

CITY COUNCIL MINUTES
FEBRUARY 4, 2014 REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

Mayor Barna called the meeting to order at 6:00 p.m.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Barna 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 Eric Barna
Mayor Pro Tem Owais Siddiqui
Deputy Mayor Pro Tem Ben St. Clair
Councilmember Scott Bradley
Councilmember Betty Nichols Spraggins
Councilmember Bernard Grant
Councilmember Rob Thomas

Councilmembers absent: None

4. PUBLIC COMMENTS –

Marv Williams, 1201 Cactus Back Drive – Mr. Williams updated the Council on the ribbon cutting ceremony at the new Baylor Medical facility and thanked the Council for their attendance. Mr. Williams stated that the Exchange Club would display their 100 flags on President's Day. Mr. Williams also presented the Council with information on the legacy bricks that can be purchased and installed in Murphy Central Park.

5. PRESENTATION ITEMS – There were no presentation items.

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 January 21, 2014 regular meeting minutes.
- B. Consider and/or act upon approval of an Ordinance ordering a General Election to be held on May 10, 2014, for the purpose of electing the Mayor and Council Members for Place 3, and Place 5 to a three (3) year term of office. (*Ordinance 14-02-970*)
- C. Consider and/or act on authorizing the City Manager to execute the Contract for Election Services for the May 10, 2014 General Election between the City of Murphy and the Elections Administrator of Collin County, Texas. (*CLA 201402001*)
- D. Acceptance of the Annual Traffic Contact Report for 2013 for the Murphy Police Department (also known as the Racial Profiling Report).

COUNCIL ACTION (6A, 6B and 6D):

APPROVED

Mayor Pro Tem Siddiqui moved to approve the consent agenda A, B and D, as presented. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

Mayor Pro Tem Siddiqui inquired as to Election Day polling locations, enforcement and planned notification methods.

COUNCIL ACTION (6C):

APPROVED

Mayor Pro Tem Siddiqui moved to approve the consent agenda Item C, as presented. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

7. INDIVIDUAL CONSIDERATION

A. Discussion regarding North Murphy Road and associated projects:

1. Taking North Murphy Road off of the state highway system; and,
2. Safe Routes to Schools (SRTS) sidewalk and enhanced crosswalk grant projects.

City Manager James Fisher advised Council that this was a non-action item and introduced Barry Heard with TxDOT to discuss the item. Mr. Heard reviewed a hand-out on removing FM 2551 from the state highway system. Mr. Heard stated that TxDOT is responsible for access permitting, utility permitting and maintenance, such as mowing and striping. TxDOT also controls speed zones, landscaping and pedestrian movements. Mr. Heard stated that the Maxwell Creek Bridge is covered under the state's off-system bridge program and would remain that way regardless of who owns the road. Mr. Heard stated that, if the City took the road off-system, the State would quit claim the right-of-way to the City and pay for the surveying costs. Mr. Heard stated that FM 544 was approximately 20 years old, but it was constructed under different standards that were not as strong as the current North Murphy Road project.

Councilmember Grant inquired as to what types of crosswalks were allowed if the road remained on the state system. Mr. Heard stated that colored concrete is being included in the SRTS and some additional non-standard items were being considered.

Mayor Pro Tem Siddiqui inquired as to the possibility of LED lights. Mr. Heard stated that TxDOT does not typically allow LED lighting on their roadways.

Councilmember Grant inquired as to the upfront costs involved in taking over the road and asked if there was an alternative to a quit claim deed. Mr. Heard stated that, under the current policy, there were no upfront costs to the City.

Councilmember Bradley inquired as to the State standard sidewalk designs. Mr. Heard stated that the initial plans indicated a five foot wide sidewalk; however, the plans were changed to provide an eight foot wide sidewalk throughout most of the length.

Councilmember Bradley inquired as to how quickly the City would be able to implement design choices if the road was taken off-system. Mr. Heard stated that the City could begin implementing the design elements when the Memorandum of Understanding was executed.

Councilmember Thomas inquired as to if TxDOT would require the City to take the road off-system at some point in the future. Mr. Heard responded that was the direction that TxDOT was moving and could possibly happen within the next 10 years.

Councilmember Thomas inquired as to the maintenance costs. Mr. Heard stated, since TxDOT began using the continuously reinforced paving in the early 2000's there has been little maintenance involved. Mr. Heard stated that striping and landscaping would be the main costs in the first 15 years and regular maintenance after that.

Councilmember Bradley inquired as to TxDOT's cost maintenance estimates. Mr. Heard stated that there isn't enough data to provide adequate cost estimates.

Deputy Mayor Pro Tem St. Clair inquired as to the school zone speed limit. Mr. Heard stated that it would remain the same.

Mayor Pro Tem Siddiqui commented that he wanted to know what the City would lose if the road was not taken off-system. Mr. Heard stated that a monument sign would not be allowed within the right-of-way and conduit was being installed, without lights.

Councilmember Bradley commented that one item that the City would lose would be an enhanced crosswalk in front of the high school.

Mayor Pro Tem Siddiqui inquired as to whether the City would also take on the maintenance of the signal lights at Betsy and North Murphy Road. Mr. Heard stated that the City would be responsible for maintaining the lights.

Councilmember Thomas stated he would like to see a special Council meeting to hear public comments prior to making a decision. Mayor Barna stated he would like to have such a meeting after the City received cost estimates.

