

MURPHY CITY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
OCTOBER 20, 2015 AT 6:00 PM  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094



Eric Barna  
Mayor

Scott Bradley  
Mayor Pro Tem

Owais Siddiqui  
Deputy Mayor Pro Tem

Ben St. Clair  
Councilmember

Betty Spraggins  
Councilmember

Sarah Fincanon  
Councilmember

Rob Thomas  
Councilmember

James Fisher  
City Manager

Susie Quinn  
City Secretary

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 October 20, 2015 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. 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 September 28, 2015 special meeting minutes.
- B. Consider and/or act upon the October 6, 2015 regular meeting minutes.
- C. Consider and/or act upon the application of Maxwell Creek Investment LTD requesting approval of a Final Plat for Maxwell Creek Pavilion located at 601 E FM 544.
- D. Consider and/or act upon Resolution Number 15-R-822 approving the 2015 tax roll with a total levy of \$10,157,921.67 as certified by Kenneth L. Maun, Tax Assessor Collector for Collin County.
- E. Consider and/or act upon an Alcohol Policy for the Murphy Community Center and Murphy Activity Center.

**6. INDIVIDUAL CONSIDERATION**

- A. Consider and/or act upon the request of Brent and Juliann Delozier for a waiver of the South Maxwell Creek Corridor temporary moratorium on an approximate six (6) acre tract of land located at AO579 Henry Maxwell Survey, Tract 73, 5.96 acres, Collin County, Murphy, TX for the construction of one (1) single-family structure and one (1) accessory barn.

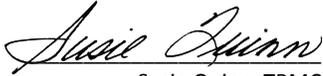
- B. Consider and/or act upon the direction for the Craft Beer Event.
- C. Consider and/or act upon an interview panel regarding the consideration of candidates for service on the Animal Shelter Advisory Committee, Board of Adjustment, Building and Fire Code Appeals Board, Community Development Board, Ethics Review Commission, Murphy Municipal Development District Board, Park and Recreation Board, and Planning and Zoning Commission.
- D. Consider and/or act upon amending or deleting Murphy Code of Ordinances, Chapter 20, Article 20.03 Traffic Rules, Section 20.03.47 Speed through school zones, subsection (f) passing another vehicle in school zone prohibited when school zone speed limit is in effect"
- E. Discussion on Texas Commission on Environmental Quality (TCEQ) notice of violation.
- F. Consider and/or act upon the City of Murphy Compensation Study for city employees conducted by CPS HR Consulting.
- G. Consider and/or act upon an amendment to the FY 2016 Budget.

## **7. CITY MANAGER/STAFF REPORTS**

- A. Timbers Nature Preserve
- B. Betsy Lane Road Widening Project
- C. South Maxwell Creek Parallel Trunk Sewer Line
- D. North Murphy Road
- E. Community Survey Update
- F. Southeast Study
- G. Upcoming November 3, 2015 Election and Early Voting.
- H. Howl-O-Ween on October 24, 2015

## **8. 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 October 16, 2015 by 4:30 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Susie Quinn, TRMC  
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 [squinn@murphytx.org](mailto:squinn@murphytx.org).

Notice of Possible Quorum: There may be a quorum of the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission, the Murphy Community Development Corporation, the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission members who may be present at the meeting, but they will not deliberate on any city or board business.

MURPHY PLANNING AND ZONING COMMISSION AND  
MURPHY CITY COUNCIL MINUTES  
SEPTEMBER 28, 2015, JOINT MEETING

**CALL TO ORDER**

Mayor Barna called the meeting to order at 6:10 p.m.

**ROLL CALL & CERTIFICATION OF A QUORUM  
PLANNING & ZONING COMMISSION and CITY COUNCIL**

Executive Administrative Assistant Kim McCranie certified a quorum with the following persons present:

City Council Members Present:

Mayor Eric Barna  
Deputy Mayor Pro Tem Owais Siddiqui – Arrived at 6:55pm  
Councilmember Ben St. Clair – Arrived at 6:43pm  
Councilmember Betty Nichols Spraggins  
Councilmember Rob Thomas

Councilmembers Absent: Mayor Pro Tem Scott Bradley

Administrative Assistant Lori Knight certified a quorum with the following persons present:

Planning & Zoning Commissioners Present:

Chairman Jon King  
Vice Chair Steve Levy  
Secretary Camille Hooper  
Commissioner John Johnson  
Commissioner Don Reilly  
Commissioner Greg Mersch

P&Z Commissioners Absent: Commissioner Lloyd Jones

City Staff Present:

Kristen Roberts, Director of Community & Economic Development  
Lori C. Knight, Administrative Assistant  
Kim McCranie, Executive Administrative Assistant

**INDIVIDUAL CONSIDERATION**

1. Hold a public hearing and consider and/or act on the adoption of an extension to the temporary moratorium on property development within a defined geographic boundary in the southeastern portion of the City.

Staff Discussion

Kristen Roberts, Director of Community and Economic Development, stated staff is requesting an extension of the temporary moratorium that has been in place since July 2015. The extension would allow City Council, Planning and Zoning Commission, Staff, consultants and residents to continue to work together on the Southeastern Study. She informed the Council of an error in the ordinance, Page

3 Section II, which reads January 5, 2015 and it should be January 5, 2016 and respectfully requested for the date change to be noted in a motion if the extension is approved.

**PUBLIC HEARING OPENED AT 6:13 PM**

The following persons addressed the City Council and the Planning & Zoning Commission:

1. Daniel Lucas– Opposed
2. Martha Gallion– Opposed
3. Keith Huyck – Opposed
4. Dennis Culliver – Opposed
5. Mike Goggins – Opposed
6. Craig LaDue – Opposed
7. Yolanda Luna – Opposed
8. Nick Burns – Opposed
9. Kris Mraz – In Favor
10. Ray Weyandt - Opposed
11. Cindy Bates – Opposed
12. Ray Cross – Opposed
13. Marjorie Maclanahan – Opposed
14. Chris Koleber - Opposed
15. Warren Gallion – Opposed
16. Darlene Carpenter – Opposed
17. Diane Waller – Opposed
18. Ryan Bets – In Favor

**PUBLIC HEARING CLOSED AT 6:52 PM**

***P & Z COMMISSION ACTION***

***APPROVED***

Commissioner Reilly moved to recommend City Council to extend the existing moratorium for the 90 days to January 5, 2016. Secretary Hooper seconded the motion. Motion passed 7-0.

***COUNCIL ACTION***

***APPROVED***

Deputy Mayor Pro Tem Siddiqui moved to adopt Ordinance Number 15-09-1003 extending the temporary moratorium on property development within a defined geographic boundary in the southeastern portion of the City to an effective date of January 5, 2016. Councilmember Spraggins seconded the motion. Motion passed 6-0.

2. Discuss Southeast Study draft concept plan and initial draft planned development district conditions.

Kristen Roberts, Director of Community and Economic Development stated that this item does not require any action; it is for Council, Commission and public input. She said they will take the feedback received from this meeting and redefine and edit the plan. She reassured the public that no one will lose or be forced out of their homes; the plan only applies if the land is currently vacant.

Ms. Roberts gave a brief overview of the concept plan, reiterating that this is a first draft of a concept plan. She introduced the consultants.

Brandon Gonzales of Freese Nichols Inc. (FNI), gave an overview of the draft concept plan. He discussed the patio homes, walkable retail integrated with open space, preservation of Maxwell Creek in its current natural state, walking trails behind the retail area that will connect to FM 544 for North/South connectivity and tie into Timbers Nature Preserve. He discussed what the City owned tract on Kinney Drive could look like if it was developed at SF-20 with connection to the park. He discussed the residential zoning throughout the plan. He discussed the Ganis property being viewed as its own development since other property owners originally did not want to be part of that development. He said they took this into consideration and placed a preserve tree line buffer between the properties with increased setbacks. He discussed the thought process with opening S. Maxwell Creek Road at McCreary.

**Council/Commission Discussion**

The Council discussed concerns regarding private roads being included on the plan, S. Maxwell Creek connecting to McCreary Road, and medium density residential zoning. They requested the consultant to look into different options to address their concerns. The Council thanked FNI for their work on the concept plan. They stressed that this was a concept plan only at this stage and is being considered to help protect the residents regarding future development.

The Planning and Zoning Commission discussed concerns about reopening S. Maxwell Creek Road, whether or not an economic viability was considered during planning. They requested clarification/correction in the south side information bubbles in regards to zoning and setbacks.

**Martha Gallion**, resident, stated that the residents of the Timbers were not consulted regarding the study. She expressed concerns with opening Oak Glen Drive. She stated that the original plat showed Oak Glen Drive to be a cul-de-sac. She also expressed concerns regarding a concept plan out there that future officials with no background information could be viewed as one that the citizens approved.

**Keith Huyck**, resident, expressed concerns regarding property value with medium density zoning next to low density zoning.

