

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

**August 30, 2011**  
**6:00 P.M.**

**CALL TO ORDER**

Mayor Pro Tem Daugherty called the meeting to order at 6:01 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Daugherty 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 Pro Tem John Daugherty  
Deputy Mayor Pro Tem Colleen Halbert  
Councilmember Dennis Richmond  
Councilmember Scott Bradley  
Councilmember Bernard Grant  
Councilmember Dave Brandon

Mayor Baldwin arrived at 6:11 p.m. at which time he conducted the meeting.

**PUBLIC COMMENTS**

No public comments were submitted.

**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 Meeting of August 9, 2011 and the Regular Meeting of August 16, 2011.**

Council Action

Councilmember Halbert moved to approve Item A on the Consent Agenda as presented. Councilmember Bradley seconded the motion. A vote was taken and passed, 6-0 with Mayor Baldwin absent during this item.

**PUBLIC HEARINGS**

**1. Hold a public hearing on the proposed fiscal year 2011-2012 City of Murphy budget.**

Council Action

Mayor Baldwin opened the Public Hearing at 6:12 p.m.

Public Comments

Mr. Keith Patton addressed Council stating he is an IT professional and expressed concerns with the proposed items related to IT for an organization of the City's size and the number of users. Mr. Patton

also expressed concern with purchases such as a treadmill for the Police Department. Mr. Patton stated that the capital budget is spending more than it is taking in and that the budget should be reduced and reflect what the current taxes are.

Mr. Earasmus Mensah addressed Council with concerns about a tax increase to residents during times when other entities are also increasing taxes and there have been no salary increases.

### **Council Action**

With no further public comments submitted, Mayor Baldwin closed the Public Hearing at 6:17 p.m.

### **Council Discussion**

After a review of the budget by City Manager Fisher, Councilmember Halbert clarified that the new 'cap' on the required payment to the North Texas Municipal Water District would remain the same, even with a reduction in water usage by the City.

Councilmember Halbert also requested an agenda item on September 6<sup>th</sup> to discuss the proposed FY2012 Capital expenditures.

Councilmember Brandon proposed to reduce the Reserve Fund transfer to \$225,000.00. He stated he would provide a list of items that can be reduced in order to achieve a reduced transfer.

Councilmember Bradley stated that the budget is conservative in revenues and expenditures. He stated that the City has absorbed more than has been passed on, referring to the \$16M Bonds approved by voters in 2008. Councilmember Bradley commented that it would require \$112,500.00 to buy down the tax rate \$.0075. Councilmember Daugherty concurred.

Councilmember Halbert stated that the first 15% of Reserves is savings. She also commented that the citizens voted for \$16M in Bond projects which have included several parks, roads, and a community center, all of which have been completed or are currently under construction. Ms. Halbert stated that the proposed tax increase is much less than it was projected to be due to the Bonds, stating that it amounts to \$18.00 per year for most residents.

Councilmember Halbert requested for Council to consider the items in the Capital list as to whether the request is appropriate for the City or appropriate for the proposed budget and prioritize items that may be considered in the future.

Mayor Baldwin stated that he would like to keep Reserves at a comfortable level, but not keep taxpayers money in a fund just to build reserves. Mayor Baldwin also stated he would like to explore all possibilities to eliminate a tax rate increase including taking funds out of savings to buy down the tax rate.

Councilmember Richmond commented that he hopes Council does not get stuck on one or two items in the budget.

Councilmember Halbert stated that she does not want to unravel the entire budget after Council spent weeks working on the budget.

Councilmember Brandon stated he mentioned his reservations about the transfer from the Reserve Fund at each meeting.

### **Council Action**

After no further discussion, Mayor Baldwin read the following statement for the record, "The vote on the proposed fiscal year 2011-2012 budget will take place on Tuesday, September 20, 2011 at 6:00 p.m. in the City Council Chambers at Murphy City Hall, 206 North Murphy Road, Murphy, Texas."

### **2. Hold a public hearing on the proposed tax rate of \$0.5725 per \$100 valuation.**

### **Council Action**

Mayor Baldwin opened the Public Hearing at 6:51 p.m.

