

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

September 20, 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 Baldwin
Mayor Pro Tem John Daugherty
Deputy Mayor Pro Tem Colleen Halbert
Councilmember Dennis Richmond
Councilmember Scott Bradley
Councilmember Bernard Grant
Councilmember Dave Brandon

PRESENTATIONS

• **Presentation by Ms. Donna Jenkins – History of Murphy**

Ms. Jenkins presented a brief history of Murphy and requested Council support in the formation of a Murphy Historical Society. She invited anyone interested to attend the first meeting on September 28th at 6 p.m.

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 September 6, 2011 Regular City Council Meeting.**
- B. Consider and/or act upon approval of a resolution designating investment officers of the City and approving the investment policies for the investment of municipal funds.**

Council Action

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

INDIVIDUAL CONSIDERATION

- 1. Consider and/or act upon approval of an ordinance adopting the fiscal year 2011-2012 budget and appropriating funds to a sinking fund to pay interest and principal on the City's indebtedness, and appropriating funds to support the City of Murphy for the fiscal year beginning on October 1, 2011 and ending on September 30, 2012.**

Council Action

Councilmember Halbert moved to approve an ordinance adopting the fiscal year 2011-2012 budget and appropriating funds to a sinking fund to pay interest and principal on the City's indebtedness, and appropriating funds to support the City of Murphy for the fiscal year beginning on October 1, 2011 and ending on September 30, 2012 as reflected in the budget. Councilmember Daugherty seconded the motion. Before a vote was taken, the following amendments were made.

Amendment 1

Councilmember Daugherty moved to amend the motion to approve the budget by reducing the revenue derived by Total Property Taxes by an amount equal to \$111,450.00. Councilmember Halbert seconded the motion. A vote was taken and passed, 6-1 with Councilmember Halbert voting in opposition.

Amendment 2

Councilmember Daugherty moved to amend the motion to approve the budget by increasing the transfer from the Reserve Fund from \$450,000.00 to \$537,000.00, and the total Personnel Services Expense line item by \$86,000.00 which shall be used to create a percentage payment pool for City employees, the distribution of such to be subject to the discretion of the City Manager and his department heads. Councilmember Halbert seconded the motion. After some discussion, Councilmember Daugherty stated that if Council is willing to consider a future discussion regarding a percentage payment or raise for employees, then he will withdraw his motion.

Amendment 3

Councilmember Daugherty moved to amend the motion to approve the budget by reducing the 4B Capital Budget for the Christmas tree for City Hall by \$10,000.00. Councilmember Brandon seconded the motion. A vote was taken and passed, 6-1 with Councilmember Richmond voting in opposition.

Amendment 4

Councilmember Brandon moved to amend the motion to approve the budget by cutting the Police Department Capital budget by \$25,000.00 for the carport. Councilmember Bradley seconded the motion. A vote was taken and failed, 2-5, with Councilmember Halbert and Brandon voting in favor; and Mayor Baldwin, Councilmember Richmond, Councilmember Daugherty, Councilmember Bradley, and Councilmember Grant voting in opposition.

Amendment 5

Councilmember Brandon moved to amend the motion to approve the budget by cutting \$50,000.00 from the IT budget for the DNS Management, Enterprise Wireless, and Identity Management. Councilmember Bradley seconded the motion.

Amendment 6

Before a vote was taken on the amended motion (Amendment 5), Councilmember Halbert moved to amend the amended motion to strike the Enterprise Wireless from the amended motion. Councilmember Daugherty seconded the motion. A vote was taken and passed, 4-3 with Councilmember Bradley, Councilmember Grant, and Councilmember Brandon, voting in opposition.

Amendment 5 –Vote

A vote was taken and failed, 2-5, with Councilmember Halbert and Brandon voting in favor; and Mayor Baldwin, Councilmember Richmond, Councilmember Daugherty, Councilmember Bradley, and Councilmember Grant voting in opposition.