**Celia Saunders**, resident, expressed concerns about allowing high density zoning.

**Warren Gallion**, resident, asked why we are considering a vision plan when residents are happy with how things are currently.

The City Council explained that this concept/vision plan was instigated by developer interest in the Ganis property. Development is coming and the City wants and needs to be prepared.

**ADJOURNMENT**

With no other business before the Commission, Planning and Zoning Commission adjourned at 8:32 pm.  
With no other business before the Council, City Council adjourned at 8:32 pm.

APPROVED BY:

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Jon King, Planning & Zoning Chairman

ATTEST:

\_\_\_\_\_  
Camille Hooper, Secretary

APPROVED BY:

\_\_\_\_\_  
Eric Barna, Mayor

ATTEST:

\_\_\_\_\_  
Kim McCranie, Executive Administrative Assistant

CITY COUNCIL MINUTES  
REGULAR CITY COUNCIL MEETING  
OCTOBER 6, 2015 AT 6:00 P.M.

**1. CALL TO ORDER**

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

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Barna led the invocation and led the Pledge of Allegiance to the United States flag.

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

Susie Quinn, City Secretary, certified a quorum with the following Councilmembers present:

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

**4. PUBLIC COMMENTS**

**Donna Jenkins**, Murphy Historical Society thanked council for their participation in the dedication of the Murphy Store marker on September 26<sup>th</sup>. Donna also wanted to remind people October is family history month, she encourages people to write down and document important items like photos and the names of people in the photo/date of the photo, and the personal history of each person's family.

**Ray Shahan**, resident, wanted to voice his concern and complaint regarding the City Citizen Survey. He is requesting a letter of apology and an invitation to retake the survey to the citizens who were "kicked out" of the survey due to their profession or the profession of someone in their household. Council confirmed it is standard practice for surveys to exclude persons who work in certain fields.

**5. CONSENT AGENDA**

- A. Consider and/or act upon the September 15, 2015 regular meeting minutes.
- B. Consider and/or act upon the September 21, 2015 special meeting minutes.

***COUNCIL ACTION (5.A.):***

***APPROVED***

**Mayor Pro Tem Bradley moved to approve the Consent Agenda as presented. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.**

## 6. INDIVIDUAL CONSIDERATION

### A. Consider, discuss and/or act on an update to the Southeast Study Project.

Director of Economic Development and Community Development, Kristen Roberts gave a brief background on this project and presented a detailed list of meeting dates, notes and comments from the previous meeting. A representative from Freese and Nichols gave an overview on what has transpired for us to reach this point. He went into detail on what exactly an urban planner is, and why it's important. He showed a history/projection of the population starting in 2000 and projected to 2040. He also highlighted the thoroughfare plan and explained that South Maxwell Creek is one of the major streets, the trail plan, and the zoning and future land use maps. He also explained the stakeholder top 10 list they have been incorporating and have used the input gathered from them to form the proposed plan.

City Manager, James Fisher asked for council's direction and clarification for the minimum lot size they will accept for this area. Council discussed lot sizes and council confirmed in general they want to see SF 20 predominately with SF 15 on the interior if needed. Fisher also discussed Oak Glen being punched through on this plan. Council discussed the public safety concern if not connecting this road and want ideas and concepts to answer the public safety concerns. Some members of council would also like to see options for connecting this road. The connection of S. Maxwell Creek Road was looked at in regards to delivering public safety such as fire and EMS to the residents and potential businesses along this road. Council discussed having and not having a connection and the possibility of creating obstacles to deter it from being a cut through. Council requested to leave this as a question mark for the current time.

Roberts also pointed out and there was conversation on council regarding retail along FM 544, currently it is zoned SF20 residential and it is the consideration of the proposed planned development to make it retail/commercial along FM 544 and McCreary. Council agreed they believed this would be the best use for this area, but a dense landscape buffer needed to be considered along the commercial/residential border. Council was informed the newest plan would be going before Planning and Zoning, October 26<sup>th</sup> and coming to council for approval after that.

Public Comments:

**Julie Kamm**, resident, expressed her view regarding the potential change for zoning and is upset with the proposal. She is imploring council to not change the zoning, she also asked about how this study has been advertised to those not in the study area. She respectfully requested the letter from she and Kevin Elwood be recorded in the minutes. *(Note: Most cities, including the City of Murphy, no longer publish such requests in the minutes).*

**Larry Lee**, resident, is requesting the council and staff to look at the infrastructure and safety aspects. He specifically mentioned the sewer system is in need of updating and repair. The roads are in major need of repair as well. He explained that Kinney Drive is "sinking" on the sides and it has caused many issues. He stated he did not want higher density due to higher crime rates when this occurs.

**Martha Gallian**, resident, implored Council not to connect S. Maxwell Creek Road. She also mentioned that the Oak Glen original plat showed a cul-de-sac but there is not one. She

explained she sees traffic turning around in the driveways on her street because it is not a through street, and if they open it to S Maxwell it would become an even busier street. She wants Council to maintain the SF 20 lots along FM 544 to keep the integrity of the area.

**Harmony Moses**, resident, is concerned with Oak Glen being punched through. She does not want this to be a through street.

Council suggested this item to be on the second meeting in November to allow time for a Town Hall meeting (scheduled for November 3, 2015) for better conversation between Council and the residents.

There was no action taken on this item.

***COUNCIL ACTION (6.A.):***

***NO ACTION***

B. Discussion of water issues.

City Manager Fisher explained that this item was placed on the agenda to allow Council to interact with citizens if they came to the meeting to discuss their water bills during public comment. City Manager James Fisher asked citizens to please contact the Customer Service department with any questions or concerns regarding their water bills and/or meter.

The City is a consumer of the water from the North Texas Municipal Water District just as the citizens buy their water from the City of Murphy. Council also explained the water fee is not just for water usage, it is for a multitude of things that go into supplying water, such as the meters, the pipes, the water towers, the pumps, etc. In the future, cities will be faced with changes in water and possibly the supplier. All of north Texas is having these types of water billing concerns.

This item was for discussion only.

C. Consider and/or act upon a Murphy Food Truck Court and additional PSA Murphy and Central Park parking.

City Manager, James Fisher explained this idea was brought to him by Mayor Barna, Mayor Pro Tem Bradley and a few other individuals to see if it would be a possibility for Murphy. The park consultant assisted with the project. Fisher also explained the Murphy Community Development Corporation (MCDC) has agreed to pay a third of the costs, and the rest would be split and repaid back to Murphy Municipal Development District (MMDD) and MCDC over the years. There will be some trees removed and a clearing will be needed. Some trees will be replaced Council asked for clarification on lighting for the area, Fisher confirmed there will be lighting but not excessive lighting. Council also asked for how Central Park is being utilized currently and wanted to make certain the Park board will have time to discuss.

***COUNCIL ACTION (6.C.):***

***APPROVED***

**Mayor Pro Tem Bradley moved to approve the plan and funding Murphy Food Truck Court and Additional PSA Murphy and Central Park parking. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.**

- D. Consider and/or act upon the approval of an Ordinance amending Section 9.100 of the Fee Schedule; irrigation rates.

City Manager Fisher explained the necessity for this Ordinance.

***COUNCIL ACTION (6.D.):***

***APPROVED***

**Mayor Pro Tem Bradley moved to approve Ordinance Number 15-10-1004 amending Section 9.100 of the Fee Schedule and adjusting the irrigation rates as presented to be effective October 1, 2015. . Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.**

- E. Consider and/or act upon the direction for the Craft Beer event.

Director of Public Services, Bernie Parker gave a brief background on this item, especially what the City of Murphy and Brewvolution will provide. With regards to profit, there will be different points of return for the city. Council asked for more information pertaining to the City of Murphy’s responsibilities. Parker clarified it would be our responsibility for music, and other items. There was much discussion regarding what the \$20,000 will be used for and the potential for profit. Sponsorship was also discussed with regards to subsidizing the event with other sponsors. Advertising was discussed as well. The deadline to enter into a contract is October 15, 2015 and council asked for the possibility of an extension due to the number of unanswered questions.

There was no action taken on this item.

***COUNCIL ACTION (6.E.):***

***NO ACTION***

- F. Updated discussion on the Murphy Police Department Body Worn Camera Policy.

City Manager, James Fisher explained this item was requested to be moved to this council meeting. Fisher also explained body cameras have been worn by the school safety officers to sort of “test” them. The main concern is privacy but also making sure the cameras are able to do their job. Council asked for clarification on the storage costs and company we will use. IT Manager Medford explained currently the storage is being done in house and they are in the process of upgrading the storage. Council clarified this is a prospective from the police officers view. Chief of Police, Trey Cotten further explained the need and reason for the body cameras.

This item was for discussion only.

**7. CITY MANAGER/STAFF REPORTS**

- A. Timbers Nature Preserve

Fisher reminded everyone about the walkthrough on Saturday, October 10, 2015 and welcomed all to come and walkthrough with residents and staff to voice any concerns they might have.