### **Public Comments**

Mr. Keith Patton addressed Council with concerns about the proposed tax increase. He stated that not only are taxes increasing, but his evaluation has increased. Mr. Patton also mentioned that Murphy residents will now be charged \$50 per library card to use the City of Plano public library system. He requested that Council do anything they can to reduce taxes.

### **Council Action**

With no further public comments submitted, Mayor Baldwin closed the Public Hearing at 6:54 p.m. and read the following statement for the record, "The vote on the proposed tax rate will take place on Tuesday, September 20, 2011 at 6:00 p.m. in the City Council Chambers at Murphy City Hall, 206 North Murphy Road, Murphy, Texas."

### **Council Discussion**

Councilmember Halbert clarified that the tax bill residents receive from Collin County includes taxes from Collin County, the Collin County Community College District, either Plano or Wylie Independent School District, and the City of Murphy.

## **INDIVIDUAL CONSIDERATION**

### **3. Consider and/or act upon approval of an ordinance ordering a Special Election in the City of Murphy, Texas, to be held on November 8, 2011, for the purpose of submitting to the qualified voters, for adoption or rejection of a proposed proposition to terminate the Murphy Economic Development Corporation (Type A) and the abolition of its sales tax for the promotion and development of new and expanded business enterprises at the rate of one-half of one percent, and concurrently, authorize the creation of the City of Murphy Municipal Development District with the imposition of a sales and use tax at the rate of one-half of one percent for the purpose of financing development projects beneficial to the district.**

### **Council Discussion**

Councilmember Bradley clarified what the Murphy Economic Development Board does and how it was established and how it is funded. He also explained the proposed Municipal Development District (MDD) and the flexibility in funding projects that would benefit the City.

There was Council discussion regarding existing agreements and funding commitments as well as how the MDD board would function and be determined.

Councilmember Brandon stated he was hesitant to rush into this and would rather wait until next November.

Councilmember Grant commented that Council should let the voters determine this issue.

Andy Messer, City Attorney, explained that the Council appoints the board and the board establishes their bylaws.

#### **Public Comments**

Mr. Keith Patton addressed Council expressing concerns on calling the election for November. He stated that there seem to be a lot of unknowns and questions regarding establishing an MDD.

#### **Council Action**

Councilmember Halbert moved to approve an ordinance ordering a Special Election in the City of Murphy, Texas, to be held on November 8, 2011, for the purpose of submitting to the qualified voters, for adoption or rejection of a proposed proposition to terminate the Murphy Economic Development Corporation (Type A) and the abolition of its sales tax for the promotion and development of new and expanded business enterprises at the rate of one-half of one percent, and concurrently, authorize the creation of the City of Murphy Municipal Development District with the imposition of a sales and use tax at the rate of one-half of one percent for the purpose of financing development projects beneficial to the district. Councilmember Daugherty seconded the motion. A vote was taken and passed, 6-1 with Councilmember Brandon voting in opposition.

### **CITY MANAGER/STAFF REPORTS**

City Manager Fisher reported on the following:

- **September 5 – City offices closed in observance of Labor Day**
- **September 6 – Regular City Council Meeting; 2<sup>nd</sup> Public Hearing on Budget/Tax**
- **September 20 – Chamber Lunch**
- **September 20 – Adoption of Budget & Tax Rate**
- **September 24 – Maize Days**

Additionally, Mr. Fisher reported that the Texas Department of Transportation has informed the City that they will be closing down portions of FM 544 on September 9<sup>th</sup> to repair the railroad tracks. Councilmember Halbert requested that City staff oversee the repairs to ensure they are done properly this time.

### **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 to seek legal advice regarding pending or contemplated litigation regarding Patrick Greene claim.**

#### **Council Action**

Mayor Baldwin convened into Executive Session at 7:40 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 to seek legal advice regarding pending or contemplated litigation regarding Patrick Greene claim.**

**Council Action**

Mayor Baldwin reconvened into Regular Session at 8:27 p.m. There was no action as a result of the Executive Session.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:27 p.m.

**APPROVED BY:**

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**Bret M. Baldwin, Mayor**

**ATTEST:**

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**Aimee Nemer, City Secretary**