Amendment 7

Councilmember Brandon moved to amend the motion to approve the budget by reducing the Capital budget for the Fire Department by \$70,000.00 for the vehicle for the fire captain. Councilmember Bradley seconded the motion. A vote was taken and failed, 1-6, with Councilmember Brandon voting in favor, and Mayor Baldwin, Councilmember Halbert, Councilmember Richmond, Councilmember Daugherty, Councilmember Bradley, and Councilmember Grant voting in opposition.

Vote on Main Motion

A vote on the main motion to approve the budget, as amended by Amendment 1 and Amendment 3 was taken and passed, 6-1 with Councilmember Brandon voting in opposition.

2. Consider and/or act upon ratifying the property tax revenue increase reflected in the 2011-2012 fiscal year budget.

Staff Comments

Due to the amendments approved in the budget, City Manager Fisher read the following revised statement for the Council to ratify. “This budget will raise more total property taxes than last year’s budget by \$156,621 or 1.88%, and of that amount, \$156,194.72 is tax revenue to be raised from new property added to the tax roll this year.”

Council Action

Councilmember Daugherty moved to ratify the property tax revenue increase reflected in the 2011-2012 fiscal year budget. Councilmember Richmond seconded the motion. A vote was taken and passed, 7-0.

3. Consider and/or act upon approval of an ordinance levying ad valorem taxes for use and support of the municipal government of the City of Murphy for the fiscal year beginning October 1, 2011 and ending September 30, 2012.

Council Action

Councilmember Daugherty moved that the property tax rate be increased by the adoption of a tax rate of \$0.5650, which is effectively a .40 percent increase in the tax rate, and to approve an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning October 1, 2011 and ending on September 30, 2012, and for each fiscal year thereafter until otherwise provided. Councilmember Halbert seconded the motion. A vote was taken and passed, 7-0.

- 4. Consider and/or act upon authorizing the City Manager to enter into an agreement with Emergicon, LLC for the provision of Emergency Medical Services (EMS) billing services; and, for the purchase of ESO Solutions for an electronic patient care reporting system.**

Council Action

Councilmember Brandon moved to authorize the City Manager to enter into an agreement with Emergicon, LLC for the provision of Emergency Medical Services (EMS) billing services; and, for the purchase of ESO Solutions for an electronic patient care reporting system. Councilmember Daugherty seconded the motion. A vote was taken and passed, 7-0.

- 5. Consider and/or act upon approval of a resolution nominating one to five candidates to serve on the Collin County Central Appraisal District Board of Directors for a two year term beginning January 1, 2012.**

Council Action

Councilmember Halbert moved to designate the City of Murphy's 27 votes to nominate Wayne Mayo to serve on the Collin County Central Appraisal District Board of Directors for a two year term beginning January 1, 2012. Councilmember Daugherty seconded the motion. A vote was taken and passed, 6-1, with Councilmember Grant voting in opposition.

DISCUSSION ITEMS

- 6. Discussion regarding the use of electronic devices for City Council.**

Council Discussion

Council discussed the benefits and challenges with a paperless environment, various types of devices, and the pros and cons of the City providing devices. Council requested staff to provide pricing options on various devices and associated policies on the distribution and use of the devices.

CITY MANAGER/STAFF REPORTS

City Manager Fisher reported on the following:

- **September 24 –Maize Days**

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:

- §551.074 Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge.
- §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 regarding pending or contemplated litigation regarding Patrick Greene claim.
- §551.072. Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.

Council Action

Mayor Baldwin convened into Executive Session on items 551.074 and 551.072 at 8:16 p.m. The sessions on 551.071 were not held.

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:

- §551.074 Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge.
- §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 regarding pending or contemplated litigation regarding Patrick Greene claim.
- §551.072. Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.

Council Action

Mayor Baldwin reconvened into Regular Session at 8:31 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:31 p.m.

APPROVED BY:

Bret M. Baldwin, Mayor

ATTEST:

Aimee Nemer, City Secretary