B. Betsy Lane Road Widening Project

Fisher explained 85 % of this project is complete, and the bridge will be finished soon. The road should be open by January.

C. South Maxwell Creek Parallel Trunk Sewer Line

This project is approximately 30% complete.

D. North Murphy Road

Fisher explained this is moving forward, the retaining wall in Rolling Ridge is being worked on diligently. There is a concern with McWhirter, and how it connects.

E. Community Survey Update

Fisher announced we have 428 responses at this time.

Fisher also reminded everyone about the Clean & Green event and the Fire open house on Saturday, October 10, 2015.

**8. EXECUTIVE SESSION**

The City Council convened into Executive Session at 8:08 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.072. Deliberation regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**9. RECONVENE INTO REGULAR SESSION**

The City Council reconvened into Open Session at 8:25 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.072. Deliberation regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- B. Take Action on any Executive Session Item.

**COUNCIL ACTION (9.A.):**

**NO ACTION**

**10. ADJOURNMENT**

With no further business, the meeting was adjourned at 8:25 PM

APPROVED BY:

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Eric Barna, Mayor

ATTEST:

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Susie Quinn, City Secretary

**City Council**  
**October 20, 2015**

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**Issue**

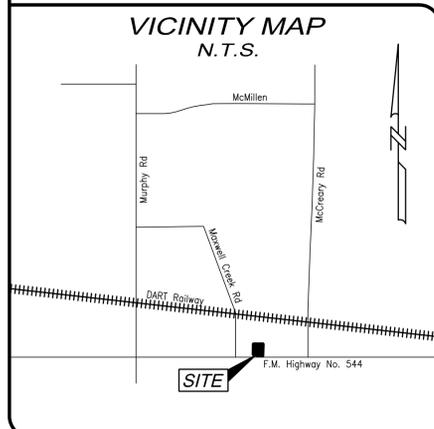
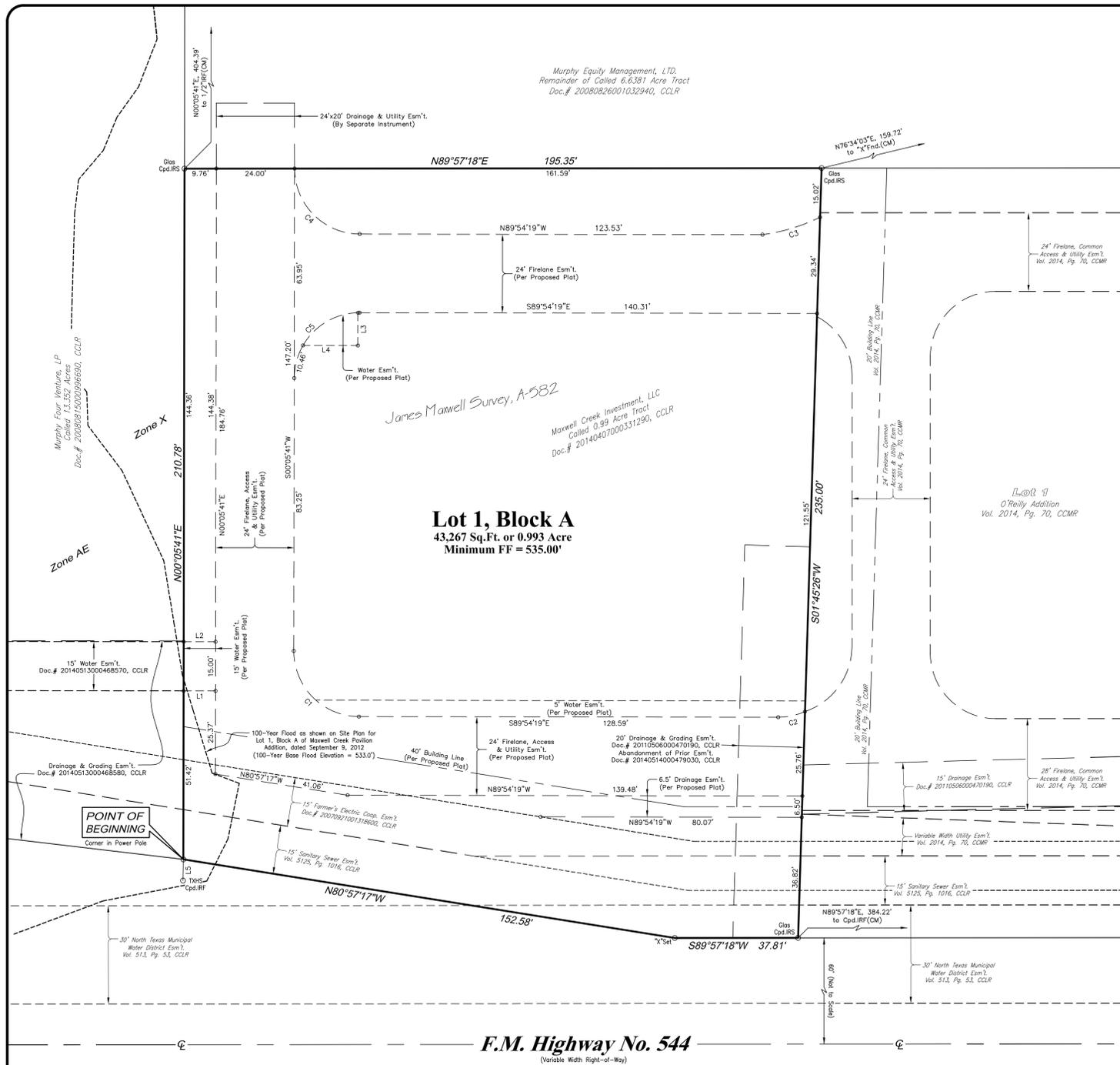
Consider and/or act on the application of **Murphy Creek Investment, Ltd.** requesting approval of a final plat for Maxwell Creek Pavilion at 601 E FM544.

**Staff Recommendation**

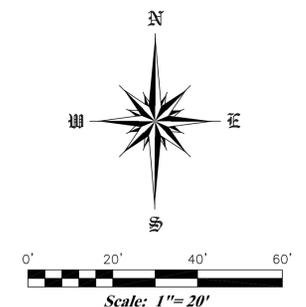
Staff recommends approval of the Final Plat as presented.

**Attachments**

Final Plat



- NOTES**
- Survey was performed without the benefit of a title commitment.
  - Subject property affected by any or all easements of record.
  - Source bearing is based on called 6.6381 acre tract as recorded under Document No. 20080826001032940 of the Collin County Map Records.
  - Part of the property described herein lies within a Special Flood Hazard Area according to the Federal Emergency Management Agency Flood Insurance Rate Map, Community-Panel No. 48085C0415 J, present effective date of map June 2, 2009, herein property situated within Zone X (unshaded) & Zone AE, Area shown in Zone AE was removed from the subject property by LOMA Case No. 12-06-0060-A, dated December 20, 2011. This flood statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.



**Legend**

Glas Cpld.IRS	Glas Capped Iron Rod Set
CCMR	Collin County Map Records
CCLR	Collin County Land Records
IRF	Iron Rod Found
CM	Controlling Monument
⊕	Centerline

**OWNER'S CERTIFICATE AND DEDICATION**

STATE OF TEXAS §  
 COUNTY OF COLLIN §

WHEREAS **Maxwell Creek Investment, LLC** is the owner of a 0.993 acre tract of land situated in the State of Texas, County of Collin, and City of Murphy, being part of the James Maxwell Survey, Abstract No. 582, and being all of a called 0.99 acre tract of land as recorded under Document No. 20140407000331290 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a point for corner in a power pole in the north right-of-way line of F.M. Highway No. 544 (Variable Width Right-of-Way) marking the southwest corner of said 0.99 acre tract, the southwest corner of said premises, and the southeast corner of a called 13.352 acre tract as recorded under Document No. 20080815000996690 of the Collin County Land Records, from which a TXHS capped iron rod found bears South 00°59'19" West, 6.47 feet;

THENCE with the west line of said 0.99 acre tract, the west line of said premises, and the east line of said 13.352 acre tract, North 00°05'41" East, 210.78 feet to a Glas capped iron rod set marking the northwest corner of said 0.99 acre tract and the northwest corner of said premises;

THENCE with the north line of said 0.99 acre tract and the north line of said premises, North 89°57'18" East, 195.35 feet to a Glas capped iron rod set marking the northeast corner of said 0.99 acre tract, the northeast corner of said premises and the northwest corner of Lot 1 of O'Reilly Addition, an addition to the City of Murphy as recorded in Volume 2014, Page 70 of the Collin County Map Records;

THENCE with the east line of said 0.99 acre tract, the east line of said premises and the west line of said Lot 1, South 01°45'26" West, 235.00 feet to a Glas capped iron rod set in the north right-of-way line of F.M. Highway No. 544 marking the southeast corner of said 0.99 acre tract, the southeast corner of said premises, and the southwest corner of said Lot 1;

THENCE with the north right-of-way line of F.M. Highway No. 544, the south line of said 0.99 acre tract, and the south line of said premises, South 89°57'18" West, 37.81 feet to an "X" set and North 80°57'17" West, 152.58 feet to the point of beginning and containing 43,267 square feet or 0.993 acre of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, **Maxwell Creek Investment, LLC**, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as **Lot 1, Block A of Maxwell Creek Pavilion Addition**, an addition to the City of Murphy, Texas, and does hereby dedicate, in fee simple, to public use forever, the streets and alleys shown thereon. The streets and the alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Murphy. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Murphy and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking". The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and Emergency use, in, along, upon and across said premises, with the right and privilege at all times of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking". The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and Emergency use, in, along, upon and across said premises, with the right and privilege at all times of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Murphy, Texas.

