

CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
AUGUST 2, 2016 AT 6:00 PM

1. CALL TO ORDER

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. ROLL CALL & CERTIFICATION OF A QUORUM

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

Mayor Eric Barna
Mayor Pro Tem Scott Bradley
Deputy Mayor Pro Tem Owais Siddiqui
Councilmember Jennifer Berthiaume
Councilmember Betty Nichols Spraggins
Councilmember Sarah Fincanon
Councilmember Don Reilly

4. PUBLIC COMMENTS

No Public Comments were presented.

5. PRESENTATIONS

- A. Presentation concerning water and wastewater services by the North Texas Municipal Water District (NTMWD)

Billy George, Assistant Deputy Director Water and Jenna Covington, Assistant Deputy Director Wastewater presented to Council an overview of North Texas Municipal Water mission and services, key water and wastewater projects and programs, and wastewater and water system rate projections.

Billy George presented to Council an overview that NTMWD serves 1.6m customers in the North Texas area with 77 city delivery points. Services began in 1956 with a population of 32,000 customers. Operating facilities include six (6) water treatment plants, nine (9) raw water pump stations, eight (8) treated water pump stations, fourteen (14) wastewater treatment plants and three (3) solid waste transfer stations serving over 2,000 square miles.

First major reservoir to be constructed in Texas in the last 30 years is Lower Bois d'Arc Creek Reservoir located in Fannin County spanning 16, 526 acres with a completion date of 2022. Future supplies of water is to reuse with new project Trinity River Main Stem Pump Station with a completion date 2018 and WaterMyYard conservation program that your city participates in the program.

Jenna Covington provided to Council an overview on wastewater serving one (1) million residents in twenty-five (25) different communities operating fourteen (14) wastewater treatment plants. Main focus of the daily operations is to protect human health, protect the environment and enable economic development. As to what is driving the cost increases, the district wanted to provide

Council some background information on wastewater and water system rate projections. The City of Murphy participates in Muddy Creek WWTP & Conveyance System, a ten (10) million gallon a day treatment plant. Contribution payment is based on how much flow the City of Murphy sends into the system. Wastewater rate projections is based on three main drivers, maintaining the aging infrastructure, increasing EPA regulatory requirements and expanding and building new projects for growth. The budget increase is associated with the treatment plant.

Billy George presented to Council water rates for current member cities with the wholesale rates of \$2.34/1000 gallons and FY17 projected rate of \$2.58/1000 gallons.

6. INDIVIDUAL CONSIDERATION

- A. Consider and/or act on the July 19, 2016 Regular Council meeting minutes.

COUNCIL ACTION (6.A.):

APPROVED

Mayor Pro Tem Bradley moved to approve the July 19, 2016 Regular Council meeting minutes as presented. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.

- B. Hold a public hearing and consider and/or act on the application of Murphy Meadows, LTD Venture, requesting approval of a Final Plat for approximately 6.5 acres located at the southwest corner of Betsy Road and McCreary.

Interim Community and Economic Development Director Kelly Carpenter presented to Council item 6B request for the approval of the final plat of 6.511 acres proposing 15 patio homes and 29 townhomes. This plat has been reviewed by the Development Review Committee and found to meet all the minimum requirements for platting as established in the Murphy Code of Ordinances. Public improvements have all been installed, inspected and found to be satisfactory, including the punch list items. In total 44 lots with 5 common areas, located in the northeast, northwest, southeast, southwest and small easements between 2 of the 3 townhouse areas on the east side. LTD Venture Group is proposing this project and have paid \$52,000 in park and recreation fees to the Parks Department. Staff recommended approval of this final plat.

Public Hearing opened at 7:07 pm

No one spoke at the Public Hearing

Public Hearing closed at 7:07 pm

COUNCIL ACTION (6.B.):

APPROVED

Mayor Pro Tem Bradley moved to approve the application of Murphy Meadows, LTD Venture, requesting approval of a Final Plat for approximately 6.5 acres located at the southwest corner of Betsy Road and McCreary as presented. Councilmember Fincanon seconded the motion. For: Mayor Barna, Mayor Pro Tem Bradley, Councilmember Spraggins, Councilmember Fincanon, Councilmember Reilly, against: Deputy Mayor Pro Tem Siddiqui, Councilmember Berthiaume. The motion carried by a vote of 5-2.

- C. Consider and/or act upon approval of Ordinance No. 16-08-1013 to approve, repeal, rename and/or add various sections to Chapter 4, entitled "Animal Control", and Appendix A – Fee Schedule in the Code of Ordinances of the City of Murphy, Texas.