Mr. Fisher advised the Council that staff was reviewing plans for monument signs in the medians of North Murphy Road to identify city facilities. Councilmember Grant expressed concerns regarding potential traffic accidents. Deputy Mayor Pro Tem St. Clair expressed concerns regarding installing signs near crosswalks where individuals may be able to hide behind. Councilmember Thomas expressed concerns regarding the signs causing a visibility issue.

Mr. Fisher stated that, right now, the SRTS project was under budget.

COUNCIL ACTION (7.A.):

No action was taken.

NON ACTION ITEM

- B. Hold a public hearing and consider and/or act on the application of BV Murphy TFG, LLC to re-plat 150 West FM 544, currently platted as Lot 1R-A, Block A, Murphy Village Addition.

Director of Community and Economic Development Kristen Roberts stated that the property is the site of the former Neighborhood Walmart. Ms. Roberts stated the replat would allow for a

new lot to be created at the front of FM 544. Ms. Roberts stated that a fast food restaurant was currently under staff review. Ms. Roberts stated that there would be a shared parking agreement with Hobby Lobby.

Council expressed concerns regarding cross access to the subject property and the Jack in the Box property. Mr. Fisher stated that Council could approve the replat with the strong suggestion that an access easement be provided prior to site plan approval.

Mayor Barna opened the hearing to public comment at 7:48 pm

Don Kiertscher, 416 Skyline Dr – Mr. Kiertscher inquired as to if the Council had the authority to enforce the cross access easement in future project approvals.

Ryan Sullentrup, 416 Woodcrest Cr – Mr. Sullentrup commended Councilmember Bradley for his foresight.

Mayor Barna closed the hearing to public comment at 6:49pm

COUNCIL ACTION (7.B.):

APPROVED

Deputy Mayor Pro Tem St. Clair moved to approve replat as submitted. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- C. Consider and/or act on revising the Alcohol Policy for the Murphy Community Center (MCC) and Murphy Activity Center (MAC).

Council held discussion removing the exemption for city events.

COUNCIL ACTION (7.C.):

APPROVED

Councilmember Grant moved to approve the revised Alcohol Policy for the Murphy Community Center and the Murphy Activity Center, with the exception of striking the language of “an approved City sponsored event is exempt from Saturday only”. Councilmember Nichols Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- D. Consider and/or act on awarding the bid for Animal Shelter Project and authorizing the City Manager to execute contract documents.

Police Chief GM Cox presented the Council with a background on the current animal shelter and the current facilities.

Chief Cox stated that the State was contacted and they commented that the City would not be written up solely as a result of the facility. Chief Cox stated that there were repairs needed to the existing facility. Chief Cox continued to state that alternatives were researched in regards to privatizing the shelter; however, there was no outside interest. Chief Cox stated that contracting with other municipalities would be cost prohibitive.

Mayor Barna inquired as to the possibility of allowing residents to get their impounded animals out the first time for free.

Mayor Pro Tem Siddiqui inquired of Quorum why the bids were lower than previously and wanted to confirm there were no problems with the current bids.

David Duman, Quorum Architects, stated that the add alternates were removed, which reduced confusion and bidding the project out during a slow time.

Keith Patton, 451 Poindexter – Mr. Patton commented that the average home value in Murphy is \$250,000 and the City is looking at building an \$800,000 facility for animals. Mr. Patton encouraged the Council to look at other options to decrease the price.

Kim Rozman, Mockingbird – Ms. Rozman inquired as to what could be done to get the building designated as a no kill facility.

Kim Heartly, Lovebird – Ms. Heartly referenced the Irving Animal Shelter and commented that the City has worked with the Humane Society to increase the number of adoptions.

Chief Cox responded that the Animal Control Officers make every effort to adopt animals out and euthanasia is a last resort.

Mr. Fisher stated that the Municipal Development District and the 4B Community Development Corporation have been in discussions regarding establishing a 501(c)3 as a community foundation that could be a resource.

COUNCIL ACTION (7.E.):

APPROVED

Councilmember Bradley moved to award the animal shelter construction project to 3i Construction, LLC, in accordance with the bid, as submitted, utilizing the approved bid specs and documents for the Animal Shelter Project and authorize the City Manager to execute contract documents and funding the overage of \$161,000 from the general fund. Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (CLA201402002)

- E. Consider and/or act upon authorizing the City Manager to execute the necessary Right of Way Lease Agreements with DART (Dallas Area Rapid Transit).

COUNCIL ACTION (7.E.):

APPROVED

Councilmember Grant moved to authorize the City Manager to execute the necessary Right of Way Lease Agreements with DART. Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (CLA Nos. 201402003; 201402004; 201402005; 201402006; 201402007; 201402008; 201402009; 201402010; 201402011; 201402012; 201402013 and 201402014)

8. CITY MANAGER/STAFF REPORTS

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

- North Murphy Road Construction Update
- Murphy Central Park Grand Opening – April 5th
- May Election

9. EXECUTIVE SESSION

The City Council did not convene into Executive Session.

10. RECONVENE INTO REGULAR SESSION

The City Council did not convene into Executive Session.

11. ADJOURNMENT

With no further business, the meeting was adjourned at 7:39 p.m.

APPROVED BY:


Eric Barna, Mayor

ATTEST:


Kristi Gilbert, City Secretary