Witness my hand at Murphy, Texas this \_\_\_\_ day of \_\_\_\_\_ 2015.

By:

Maria Hung, Managing Partner for Maxwell Creek Investment, LLC

**ACKNOWLEDGEMENT**

STATE OF TEXAS §  
 COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Maria Hung**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for The State of Texas

**SURVEYOR'S CERTIFICATE**

STATE OF TEXAS §  
 COUNTY OF HUNT §

THAT I, **John Glas**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were found and/or placed under my personal supervision, in accordance with the subdivision regulations of the City of Murphy, Texas.

John Glas  
 R.P.L.S. No. 6081



**ACKNOWLEDGEMENT**

STATE OF TEXAS §  
 COUNTY OF HUNT §

BEFORE ME, the undersigned authority, on this day personally appeared **John Glas**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for The State of Texas

**CITY APPROVAL OF FINAL PLAT**

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas.

Approved By: City Council  
 City of Murphy, Texas

Mayor \_\_\_\_\_ Date \_\_\_\_\_  
 City of Murphy, Texas

Attest: \_\_\_\_\_ Date \_\_\_\_\_

City Secretary \_\_\_\_\_ Date \_\_\_\_\_  
 City of Murphy, Texas

**Line Table**

LINE	BEARING	DISTANCE
L1	N89°54'19"W	9.76'
L2	S89°54'19"E	9.76'
L3	S00°05'41"W	10.00'
L4	N89°54'19"W	16.82'
L5	S00°59'19"W	6.47'

**Curve Table**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00'	31.42'	28.28'	S44°54'19"E	90°00'00"
C2	20.00'	8.44'	8.37'	N78°00'38"E	24°10'07"
C3	59.47'	18.49'	18.41'	S73°15'49"W	17°48'51"
C4	20.00'	31.37'	28.25'	N44°58'30"W	89°51'38"
C5	20.00'	31.42'	28.28'	N45°05'41"E	90°00'00"

Owner:  
 Maxwell Creek Investment, LLC  
 222 Municipal Drive, Suite 150  
 Richardson, Tx 75080-3766

Attn: Maria Hung  
 (214) 393-4954

Surveyor:  
 Glas Land Surveying  
 2114 FM 1563  
 Wolfe City, Tx 75496

Attn: John Glas  
 (903) 496-2084  
 john@glaslandsurveying.com

Revised: 9/20/15  
 Drawings 12015\AC00369.dwg

**Glas Land Surveying**  
 2114 FM 1563, Wolfe City, Texas 75496  
 Office: (903) 496-2084 Fax: (469) 547-0826  
 www.glaslandsurveying.com  
 TBPLS Firm No. 10193970

**City Council Meeting  
October 20, 2015**

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**Issue**

Consider and/or act upon Resolution approving the 2015 tax roll with a total levy of \$10,157,921.67 as certified by Kenneth L. Maun, Tax Assessor Collector for Collin County.

**Staff Resource/Department**

Linda Truitt – Finance Director

**Background/History**

The 2015 appraisal roll was certified to the City by the Chief Appraiser of the Collin Central Appraisal District and approved by the City Council on August 4, 2015. The tax roll consists of the approved tax rate (\$0.5300) applied to the taxable appraisal values (\$1,916,589,023). This total levy includes funding for both maintenance and operations of the City and debt service.

The City contracts with the Collin County Tax Assessor Collector for assessment and collection of property taxes. The Tax Assessor Collector calculates the total tax levy and submits this to the City for approval by the governing body. Approval of the tax roll is required by Section 26.09 of the Texas Property Tax Code.

**Financial Considerations**

N/A

**Action Requested**

Approval of Resolution approving the 2015 tax roll and total tax levy as certified by Kenneth L. Maun, Tax Assessor Collector for Collin County.

**Attachments**

- 1) Resolution
- 2) Correspondence from Tax Assessor

**RESOLUTION NO. 15-R-823**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, CONCERNING THE APPROVAL OF THE 2015 TAX ROLL WITH A TOTAL LEVY OF \$10,157,921.67.**

**WHEREAS** The City of Murphy has a taxable levy in the amount of \$10,157,921.67 as certified by Kenneth L. Maun, Collin County Tax Assessor Collector, for the 2015 tax year,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AS FOLLOWS:**

**SECTION 1.** Section 26.09 of the Texas Property Tax Code requires submittal of the tax roll to the governing body for approval.

**SECTION 2.** The City Council approves the tax roll with a total levy in the amount of \$10,157,921.67 for 2015 tax year for the City of Murphy.

**DULY RESOLVED** by the City Council of the City of Murphy, Collin County, Texas on this 20th day of October, 2015.

APPROVED:

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Erica Barna, Mayor

ATTEST:

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Susie Quinn, City Secretary



**KENNETH L. MAUN**  
**TAX ASSESSOR COLLECTOR**  
**COLLIN COUNTY**  
**2300 Bloomdale Road, Suite 2366**  
**P.O. Box 8006**  
**McKinney, TX 75070-8006**  
**(972) 547-5020**  
Fax: (214) 491-4808  
Email: [kmaun@collincountytx.gov](mailto:kmaun@collincountytx.gov)

September 29, 2015

Eric Barna, Mayor  
City of Murphy  
206 North Murphy Road  
Murphy, TX 75094

Dear Mayor Barna,

Attached is the 2015 Tax Roll Summary for City of Murphy.

Submission of the 2015 Tax Roll to your governing body for approval, in accordance with *Texas Property Tax Code*, Section 26.09, will constitute the 2015 Tax Roll for City of Murphy.

Please provide my office a copy of your ordinance approving the Tax Roll at your earliest convenience. While this is a formality in the Texas Property Tax Code, we do want to fulfill the requirements of the law and do appreciate your cooperation.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Ken Maun". The signature is fluid and cursive.

Kenneth L. Maun  
Tax Assessor Collector

Enclosure

cc: Linda Truitt  
Steven Ventura

2015 TAX ROLL SUMMARY

21 - MURPHY CITY

	Amount	Count
NUMBER OF ACCOUNTS		6,470
MARKET VALUES		
ROLLCODE: PERSONAL		
Land	\$0	
Personal	\$63,407,629	
ROLLCODE: REAL		
Agriculture	\$11,700,756	
Improvement	\$1,344,004,084	
Improvement Non-Home Site	\$196,564,234	
Land	\$398,356,872	
Land Aq Land	\$21,060	
Land Non-Home Site	\$108,509,838	
	<b>TOTAL MARKET VALUE</b>	<b>\$2,122,564,473</b>
DEFERRALS		
Ag	\$11,700,756	27
	<b>TOTAL DEFERRALS</b>	<b>\$11,700,756</b>
EXEMPTIONS		
Autos , XO , PPV , XO , PPV	\$12,867,842	38
Cap Adjustment , XT , XT	\$21,499,837	2,530
Disabled	\$3,012,500	62
Disabled Veteran	\$5,591,588	86
Miscellaneous , XV , XV	\$121,068,917	153
Nominal Value	\$4,833	23
Over 65	\$30,206,161	618
Solar/Wind	\$23,016	1
	<b>TOTAL EXEMPTIONS</b>	<b>\$194,274,694</b>
<b>GRAND TOTAL FOR DEFERRALS AND EXEMPTIONS</b>		<b>\$205,975,450</b>
<b>TOTAL MARKET VALUE</b>		<b>\$2,122,564,473</b>
<b>TAXABLE VALUE</b>		<b>\$1,916,589,023</b>
<b>TAX RATE</b>		<b>0.53</b>
ROLLCODE: PERSONAL		
Levy	\$266,622.25	405
ROLLCODE: REAL		
Levy	\$9,891,299.42	6,065
	<b>TOTAL LEVY</b>	<b>\$10,157,921.67</b>
<b>LEVY LOST DUE TO FROZEN</b>		<b>\$0.00</b>
<b>OTHER LOST LEVY</b>		<b>\$0.00</b>
<b>TOTAL LOST LEVY</b>		<b>\$0.00</b>

2015 TAX ROLL SUMMARY

Calculation Analysis							
	Calc Levy	- Tax Amount	=	Diff.	Market Value	Exemption	Taxable Value
Frozen	0.00	0.00		0.00	0	0	0
DV100 (Excl. Frozen)	0.00	0.00		0.00	5,047,823	4,975,088	72,735
Prorated (Excl. Frozen)	0.00	0.00		0.00	0	0	0
Other	10,157,921.67	10,157,921.67		0.00	2,117,516,650	201,000,362	1,916,516,288
<b>Total</b>	<b>10,157,921.67</b>	<b>10,157,921.67</b>		<b>0.00</b>	<b>2,122,564,473</b>	<b>205,975,450</b>	<b>1,916,589,023</b>
DV100 (Incl. Frozen)	0.00	0.00		0.00	0	0	0
Prorated (Incl. Frozen)	0.00	0.00		0.00	0	0	0

**City Council Meeting**  
**October 20, 2015**

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**Issue**

Consider and/or act on an Alcohol Policy for the Murphy Community Center and Murphy Activity Center.

