

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

May 3, 2011
6:00 P.M.

CALL TO ORDER

Mayor Baldwin called the meeting to order at 6:01 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 Halbert
Councilmember Scott Bradley
Councilmember Dave Brandon
Councilmember Dennis Richmond
Councilmember Mike Daniel

PROCLAMATIONS & PRESENTATIONS

Mayor Baldwin issued the following proclamations with the assistance of Student Mayor Evann Ogburn, a MYGov Day participant.

- **Proclamation recognizing National Public Service Week**
- **Proclamation recognizing Municipal Clerks Week**
- **Proclamation designating May 4, 2011 as MYGov Day – Murphy Youth in Government**

PUBLIC COMMENTS

Ms. Katie Westhora addressed Council regarding utility power lines and requested the City consider funding and solutions for burying the lines at major intersections and using landscaping to screen them in other areas.

CONSENT AGENDA

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

- A. Approval of the Minutes from the Special Joint Work Session of April 12, 2011 and the Regular Meeting of April 19, 2011.**
- B. Consider and/or act upon approval of a resolution authorizing the City Manager to execute Change Order No. 3 to convert/improve the landscape beds in the FM 544 medians.**
- C. Consider and/or act upon authorizing the City Engineer to solicit bids for the McCreary Road expansion project and culvert repairs on North Maxwell Creek Road.**

- D. Consider and/or act upon approval of a resolution authorizing the City Manager to execute Amendment No. 3 to the WHR Architects Contract for transferring reimbursement expenses for construction administration travel and review.
- E. Consider and/or act upon approval of an ordinance amending Section 78-57(a)-(d) of the City of Murphy Code of Ordinances eliminating references to time limits within school speed zones.

Council Action

Councilmember Brandon requested to pull items B and D from the Consent Agenda to be considered individually. Councilmember Halbert moved to approve the remaining Consent Agenda, Items A, C, and E, as presented. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

- B. Consider and/or act upon approval of a resolution authorizing the City Manager to execute Change Order No. 3 to convert/improve the landscape beds in the FM 544 medians.

Council Action

There was no action on this item. Council requested more detailed information, options for grasses, and a sketch of proposed landscaping.

- D. Consider and/or act upon approval of a resolution authorizing the City Manager to execute Amendment No. 3 to the WHR Architects Contract for transferring reimbursement expenses for construction administration travel and review.

Council Action

Councilmember Brandon expressed concerns about the amount of travel funds. Councilmember Daugherty moved to approve as presented. Councilmember Bradley seconded the motion. A vote was taken and passed, 6-1 with Councilmember Brandon voting in opposition.

INDIVIDUAL CONSIDERATION

1. Consider and/or act upon approval of a resolution authorizing the City Manager to execute a contract with Specialty Land Services, LLC to acquire easements/land for McCreary Road and North Murphy Road expansion projects.

Council Action

Councilmember Halbert moved to approve a resolution authorizing a contract not to exceed \$87, 000.00. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

2. Consider and/or act upon approval of a resolution authorizing the City to allow community groups/volunteers to certify city parks as Wildlife Habitats under the National Wildlife Federation program as a *Friends of the Parks* project.

Council Action

There was no action on this item. Council requested additional information.

CITY MANAGER/STAFF REPORTS

Assistant City Manager Jeff Bickerstaff reported on the following:

- May 10, 2011 Special City Council Meeting, City Manager Evaluation
- May 14, 2011 Election Day
- May 17, 2011 Regular City Council meeting, Canvass and Oaths
- May 20, 2011 at North Hill Park, Moonlight Movies - *Despicable Me*.

- May 21, 2011 Chamber of Commerce Spring Fever
- May 24, 2011 Special City Council meeting, Utility Fund
- May 31, 2011 Special City Council meeting, goal setting and FY 2012 budget

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.
- §551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding development issues.

Council Action

Council convened into Executive Session at 6:40 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:

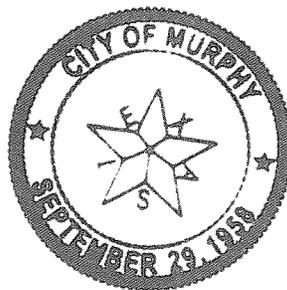
- §551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving *Michael Cantrell v. City of Murphy, et al.*, Cause No. 6:09-cv-225.
- §551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding development issues.

Council Action

Council reconvened into Regular Session at 7:53 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:53 p.m.



APPROVED BY:

 Bret M. Baldwin, Mayor

ATTEST:

 Aimee Nemer, City Secretary