

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

**February 15, 2011**  
**6:00 P.M.**

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**ROLL CALL & CERTIFICATION OF A QUORUM**

Secretary Nemer certified a quorum with the following:

Council Present

Mayor Bret Baldwin  
Mayor Pro Tem John Daugherty  
Deputy Mayor Pro Tem Colleen Halbert  
Councilmember Scott Bradley  
Councilmember Dave Brandon  
Councilmember Dennis Richmond  
Councilmember Mike Daniel

**PUBLIC COMMENTS**

The following public comments were submitted:

Kevin Herlihy addressed Council stating he could find no reference of the Texas Parks and Wildlife Grant. Council explained that the Grant has not been applied for yet. Mr. Herlihy also stated his opposition to the Central Park.

Gus Delaloye addressed Council regarding the amount of money being spent on parks; not only the development of the parks, but the maintenance as well.

Keith Patton addressed Council questioning if the Council has considered safe pedestrian crossing, such as an underpass, once N. Murphy road is expanded.

**CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

**A. Approval of the February 8, 2011 City Council Meeting Minutes.**

Council Action

Councilmember Halbert moved to approve the Consent Agenda as presented. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

**INDIVIDUAL CONSIDERATION**

Mayor Baldwin requested to hear Item 6 first. For the purpose of recording the minutes, Items will remain in order on the agenda.

- 1. Presentation and acceptance of the Annual Traffic Contact Report for 2010 for the Murphy Police Department (also known as the Racial Profiling Report).**

**Council Action**

Councilmember Halbert moved to accept the Annual Traffic Contact Report for 2010 for the Murphy Police Department. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

- 2. Consider and/or act upon a resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Murphy and the Institute of Public Affairs at The University of Texas at Dallas (UTD) for a compensation study.**

**Council Action**

There was no action on this item. Council requested additional information including the cost of using a consultant and comparison costs with other consultants; how the information/results will be used; collecting data for all employees - not just police and fire; and the use of the information by other cities.

- 3. Consider and/or act upon ratification of a contract with The Retail Coach, Murphy Retail Strategy and Recruitment Plan Project, as approved by Murphy Economic Development Corporation Board.**

**Council Action**

Councilmember Halbert moved to ratify a contract with The Retail Coach, Murphy Retail Strategy and Recruitment Plan Project, as approved by Murphy Economic Development Corporation Board. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

- 4. Consider and/or act on approval of a resolution authorizing a development agreement for a tract of land totaling 18.00 acres located in the Isaac Herring Survey, Abstract No. 403 and the McMillan Survey, Abstract No. 588 located on FM 2551 (North Murphy Road), north of Rolling Ridge Drive.**

**Council Action**

Councilmember Bradley moved to approve a resolution authorizing a development agreement for a tract of land totaling 18.00 acres located in the Isaac Herring Survey, Abstract No. 403 and the McMillan Survey, Abstract No. 588 located on FM 2551 (North Murphy Road), north of Rolling Ridge Drive. Councilmember Daniel seconded the motion. A vote was taken and passed, 7-0.

- 5. Hold a public hearing and consider and/or act upon a resolution to apply for an Outdoor Texas Parks and Wildlife Local Park Fund grant project for The Timbers Nature Preserve Park.**

**Council Action**

Mayor Baldwin opened the public hearing at 7:08 p.m. With no comments submitted, Mayor Baldwin closed the public hearing at 7:08 p.m. Councilmember Bradley moved to approve resolution to apply for an Outdoor Texas Parks and Wildlife Local Park Fund grant project for The Timbers Nature Preserve Park. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

**6. Discussion regarding a recommendation for Murphy to become a Tree City USA and to consider participating in the North Texas Regional Tree Planting Project.**

**Council Action**

There was no action on this item. Councilmember Amir Omar from the City of Richardson addressed Council about the North Texas Regional Tree Planting Project. Council directed staff to move forward with both the Tree City USA and the North Texas Regional Tree Planting Project.

**CITY MANAGER/STAFF REPORTS**

City Manager Fisher reported on the following:

- **February 24-26 TML Youth Advisory Commission Summit** – Councilmember Halbert and City Secretary Nemer will attend.
- **March 7-8 Collin County Legislative Days** – let Staff know if you plan to attend.
- **March 14 Filing Deadline**
- **March 31 Strategic Objectives Session** – submit request for discussion items to Staff so Staff can begin preparing information. Information has been received by some Councilmembers.
- **Financial Report** – Finance Director Linda Truitt presented the Financial Report.
- **Construction Projects Update** – Community Services Manager Kim Lenoir presented the Construction Projects Update.

**Additional Items reported or questioned:**

- Park Board Work Session on Central Park will be held Monday night.
- North Murphy Road construction will begin in January.
- Councilmember Brandon inquired when the stop signs would be installed on Hawthorne. Mr. Fisher reported it would be within a couple of weeks as the signs have been ordered.
- Councilmember Brandon inquired about the punch list being complete on the street projects. Mr. Fisher explained that an initial punch list has been completed and staff will be reviewing.

**EXECUTIVE SESSION**

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- §551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving *Michael Cantrell v. City of Murphy, et al.*, Cause No. 6:09-cv-225.
- §551.074 Personnel matters; City Manager (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee.
- §551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding open records.

**Council Action**

Mayor Baldwin convened into Executive Session at 7:21 p.m.

## RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

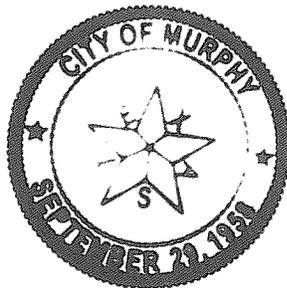
- §551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving *Michael Cantrell v. City of Murphy, et al.*, Cause No. 6:09-cv-225.
- §551.074 Personnel matters; City Manager (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee.
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### Council Action

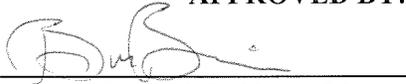
Mayor Baldwin convened back into Regular Session at 9:47 p.m. No action was taken on either item listed under §551.071. The following action was taken regarding the item listed under §551.074: Councilmember Halbert moved for a vote of confidence for City Manager James Fisher. Councilmember Richmond seconded the motion. A vote was taken and passed, 6-0-1, with Councilmember Brandon abstaining.

## ADJOURNMENT

With no further business, the meeting was adjourned at 9:48 p.m.



APPROVED BY:

  
Bret M. Baldwin, Mayor

ATTEST:



Aimee Nemer, City Secretary