**Staff Resource/Department**

Susie Quinn, City Secretary

**Summary**

Following City Council approval of alcohol use at the Murphy Community Center (MCC) and Murphy Activity Center (MAC), staff is recommending an Alcohol Policy to administer this use.

**Background**

On April 3, 2012, City Council approved an alcohol policy entitled *Alcohol Use Liability Agreement* that sets forth requirements that lessees must adhere to when serving and/or consuming alcoholic beverages at the Murphy Community Center and/or the Murphy Activity Center. The agreement limits the service and/or consumption of alcoholic beverages to Saturday only. Additionally, the agreement requires that alcoholic beverage service terminate at least one hour prior to the scheduled end of the event.

The Board and Commission Appreciation Dinner is scheduled for Thursday, December 10, 2015 from 6:30 pm to 9:30 pm. Progressive Waste Solutions will be sponsoring a beer and wine bar at the event. Staff is requesting that Council grant an exception to the policy to allow for service of beer and wine at the event until 8:30 pm.

**Action Requested**

Motion to grant an exception to the Alcohol Use Liability Agreement to allow for the service of beer and wine at the Murphy Community Center on Thursday, December 10th from 6:30 pm to 8:30 pm for the Board and Commission Appreciation Dinner.

**Attachments**

Alcohol Use Liability Agreement

## Saturday Night Only

### Alcohol Use Liability Agreement City of Murphy

If alcoholic beverages are to be sold, served and/or consumed at \_\_\_\_\_ (the "Facility") during the period of this rental agreement or facility use permit, the lessee agrees to the following:

1. The Lessee shall pay a fee of \$50.00 for an alcohol use permit to serve alcoholic beverages at the event. If alcoholic beverages are to be sold at the event, Lessee must pay a fee of \$100.00 in advance for an alcohol use permit to sell alcoholic beverages at the event. Alcoholic beverages shall be considered to be sold under the following circumstances: a) if a fee is charged for the serving of an alcoholic beverage; and/or b) if the Lessee charges a cover charge or other admission fee or donation for the event and alcoholic beverages are then provided to patrons at no additional cost.

2. Alcoholic beverages may only be consumed inside the authorized portions of the Facility (Murphy Community Center and/or Murphy Activity Center) and only during the permitted event. Permitted events will only be allowed on Saturday evenings.

3. All sale and service of alcoholic beverages must cease no less than one (1) hour prior to the scheduled end of the event.

4. Lessee fully guarantees, represents and shall be totally responsible, that the sale, serving and/or consuming of alcoholic beverages at the event shall comply with the laws of the State of Texas and the rules and regulations of the Texas Alcoholic Beverage Commission ("TABC"), including, without limitation, ensuring that no alcoholic beverages are dispensed to children, minors or any persons under the age of 21. The Lessee also fully guarantees that the responsible party providing, selling and/or serving alcoholic beverages is licensed by the TABC.

5. At events where alcohol is being served or sold, the Lessee shall be responsible, at its sole cost and expense, for providing uniformed, off-duty Murphy Police Department ("MPD") officers or other police officers as approved by the Chief of Police, to ensure safety and security.

**6. LESSEE UNDERTAKES AND AGREES TO SAVE AND KEEP THE CITY OF MURPHY, ITS EMPLOYEES, AGENTS, OFFICERS, OFFICIALS, MAYOR AND CITY COUNCIL MEMBERS, CITY BOARD, COMMISSION AND COMMITTEE MEMBERS, OF AND FROM ANY AND ALL LOSSES, COSTS, EXPENSES AND DAMAGES (INCLUDING WITHOUT LIMITATION ATTORNEY'S FEES AND COSTS), AND FROM ANY AND ALL CLAIMS, ACTIONS, DEMANDS, DAMAGES OR LIABILITY BY OR TO THE PUBLIC, EMPLOYEES OF LESSEE, OR OTHERS, ON ACCOUNT OF OR OCCASIONED BY, NEGLIGENTLY OR OTHERWISE, ANY ACTIVITY PERTAINING TO THE LEASE OF THE FACILITY (INCLUDING THE SALE, SERVING OR CONSUMPTION OF ALCOHOL), OR BY ANY ACT OR OMISSION, NEGLIGENTLY OR OTHERWISE, OF LESSEE OR OF ANY PATRONS OF LESSEE WHEN ON, OR WHEN ABOUT TO ENTER, OR WHEN JUST LEAVING THE FACILITY, HEREIN LEASED TO LESSEE ON THE FOLLOWING DATES:**

\_\_\_\_\_.

7. If the event is expected to involve more than 250 patrons, the Lessee must provide the City of Murphy with a Commercial General Liability insurance policy written on an occurrence basis and with a



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**Issue**

Consider and/or act upon the request of Brent and Juliann Delozier for a waiver of the South Maxwell Creek Corridor temporary moratorium on an approximate six (6) acre tract of land located at AO579 Henry Maxwell Survey, Tract 73, 5.96 acres, Collin County, Murphy, TX for the construction of one (1) single-family structure and one (1) accessory barn.

**Summary**

An application has been received for a waiver of the South Maxwell Creek Corridor temporary moratorium. The request is attached.

If Council approves the waiver to the moratorium, the applicant will then be allowed to submit applications to begin the development process (i.e., a building permit application, plat application, site plan application...). The development applications will be processed for approval in accordance with the requirements of the city's ordinances (SF-20).

**Considerations**

The waiver standard from the South Maxwell Creek Corridor temporary moratorium ordinance:

An owner of property within the South Maxwell Creek Zone may request a waiver of the application of this temporary moratorium to a particular project by submitting a written application to the City with the reasons for the waiver request along with supporting documentation. The waiver request must be submitted at least five business days before, but not more than ten days before, a regularly scheduled City Council meeting. The City Council may approve a waiver application, in which case the applicant may submit an application for processing, if one or more of the following conditions are satisfied:

1. **Undue Hardship.** The applicant shall suffer undue hardship if the moratorium is not waived, that being something beyond or in addition to financial hardship; current regulations are adequate to address the proposed type of development and construction; it is in the public interest to allow a limited exception to the moratorium; and authorizing the waiver will not adversely impact the development and character of the South Maxwell Creek Zone.
2. **Development Agreement.** The tract is subject to a valid, written development agreement between the property owner and the City pursuant to which all land use and development matters are addressed in a manner that protects the character and development of the South Maxwell Creek Zone.
3. **Planned Development District.** The tract is zoned as a Planned Development District in which all land use and development matters are addressed in a manner that protects the character and development of the South Maxwell Creek Zone.
4. **Pending Projects.** Complete applications for one or more building permits for the proposed project were on file with the City on or before the temporary moratorium became effective.

**Attachments**

Map of defined geographic boundaries of South Maxwell Creek Corridor temporary moratorium area.  
Delozier Waiver Request (2 pages)

A0579 Henry Maxwell Survey, Tract 73, 5.96 acres, Collin County, Murphy, TX  
Outlined in blue



# Brent & Juliann Delozier

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1210 Terrace Mill Dr, Murphy TX 75094 | 214-566-4100 | brentdelozier@tx.rr.com | jdelozier@wfaa.com

**October 14, 2015**

Mr. Eric Barna, Mayor and City Council Members  
2016 N. Murphy Rd  
Murphy TX 75094

**Dear Mayor & City Council Members:**

We are writing to request a waiver of the moratorium. We purchased 6 acres along S. Maxwell Creek Rd and Cherokee (we have access from both roads) back in May so that we could build a home and barn on it. We have not been allowed to move forward with any building plans due to the moratorium. We were patient through the initial 90 day period, but now that the moratorium has been extended, we are asking for you to consider granting us an exemption.