Chief Cotten and Kim Parker addressed Council and inquired if additional questions needed further discussion. Additional dialogue among Council referenced the following sections:

- 1) To allow or not allow invisible fencing,
- 2) Limitation to number of animals (what number do the neighboring cities have in their ordinance for similar property size),
- 3) Animal shelter advisory committee having a resident of the City of Parker which by consensus they did not see a need and
- 4) Restriction of the length of the lease for a pet, proposed is 6 feet, some desire up to 15 feet.

COUNCIL ACTION (6.C.):

NO ACTION

- D. Consider and/or act upon election proposition language for amendments to the City of Murphy Home Rule Charter.

Assistant City Attorney Mack Reinwand stated that Council was provided a redline draft copy of the Charter with the amendments that were discussed and approved at the July 19, 2016 Council meeting. Each topic was voted on individually and the City Attorney was directed to prepare the proposition language.

Council reviewed the proposition language and election summary as presented. On August 16, 2016 Council will consider approval of an ordinance to call an election and submit the proposed Charter amendments to the voters at a Special Election to be held on November 8, 2016.

COUNCIL ACTION (6.D.):

APPROVED

Councilmember Reilly moved to approve the proposed language of the amendments to the City of Murphy Home Rule Charter, as presented, with the following changes:

Proposition 13 – Delete "reside in the city" and insert "be a legal resident of the city". Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.

- E. Discussion with regard to National Night Out to be held on Tuesday, October 4, 2016.

Chief Cotten presented to Council that the Murphy Police Department would like to partner with the community and participate in National Night Out. For the past 5 years, the Police Department has sponsored a yearly block party called Neighbor to Neighbor or N2N. Participation in the parties has remained constant, but we are always looking to update and revamp ideas. With the national campaign Murphy will have the opportunity to compete amongst other cities our size.

In conjunction with National Night Out, the Murphy Police Department would like to introduce two new programs: Residential Lock Box Program and Video Crime Watch Program.

The Residential Lock Box Program is intended to expedite access to older adults in their own homes during medical or other emergencies, while eliminating the likelihood of property damage from forced entry. The program is open to all Murphy residents who either live alone, or must be left alone on a regular basis and are age 60 and above or if they are under 60, have a major medical issue that could render them incapacitated or unconscious. Participation in the program is at no cost to the resident but would require an application submittal for approval to participate in the program.

The Video Crime Watch Program is asking for help from residents, business owners and property management companies to create a resource for officers and detectives in the fight against crime. The neighborhood video crime watch program asks owners of video surveillance camera to volunteer their information and complete an online form that has basic questions about their video system's capabilities. The information submitted by the owners will then be compiled into a confidential and secure database that will automatically populate a map, this resource will allow Police to quickly identify video camera locations where suspect information may have been captured.

COUNCIL ACTION (6.E.):

NO ACTION (DISCUSSION ONLY)

- F. Discussion with regard to a process for developing a Capital Improvement Program for consideration in a possible future bond program.

Bill Shipp Interim City Manager presented to Council a Capital Improvement Plan that was developed by Birkhoff, Hendricks and Carter, L.L.P. for the City as a starting point for further discussion. That CIP will be input into this process. While the CIP was developed as a comprehensive plan, it does not include facilities nor all the parks programs, those programs are normally outside the purview of Birkhoff, Hendricks and Carter, L.L.P. the civil engineer. Those requirements will be input into the process by the Parks Board and by Staff. The formation of an ad hoc committee to review, prioritize and make recommendations to Council is needed. A committee of 5 to 7 members would be optimum for this task. The committee would be comprised of citizens who would be selected through an application process and be appointed by Council. A possible May 2017 Bond Election will drive the timeline for the entire process.

COUNCIL ACTION (6.F.):

NO ACTION (DISCUSSION ONLY)

7. CITY MANAGER / STAFF REPORTS

- A. Radio Systems – project is progressing very well and on schedule. The tower construction by the Police department is complete. Path surveys between Betsy Water Tower, to the Police Department Tower and to the Wylie Tower were conducted and signed off as operational on Monday, August 1st. Next step of the project is completing the installation on the Betsy tower, PD tower and Wylie tower.

On Thursday, DFW Communications will begin installation of the new mobile radios in the vehicles beginning first with Fire, then move to Police and then to the Public Works vehicles. Once installation is complete with all of the vehicles, the company will begin the programming of the radios.

