

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

October 18, 2011
6:00 P.M.

CALL TO ORDER (4:30 PM)

Mayor Baldwin called the meeting to order in the Council Chambers at 4:38 p.m.

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 Scott Bradley

Councilmember Grant arrived at 4:50 p.m.

Councilmember Richmond arrived at 5:52 p.m.

Council Absent

Councilmember Dave Brandon

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.

Council Action

Council convened into Executive Session at 4:39 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:

§551.074 Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Judge.

Council Action

Council reconvened into Regular Session at 5:32 p.m. Councilmember Daugherty moved to appoint Mayor Baldwin, Councilmember Halbert, and Councilmember Grant to serve on the interview panel for Municipal Court Judge. Councilmember Bradley seconded the motion. A vote was taken and passed unanimously with Councilmembers Richmond and Brandon absent for this vote.

WORK SESSION

- **Board & Commissions**

Council Discussion

Council discussed the Board and Commission appointment process, establishing an Ethics Review Commission, and the continuing roles of the Community Events Committee and the Budgetary Finance Committee. Mayor Baldwin, Councilmember Daugherty, and Councilmember Grant volunteered to serve on the Interview Panel. Council directed staff to begin soliciting applications and schedule the interviews and appointments for November/December with terms beginning January 1.

CONVENE INTO REGULAR SESSION (6:00 PM)

Mayor Baldwin convened into Regular Session at 6:06 p.m. in the Community Room.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Baldwin gave the invocation.

PUBLIC COMMENTS

There were no public comments submitted.

DISCUSSION ITEMS

- **Discussion with City of Richardson regarding joint recreation center project.**

Council Discussion

The following representatives presented information on a Multi Agency Recreation Center (MARC) proposed as a joint project between the City of Murphy and the City of Richardson to be located in Breckinridge Park.

David Morgan, Assistant City Manager, Richardson
Mick Massey, Park Director, Richardson
Ken Berendt, Principal Architect, Barker Rinker Seacat Architecture
Ken Ballard, President, Ballard King & Associates

Representatives from the Murphy Community Development Board and the Parks and Recreation Board were also present.

The discussion centered around a feasibility study for the MARC project with Phase One – Market Analysis, Programming and Operation/Revenue Projections (\$11,810 Murphy/\$66,230 Richardson); and Phase Two –Program Refinement, Site Plan and Budget Definition. (\$8560 Murphy/\$47,970 Richardson)

Council will have further discussions and consider participation in this project at an upcoming Council meeting in November or December.

After the discussion, Mayor Baldwin called for a recess at 7:02. Mayor Baldwin reconvened in the Council Chambers at 7:10 p.m.

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 October 4, 2011 Regular City Council Meeting.**
- B. **Consider and/ or act upon a resolution authorizing the acceptance of the Collin County Funding Assistance Program grant award and contract for Murphy Central Park - Phase 1 and Maxwell Creek Greenbelt Expansion.**

Council Action

Councilmember Halbert moved to approve Consent Agenda Items A and B as presented. Councilmember Daugherty seconded the motion. A vote was taken and passed, 6-0 with Councilmember Brandon absent.

- C. **Consider and/ or act upon an ordinance of the City Council of the City of Murphy, Texas, amending Ordinance No. 11-08-890 providing a severability clause; providing a penalty clause; and providing an effective date.**

Council Action

Mayor Baldwin requested to remove Item C from the Consent Agenda to be considered individually. After some clarification, Councilmember Halbert moved to approve an ordinance amending Ordinance No. 11-08-890 providing a severability clause; providing a penalty clause; and providing an effective date, and amending Section 82-373 Mandatory Watering Schedule for Stage 3; Prohibited Hours, Section A Schedule, to clarify the schedule between November 1 and March 31. Councilmember Daugherty seconded the motion. A vote was taken and passed, 6-0 with Councilmember Brandon absent.

INDIVIDUAL CONSIDERATION

1. **Consider and/or act on proposed operating hours for the Murphy Community Center.**

Public Comments

Mr. Keith Patton addressed Council in favor of establishing member fees for the Community Center. Mr. Patton also suggested a permitting process for catering vendors for the facility.

Council Action

There was no action on this item. Council discussed the proposed hours, membership rates, reservation fees, after hour rates, catering policies, and alcohol policies. Staff was directed to bring back final policies for Council approval.

CITY MANAGER/STAFF REPORTS

City Manager Fisher reported on the following:

- **October 18 – Chamber Lunch –State of the City**
- **October 24 – November 4 - Early Voting**

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 – To deliberate the duties of a public officer or employee.
- City Council
- §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: to receive legal advice regarding duties of public officers.

Council Action

Council convened into Executive Session at 7:59 p.m.

RECONVENE INTO REGULAR SESSION

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- City Council
- §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: to receive legal advice regarding duties of public officers.

Council Action

Council reconvened into Regular Session at 9:05 p.m. No action was taken as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:05 p.m.

APPROVED BY:

Bret M. Baldwin, Mayor

ATTEST:

Aimee Nemer, City Secretary