We are asking for the waiver due to the following conditions:

**3a. Undue Hardship**, items i, ii and iv.

- i. Something beyond or in addition to financial hardship*  
The place we currently keep our horses is for sale, and if it sells, we will not have a place for the horses to live.
- ii. Current regulations adequately address the development*  
The house and barn that we would like to build fits the current zoning. See attached for a rough layout of where the house and barn will be built on the 6 acres.
- iv. Authorizing the waiver will not adversely impact the development and character of the area*  
Our plans for a house and barn will preserve the character of other properties in the neighborhood.

We believe we satisfy 3 out of the 4 conditions needed for a waiver.

Once we have your approval to move forward, we will submit the necessary paperwork and plans for permits.

Sincerely,



**Brent & Juliann Delozier**

## DELOZIER PROPERTY

This is a very basic and preliminary layout as far as exact positioning, scale, etc., but does depict the approximate location of the two main structures



**City Council Meeting  
October 20, 2015**

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**Issue**

Consider and/or Act upon the direction for the Craft Beer Event.

**Staff Resource/Department**

Bernie Parker, Director of Public Services  
Caitlyn Mullins, Manager of Recreation Services  
Kayla McFarland, Special Events Coordinator

**Summary**

In May of this year, two members of City Council approached City Staff with the proposition of adding a Spring Craft Beer Event and Community Concert. Staff has worked diligently to research and explore options for this type of event in Murphy.

This item was brought to the Park and Recreation Board on August 10, 2015 for review and discussion. Feedback included positive commentary as well as concerns with hosting a craft beer event. The Park Board felt that the proposed event was new and different. There was a point that the craft beer portion of the event should not take away from the community event and concert and crawfish boil. Concerns about this event being more of a draw from the greater DFW area and not Murphy specifically were mentioned. The concern of safety was also mentioned. Other considerations were the upfront costs associated with this event as well as the amount of competition for events in May in the local area.

This item was then brought before City Council on August 18, 2015 for review and discussion. Council requested Staff to continue negotiations with Texas Brewvolution.

This item was brought before City Council on October 6, 2015 for review and discussion. Council requested Staff reach out to Brewvolution to seek clarification on sponsorship, their estimated costs, advertising, City Sponsorship and profit sharing for the event.

James Fisher, City Manager and Bernie Parker, Director of Public Services participated in a conference call with Chad Montgomery of Brewvolution on October 9<sup>th</sup> to discuss these items. Mr. Montgomery provided the following information:

1. The city could seek sponsorship outside the craft brew fenced area. Brevolution provided a list of their sponsors for their portion of the event.
2. Brevolution did not share their cost estimate for the event. They stated that this was private information. They felt this information could give the blueprint to their competitors on how they do events.
3. Brewvolution did provide the advertising mediums for this event.
4. Brewvolution provided an outline of where the cities sponsorship money would be spent.
5. Brewvolution discussed their terms of net profit sharing.

**Action Requested**

Staff requests direction and approval for the Spring Craft Beer Fest Event.

**City Council Meeting  
October 20, 2015**

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**Issue**

Consider and/or act upon an interview panel regarding the consideration of candidates for service on the Animal Shelter Advisory Committee, Board of Adjustment, Building and Fire Code Appeals Board, Community Development Board, Ethics Review Commission, Murphy Municipal Development District Board, Park and Recreation Board, and Planning and Zoning Commission.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The City's various Boards and Commissions have several members whose terms are expiring December 31, 2015. The City Council traditionally begins advertising for these service opportunities in October and interviews candidates in November. The City Council appoints three members to serve as an interview panel and report its recommendations back to the City Council in December for consideration of appointment.

**Action Requested**

City Council considers appointing a Committee of three City Council members to interview candidates for the 2015 – 2016 Boards and Commission appointments.

**Attachments**

Board and Commission Information  
Board and Commission Current Roster

## City of Murphy Boards and Commissions

October 2015

**Charter Provision:** **Section 8.01(2)** Individuals who are qualified voters in the City may be appointed by the City Council to serve on one (1) or more boards, commissions or committees.

Board	Animal Shelter Advisory Committee
<b>Established</b>	Established by Ordinance No. 09-02-786 on February 16, 2009 – Codified as Sections 4.02.001 to 4.02.002
<b>Duties/Description</b>	The Animal Shelter Advisory Committee shall discuss ideas that will help ensure that the animal shelter is in compliance with the state department of health rules pertaining to animal shelters and make recommendations, for the betterment of the community, concerning operations, policies, procedures, new programs, and the improvement of existing programs.
<b>Composition/Terms</b>	<p>The Animal Shelter Advisory Committee is a six person committee composed of one licensed veterinarian, one municipal official, one person whose duties include the daily operation of the animal shelter and is employed by the City as an Animal Control Officer, one representative from an animal welfare organization, and two resident citizens of Murphy.</p> <p>Committee members shall be appointed for two-year staggered terms. The City Council shall fill any and all vacancies on the committee excluding the Animal Control Officer. The City Council shall also appoint a chairperson for a one year term.</p>
<b>Meeting Schedule</b>	The Animal Shelter Advisory Committee shall meet at a minimum of three times per year as needed at Murphy City Hall. The committee held three meetings in the previous 12 months.
<b>Available Seats</b>	Two seats, Term: January 1, 2015 - December 31, 2016
<b>Contact</b>	Kim Parker, T: 972-468-4235, E: kparker@murphytx.org
Board	Board of Adjustment
<b>Established</b>	Established by City Charter, Article IX, Section 9.05 – Codified as Sections 30.02.111 to 30.02.120
<b>Duties/Description</b>	The Board of Adjustment meets to consider applications for variances to zoning ordinance regulations, and makes decisions on appeals, special exceptions and requests for variances that are in the best interest of the general public.
<b>Composition/Terms</b>	The Board of Adjustment shall consist of seven regular members that are qualified City voters appointed to staggered two-year terms. Up to four additional alternate members may be appointed by City Council to serve in the absence of one or more of the regular board members. Six members constitute a quorum. No member shall serve on the board of adjustments for more than three completed consecutive terms, exclusive of any unexpired term to which the member may have been appointed to fill due to a vacancy on the board.
<b>Meeting Schedule</b>	The Board of Adjustment shall meet as needed at Murphy City Hall. Generally this board requires little time commitment. The last meeting to consider a variance was held in 2012.
<b>Available Seats</b>	Five seats; Three regular, two alternates Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Kristen Roberts, T: 972-468-4006, F: 972-468-4094, E: kroberts@murphytx.org

Board	Building and Fire Code Appeal Board
<b>Established</b>	Established by Ordinance No. 06-05-690 on May 1, 2006 – Codified as Sections 24.02.001 to 24.02.013
<b>Duties/Description</b>	The Building and Fire Code Appeal Board hears appeals of orders, decisions or determinations made by the Building Official or Fire Official relative to the application and interpretation of various building and fire codes.
<b>Composition/Terms</b>	The Building and Fire Code Appeal Board shall consist of five members appointed by the City Council to staggered two-year terms. It is recommended that the Board consist of individuals from the following professions/disciplines and all members shall be qualified City voters: 1) Registered design professional with architectural experience or a builder or superintendent of building construction; 2) registered design professional with structural engineering experience or a builder or superintendent of building construction; 3) registered design professional with mechanical and plumbing engineering experience or a mechanical/plumbing contractor; 4) registered design professional with electrical engineering experience or an electrical contractor; and 5) registered design professional with fire protection engineering experience or a fire protection contractor or state Fire Commission certified fire personnel.
<b>Meeting Schedule</b>	The Building and Fire Code Appeal Board meets as needed at Murphy City Hall. The last board meeting was held in 2010.
<b>Available Seats</b>	Three seats; Two regular, one alternate Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Perry Elliott, T: 972-468-4312, E: pelliott@murphytx.org; Mark Lee, T: 972-468-4303, F: 972-468-4322, E: mlee@murphytx.org
Board	Ethics Review Commission
<b>Established</b>	Established by Ordinance No. 10-11-863 on November 15, 2010 – Codified as Sections 2.06.013 to 2.06.018
<b>Duties/Description</b>	The Ethics Review Commission seeks to uphold and enforce high ethical standards. The Commission serves as an advisory board to City Council, making appropriate recommendations concerning standard operating procedures and guidelines as described in the Code of Ethics (Ord. No. 10-11-863) involving City Officials and City Employees.
<b>Composition/Terms</b>	The Ethics Review Commission is to be composed of five members, each serving a two year term and appointed by the City Council. Commissioners must be qualified voters who are residents of the City. All member terms shall be two years.
<b>Meeting Schedule</b>	The Ethics Review Commission shall meet a minimum of once a year as needed. The date of the annual meeting shall be in February as set by the Commission at Murphy City Hall. One meeting has been held in the previous 12 months.
<b>Available Seats</b>	Three seats; Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Andy Messer, City Attorney
Board	Murphy Community Development Corporation
<b>Established</b>	Established by a Special Election held on May 3, 2003 – Codified as Section 18.04.002
<b>Duties/Description</b>	The Murphy Community Development Corporation makes recommendations and approves the allocation of funding for specific types of projects that promote community enhancements such as parks, related open space improvements, and community development that benefit and enhance the City.
<b>Composition/Terms</b>	The Murphy Community Development Corporation shall consist of seven residents of Collin County appointed by the City Council for a staggered two-year term. At least three members must not be employees, officers or members of the governing body of the City.
<b>Meeting Schedule</b>	The Murphy Community Development Corporation meets, as needed, on the 3 <sup>rd</sup> Monday of the month. Four meetings have been held in the previous 12 months.
<b>Available Seats</b>	Four Seats; Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Kristen Roberts, T: 972-468-4006, F: 972-468-4094, E: kroberts@murphytx.org

