ethics Review Commission Members and the Building and Fire Code Board of Appeals Members.

§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 regulations; (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 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 advice from City Attorney involving:

- a) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- b) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.
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11. 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 December 7, 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.