- B. Food Truck Court – project is going well. A small remaining portion of concrete is what will need to be completed this week at the parking lot area and a sidewalk. Lighting, cleanup of the location and adding vegetation are the last few remaining items to finish and on schedule to complete prior to Maize Days.
- C. Sidewalk Rehabilitation Program – project has been completed at Glen Ridge. The crews have progressed to Heritage and anticipate completion next week, crews will then begin at the Timbers. By the time Glen Ridge and Timbers are complete, \$67,000 or two-thirds of the monies will have been spent of the \$100,000 allocated budget Murphy Municipal Development District (MDD) allotted for the project. Not all of the sidewalks will be completed this fiscal year. Currently, MDD budget has planned another \$100,000 in sidewalks to continue the sidewalk rehabilitation program next year. In addition, the MDD approved \$50,000 this year and \$100,000 next year in funds for the Heritage project.
- D. South Maxwell Creek Sewer Line – project is making progress. The crew has progressed to lay sewer under FM 544 on the North side. On the other end, the crew is cleaning up and adding re-vegetation. The boring contractor will not return for another two weeks. The contractor will be boring underneath the RaceTrac driveway and further up under Maxwell Creek Road. In the meantime, options are being discussed with the City Attorney to make certain that all insurance claims are properly filed and reimbursement received; since contractor submitted their insurance claim and the true up will not be finalized until October.
- E. North Murphy Road – payment has been received from the contractor in the amount of \$62,000 for the rebuilding of the four HOA entry ways. Individual meetings with the HOAs are being scheduled. Each will be presented a check and a description of how the check amount was calculated. TxDOT has met the requirements of the HOAs. City Attorney will draft a form or letter of release to be signed by the four HOAs.
- F. Betsy Lane – project is moving along well. Irrigation has been completed, inspected and the only item remaining is to establish vegetation but that can be a challenge this time of year. The city's obligation is to build a couple of fences: at Ms. Bailey's home, a five wire smooth strand fence is to be built and at Mr. Saunders home west and across the creek, a hog wire fence is to be built. The shed on Ms. Bailey's property has been demolished and debris will be hauled off next week. Pending legal actions remain and Staff will follow council's direction.
- G. Timber Nature Preserve Park – Maintenance is an issue and the parks department will be working every Friday to ensure that the maintenance is brought up to date. Another factor is the native grasses and wildflowers as they will require time to become established, if the grasses and wildflowers do not establish, then the contractor is obligated to plant the items again. The trails are unacceptable and a meeting with the engineer who designed the preserve is to be held. Either the contractor did not meet spec, but was informed that the contractor did meet spec or the spec was incorrect. There are serious issues with drainage as this piece was not addressed in the project bid documentation originally. At the west end of the reserve, the contractor has re-established the grass areas and the fields will remain practice fields since this location is a retaineage pond. The item will be discussed in more detail at the August 16th City Council meeting.

- H. Safe Routes to School – project is making progress. The electricity is complete on the monuments, the capping around the monuments is metal and no one is very happy with the quality of the work. Lettering and the plaques still need to be installed and the City will be meeting with the engineer to walk through the project. On the ADA side, traffic buttons at the cross walks are not at the proper right height of 48 inches so they will be lowered from the 51 inches to 48 inches. A small portion of concrete is left to be completed at the curb, the city will be repairing that item.
- I. Leadership Team Staffing – the following positions filled are:
- 1) Fire Chief – the brochure for the position will be posted online beginning August 8 and will close on September 2. Currently Interim Fire Chief Ed Henderson has joined the team.
 - 2) Director of Economic and Community Development – Currently Interim Director of Economic and Community Development Kelly Carpenter has joined the team and will be a consultant on how to shape the position and role.
 - 3) Public Service Director - at this time will not hire an interim, utilizing the superintendents in place to manage the department and projects concurrently with input from city manager's office.
 - 4) Finance Director – currently Interim Steven Ventura is managing the department concurrently with input from city manager office.

New City Manager, Mike Castro will have the final hiring decision for all positions once on board.

8. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) at 8:34 pm to discuss the following:

- A. § 551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the Fire Chief and Police Chief's Executive Administrative Assistant.

9. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Regular Session at 8:41 pm, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. § 551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the Fire Chief and Police Chief's Executive Administrative Assistant.
- B. Take Action on any Executive Session Items.

COUNCIL ACTION (9.B.):

APPROVED

Mayor Pro Tem Bradley moved to approve in accordance with Section 4.07.16 of the City of Murphy employee handbook to authorize payout of sick leave not to exceed \$6,536.35 for Roni Brackett and \$21,360.00 for Fire Chief Mark Lee. Councilmember Reilly seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.

10. ADJOURNMENT

With no further business, the Council meeting adjourned at 8:42 pm.

APPROVED BY:





Eric Barna, Mayor

ATTEST:



Susie Quinn, City Secretary