<b>Board</b>	<b>Murphy Municipal Development District Corporation</b>
<b>Established</b>	Established by a Special Election held November 8, 2011 – Codified as Section 18.04.001
<b>Duties/Description</b>	This board has a wide area of jurisdiction, including Economic Development, Community and Development, Planning and Zoning and other related departments. The Municipal Development District acts as a separate political entity that reports to the City Council. It is through the Board's discretion that projects are planned and funded using a portion of the City's sales tax. This Board established a budget every year that must be approved by City council.
<b>Composition/Terms</b>	This board shall consist of five residents of the City or the City's extraterritorial jurisdiction (ETJ) appointed by the City Council for two-year staggered terms with no term limits.
<b>Meeting Schedule</b>	This board meets as needed in the City Council Chambers, Murphy City Hall. Six meetings have been held in the previous 12 months.
<b>Available Seats</b>	Three Seats; Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	James Fisher, T: 972-468-4007, F: 972-468-4008, E: jfisher@murphytx.org
<b>Board</b>	<b>Parks and Recreation Board</b>
<b>Established</b>	Established by Ordinance No. 07-12-744 on December 17, 2007 – Codified as Sections 2.02.031 to 2.02.035
<b>Duties/Description</b>	The Parks and Recreation Board shall act in an advisory capacity to City staff and City Council in all matters pertaining to parks and recreation services of the City. The members shall acquaint themselves, study, and review the parks and recreation services of the City. They shall advise the staff and City Council from time to time as to the present and future maintenance, operation, planning, acquisition, development, and use of policies for City park and recreation services.
<b>Composition/Terms</b>	The Parks and Recreation Board shall consist of seven qualified City voters appointed by the City Council for a staggered two-year term. Three members of the board to be selected on even-numbered years and four members of the board to be selected on odd-numbered years
<b>Meeting Schedule</b>	The Parks and Recreation Board shall meet on the second Monday of each month at 6:30 p.m. at Murphy City Hall. Nine meetings have been held in the previous 12 months.
<b>Available Seats</b>	Three Seats; Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Bernie Parker, T: 972-468-4068, F: 972-468-4168, E: bparker@murphytx.org
<b>Board</b>	<b>Planning and Zoning Commission</b>
<b>Established</b>	Established by City Charter, Article IX, Section 9.01 – Codified as Sections 30.02.071 to 30.02.078
<b>Duties/Description</b>	The Planning and Zoning Commission shall act as an advisory board to the City Council, making recommendations pertaining to planning and zoning as well as the Comprehensive Plan. The Commission is responsible for reviewing plats, site plans, landscape plans, and zoning requests and to make recommendations to City Council for their final approval.
<b>Composition/Terms</b>	The Planning and Zoning Commission shall consist of seven qualified City voters (must be resident and taxpayer) appointed by the City Council for a staggered two-year term.
<b>Meeting Schedule</b>	The Planning and Zoning Commission shall meet the fourth Monday of each month at 6:00 p.m. at Murphy City Hall. Twelve meetings have been held in the previous 12 months.
<b>Available Seats</b>	Five seats; Three regular and two alternate seats Term: January 1, 2015 – December 31, 2016
<b>Contact</b>	Kristen Roberts, T: 972-468-4006, F: 972-468-4094, E: kroberts@murphytx.org

## Boards & Commissions - Effective 12/10/15

**ANIMAL SHELTER ADVISORY COMMITTEE**  
**Kim Parker, Staff Liaison 972/468-4235 kparker@murphityx.org**  
**(meets minimum of 3x per year)**

	ANIMAL SHELTER ADVISORY COMMITTEE - BOARD MEMBER NAME	CURRENT TERM
1	Buddy Russell	2015-2016
2	Lorraine Chalkley	2015-2016
3	Beverly Mueller	2014-2015
4	Maggie Whitt	2014-2015
5	Tammy Drake, ACO	
Staff Liaison	Kim Parker (City Official)	2015-2016

**BOARD OF ADJUSTMENT**  
**Kristen Roberts, Staff Liaison 972/468-4006 kroberts@murphytx.org**  
**(meets as needed)**

	BOARD OF ADJUSTMENT - BOARD MEMBER NAME	CURRENT TERM
1	Scott Holden	2015-2016
2	Beverly Gaither	2014-2015
3	Christine Johnson	2015-2016
4	Sharon Kindall	2014-2015
5	Lindy Martin	2014-2015
6	Taylor Packwood	2015-2016
7	Clint Pingleton	2014-2015
8	Kenneth Tatsch, Alternate	2014-2015
9	Darrell Amsden, Alternate	2015-2016
10	Karan Chetal, Alternate	2015-2016
11	Ronald Hodges, Alternate	2014-2015
Staff Liaison	Kristen Roberts	

**BUILDING AND FIRE CODE APPEALS BOARD**  
**Mark Lee, Staff Liaison 972/468-4303 mlee@murphytx.org**  
**(meets as needed)**

	BUILDING AND FIRE CODE APPEALS BOARD - BOARD MEMBER NAME	CURRENT TERM
1	Christine Johnson	2014-2015
2	Donald Decker	2015-2016
3	Chris Martin	2015-2016
4	Greg Mersch	2014-2015
5	Mahendra Parikh	2014-2015
Staff Liaison	Mark Lee	

**ETHICS REVIEW COMMISSION**  
**Andy Messer, City Attorney, Staff Liaison, 972-424-7200**  
**(meets as needed)**

	ETHICS REVIEW COMMISSION -BOARD MEMBER NAME	CURRENT TERM
1	Barbara Harless	2014-2015
2	Andrew Chase	2015-2016
3	Jennifer Davis	2014-2015
4	Thomas McDade	2015-2016
5	Chitan Sutaria	2014-2015
Staff Liaison	Andy Messer	

**MURPHY COMMUNITY DEVELOPMENT CORPORATION**  
**Kristen Roberts, Staff Liaison 972/468-4006 kroberts@murphytx.org**  
**(meets 3rd Monday)**

	MURPHY COMMUNITY DEVELOPMENT CORPORATION - BOARD MEMBER NAME	CURRENT TERM
1	Shawn Balusek	2015-2016
2	Jennifer Berthiaume	2015-2016
3	Marty Brenner	Deceased
4	Lequita Davenport	2014-2015
5	Stephen Janiga	2014-2015
6	Maria Reilly	2015-2016
7	Eugene Weinstein	2014-2015
Staff Liaison	Kristen Roberts	

**MURPHY MUNICIPAL DEVELOPMENT DISTRICT BOARD**  
**James Fisher, City Manager 972/468-4007 jfisher@murphytx.org**  
**(meets 1st Monday)**

	MURPHY MUNICIPAL DEVELOPMENT DISTRICT BOARD - BOARD MEMBER NAME	CURRENT TERM
1	John Daugherty	2014-2015
2	Jamie Nicholson	2015-2016
3	Alex Acuña	2014-2015
4	Alain Dermarkar	2015-2016
5	Eric Lopez	2014-2015
Staff Liaison	James Fisher	

**PARK & RECREATION BOARD (Tree Preservation Board)**

**Bernie Parker, Staff Liaison 972/468-4068 bparker@murphytx.org  
(meets 2nd Monday)**

	<b>PARK &amp; RECREATION BOARD - BOARD MEMBER NAME</b>	<b>CURRENT TERM</b>
1	Katie Westhora	2014-2015
2	Kenneth Oltmann	2014-2015
3	Amy Lawrence	2014-2015
4	Kelly Abdellatif	2015-2016
5	Julia Baldwin	2015-2016
6	Matt Harrison	2015-2016
7	Robbie Hazelbaker	2015-2016
Staff Liaison	Bernie Parker	

**PLANNING & ZONING COMMISSION  
Kristen Roberts, Staff Liaison 972/468-4006 kroberts@murphytx.org  
(meets 4th Monday)**

	<b>PLANNING &amp; ZONING COMMISSION - BOARD MEMBER NAME</b>	<b>CURRENT TERM</b>
1	Steve Levy	2014-2015
2	Jon King	2015-2016
3	Camille Hooper	2014-2015
4	John Johnson	2014-2015
5	Lloyd Jones	2015-2016
6	Greg Mersch	2015-2016
7	Don Reilly	2015-2016
8	Gary Maxon, Alternate	Deceased
9	Mahendra Parikh, Alternate	2014-2015
Staff Liaison	Kristen Roberts	

**City Council Meeting  
October 20, 2015**

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**Issue**

Consider and take appropriate action, if any, on amending or deleting Murphy Code of Ordinances, Chapter 20, Article 20.03 Traffic Rules, Section 20.03.47 Speed through school zones, subsection (f) passing another vehicle in school zone prohibited when school zone speed limit is in effect.

**Staff Resource/Department**

James Fisher, City Manager  
Chief Cotten, Murphy

**Summary**

This item is at the request of Mayor Pro-Tem Bradley. He has asked for City Council consideration of the regulation.

City of Murphy Code of Ordinances  
Section 20.03.047 Speed through School Zones

(f) Passing another vehicle in school zone prohibited when school zone speed limit is in effect. Excluding roadways with four or more marked lanes, it shall be unlawful for any person to drive or operate a vehicle through a school zone as designated and established in this section between the school zone hours specified in this section on school days in such a manner as to overtake and pass another vehicle being driven in the same direction upon the same street within the school zone.

(2006 Code, sec. 78-57; Ordinance 05-08-665, sec. 2 (71.05), adopted 8/8/05; Ordinance 07-03-721, sec. 2, adopted 3/19/07; Ordinance 07-12-743, sec. 2, adopted 12/3/07; Ordinance 09-12-827, secs. 2, 3, adopted 12/21/09; Ordinance 11-05-879, sec. 2, adopted 5/3/11; Ordinance 12-09-919, sec. 2, adopted 9/4/12)

**City Council Meeting  
October 20, 2015**

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**Issue**

Discussion on Texas Commission on Environmental Quality (TCEQ) notice of violation.

**Staff Resource/Department**

Bernie Parker, Director of Public Services  
James Fisher, City Manager

**Summary**

TCEQ requires Municipalities to submit a disinfectant level quarterly operating report. Staff received a phone call from TCEQ in May informing staff they had not received our first quarterly report. Staff immediately faxed and mailed this report to TCEQ.

In October we received a second notice from TCEQ informing the City of Murphy of a notification violation. Staff contacted TCEQ to inquire of the nature of this violation. TCEQ informed staff they had mailed a violation notice in June directing the City of Murphy to mail out a notification letter to all their water customers informing them of the reporting violation in the first quarter of 2015. Staff was unaware of the June notification letter. This was the reason for the second notification letter in October.

Staff has prepared a letter with TCEQ wording explaining the nature of this TCEQ violation. Moving forward, The Public Services Department has implemented additional checks and balances to ensure to the best of our ability that no future violations will occur.

**Action Requested**

No Action Required.

**Attachments**

Letter



From the desk of  
Bernie Parker  
Director of Public Services

bparker@murphytx.org  
972/468-4068 tel  
972/468-4168 fax

206 North Murphy Road  
Murphy, TX 75094  
www.murphytx.org

October 21, 2015

Dear Murphy Resident;

The CITY OF MURPHY water system PWS ID 0430042 has violated the monitoring and reporting requirements set by Texas Commission on Environmental Quality (TCEQ) in Title 30, Texas Administrative Code (30 TAC), Section 290, Subchapter F. Public water systems are required to properly disinfect water before distribution, maintain acceptable disinfection residuals within the distribution system, monitor the disinfectant residual at various locations throughout the distribution system, and report the results of that monitoring to the TCEQ on a quarterly basis.

Results of regular monitoring are an indicator of whether or not your drinking water is safe from microbial contamination.

This/These violation(s) occurred in the monitoring period(s) Quarter 1 - January/February/March

We are taking the following actions to address this issue:

***This was an administrative clerical error in getting the report to TCEQ in a timely manner. There was no "monitoring" violation. The City collected samples and documented information per Standard Operating Procedures. There were NO abnormal results during this monitoring period. The City of Murphy is very diligent in maintaining a safe drinking water system for our residents.***

Where this has not been an issue in the past, we have created additional checks and balances to be set in place to prevent any future clerical errors.

If you have questions regarding this matter, you may contact Bernie Parker at 972-468-4068.

Sincerely,

Bernie Parker  
Director of Public Services

**Issue**

Consider and/or act upon the City of Murphy Compensation Study for city employees conducted by CPS HR Consulting.

Consider and/or act upon an amendment to the FY 2016 Budget.

**Staff Resource/Department**

James Fisher, City Manager  
Mark Lee, Fire Chief  
Linda Truitt, Finance Director  
Jana Traxler, HR Manager  
Steven Ventura, Assistant Finance Director

**Background**

The Murphy City Council has approved a 3% increase in salaries for the second year in a row in an effort to bring salaries closer to the market. In FY15 there was also an effort to provide increases to job classifications that may not have had sufficient increases to keep up with inflation. Staff and all city employees are grateful for those efforts and actions. City Council has continued to show concern with this matter by hiring a consulting firm to provide information regarding base salaries of all city classifications.

In April 2015, Council authorized the City Manager to hire CPS HR Consulting to conduct a base salary study of all city classifications. This study was originally presented to Council on August 18, 2015. After review, Council asked for the study to be expanded to include all benefits to provide a total compensation perspective. This was completed and brought back to Council at a work session conducted on October 13, 2015. Staff is now seeking direction and authorization to move forward with developing a formal pay structure.

**Discussion**

Following the city council work session on October 13, 2015 data has been assembled showing the median of the identified market cities minimum salaries, mid-point salaries, along with the previously provided median of market maximum salaries.

Analyzing this data is difficult due to City of Murphy not having a pay plan in place with stated ranges for job classifications other than police and fire employees. In the instance of City of Murphy having multiple people filling a job classification the average of actual salaries has been utilized to reflect Murphy salaries for the comparison. In single job classifications the actual salary of that person is used as the minimum, mid-point, and maximum salary.

When averaging all city job classifications the findings are that the city salaries are 2.11% below the median (midpoint) of the minimum starting salaries of the market cities. When comparing the city salaries with the median of the mid-point of the market cities the city is 17.95% below. And as reported earlier the median of market maximum pay is on average 35.27% below the market cities.

What this means is if all market city employees were hired today they presumably would be paid market minimum (where a range exists). For similar job classifications the City of Murphy employee would be paid an average of 2.11% below the middle of the minimum salary of the market cities. If all the market cities paid their employees at the mid-point of range then on average Murphy employees would make an

average of 17.95% less than the mid-point of the mid-point of range when compared to the market cities. And again, lastly the City of Murphy employee is compensated at a rate 35% less than the mid-point of the market cities if they pay all their employees at market maximums.

In some instances, market cities reported their compensation for job classifications in a range format. Most executive positions were reported in actual salary paid. When actual, or average of actuals, were reported that number is used as the minimum, mid-point, and maximum of range for that job classification.

There is a lot of data to be analyzed. Not all positions are as far off market as others. This complicates the reporting, and analyzing of the data as a whole versus the individual job classifications. CPS HR has done a good job of helping the City of Murphy navigate through this project.

Currently, staff is requesting \$171,000 in additional funds to adjust salaries of all employees. This will provide an additional 2% to the 3% already approved in the budgeting process. Some job classifications are in need of large adjustments and there are additional dollars in this amount to adjust those positions more than the 2%.

Staff finds it very important to point out that Council has expressed some concerns related to the data which prompted staff to critically analyze the information. In doing so, staff discovered that while the labor market survey data appears to be solid, the way that some of the data was integrated into the pay plan was not in line with the assumptions of staff that each position in the plan would reach their maximum salary in line with the median of market maximum. Some positions are currently positioned to lead the market which was never the intent of staff.

Staff would like to take a step back and reapply how the survey data is integrated into a potential pay plan that will fall more succinctly in line with Murphy's culture, vision and values. Therefore, to accomplish this, staff is requesting council direction regarding where they would like to see Murphy's ranking in the labor market upon position top out (step 5). At that point staff will build a compensation plan for all job classifications based upon the survey data gathered by CPS HR Consulting and bring back to Council.

Staff would like to retain the structure of the plan that has been recommended which involves a five step plan with a 12 month period between each step. This would mean that an employee would not be eligible for an increase for a minimum of 12 months from their last increase. If raises were awarded at the anniversary the employee would reach top of range in 4 years. Once at top of range employees are only awarded salary increases as the market adjustments are approved by city council. Each step results in a 5% increase each year. The total spread between Step 1 and Step 5 is 22%.

### **Financial Consideration**

Council has already approved approximately \$235,000 for a 3% salary adjustment in FY16.

### **Action Requested/Staff Recommendation**

Staff recommends authorizing a budget amendment for FY16 for the City Manager to spend an additional \$171,000 for salary adjustments and authorizing staff to develop a pay plan based on council direction regarding where they would like to see Murphy's ranking in the labor market upon position top out (step 5). Once that pay plan has been completed staff will bring the plan back to council for discussion on the plan and how to best implement the new plan.