

CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 4, 2017 AT 6:00 PM

1. CALL TO ORDER

Mayor Pro Tem Bradley called the meeting to order at 6:00 pm.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

Absent:

Mayor Eric Barna
Councilmember Jennifer Berthiaume

4. PUBLIC COMMENTS

None were presented.

5. CITY MANAGER/STAFF REPORTS

- A. Radio Systems – Chief Trey Cotten presented to Council a final presentation on the Radio project. Project originally began in 2016. The project is about 99.8% complete, and is within the timeframe allotted and budget. The highlights of the project include a new tower (donated by NCTCOG), new dispatch center, new mobile and portable radios that includes Public Works vehicles and a new NICE redundant recording system with the City of Wylie. Numerous partners and vendors contributed to the project: City Council, Plano Radio Shop, NCTCOG, City of Murphy IT staff and Fire Department. NICE logger system has a final piece still to be completed and so we are in daily contact with the vendor. ProQA medical dispatch software has been installed, training continues April 26th – 28th and the system will go live on May 2nd. New phones expected life span is about seven years (7 years) and at five years (5), the process will begin for replacing phone equipment.
- B. Sidewalk Rehabilitation Program – Public Services Director Tim Rogers provided an update to Council stating that project is about 95% complete. A few panels will be repaired at Timbers in preparation for the grand opening and a few items on Murphy Road will expend the remainder of the budget until the new sidewalk program begins again next year.
- C. South Maxwell Creek Sewer Line – Public Services Director Tim Rogers stated that the crew installed one hundred eighty linear feet (180 ft.) of pipe and a manhole. This week the crew is encasing a utility line where the sewer line will be crossing and a final manhole for the connection at the north

end of the project. The crew will be moving Monday to the south side of the railroad tracks to complete the last piece which is to go underneath Maxwell Creek. The challenge for the crew going forward will be to get to the very bottom of the trunk sewer line to complete testing as rain hinders the progress.

D. Update regarding the Audio Visual Upgrades to Council Chambers

Interim Information Technology Director Gavin Cox provided to Council an update and introduced Scott Creevy with AVI Systems. The work in the Council Chambers is scheduled to begin Thursday, May 18 and to be completed by Monday, June 5.

Scott Creevy with AVI Systems provided to Council the highlights of the upgrades to the Council Chambers. AVI is proposing to migrate from an existing analog video/audio to digital video system. A new screen that will be 16 feet wide will be installed. Current projector will be replaced with a brighter and wider projector. All monitors will have touch screen capability with digital writing. Six small speakers will be added to the dais so audio feed will be directed to Council instead of sound coming from the speakers above. Two additional microphones are to be installed at the smaller console tables in front of the dais. Audio in the audience is working fine so it will remain the same. The equipment rack and control system work fine but will be reprogrammed to control the new system. Adding a digital recording device to create audio recordings on demand that will connect to the network. New audio system accommodates conferencing capabilities and also the use of the cameras to webcast or web conference from the space along with conferencing capabilities. Also added is a portable 70" monitor screen that will have draw-on capabilities. A question was asked if the executive room will have the capability to web conference, the answer was voiced that at this time, only the Council Chambers will have this feature.

E. Presentation of FY 18 Budget Calendar

City Manager Mike Castro presented to Council a FY 2018 budget process calendar. Several dates to highlight are Tuesday, May 16 and Wednesday, May 17 as Council Retreat/Staff Presentations/Revenue Forecast. This will be an opportunity for the department heads to approach and provide an overview of their departments to Council. Tuesday, July 11 and Wednesday, July 12 will be budget review in detail to Council. Public hearings are scheduled for Tuesday, August 22nd and Tuesday, September 5th. FY 2018 Budget and tax rate approved by Council on Tuesday, September 19th. Finance Director Karen Montgomery and City Manager Mike Castro attended a meeting at the Collin County Appraisal District. The initial feedback for the upcoming year in residential appraisal from Collin County Appraisal District is an increase range of four to six percent (4 to 6%) for the City of Murphy. Across Collin County, the increase will be in the range of six to nine percent (6 to 9%).

F. Upcoming Events –

- Earth Day (recognized on April 22nd) but KMB will recognize it on Friday, April 21st at the Moonlight Movie Event, *Finding Dory*, 8:00 pm, Murphy Central Park Amphitheater – 550 North Murphy Road, Murphy, Texas 75094

- Drug Take Back (Police Department and KMB partner on this) is on Saturday, April 29th in front of the Police Station, from 10:00 am until 2:00 pm, 206 North Murphy Road, Murphy, Texas 75094
- Tunes, Tails, & Ales on Saturday, April 29th from 1:00 pm to 8:00 pm, Murphy Central Park, 550 North Murphy Road, Murphy, Texas 75094

6. 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. Consider and/or act to approve the March 21, 2017 Regular Council meeting minutes. *Susie Quinn, City Secretary*
- B. Consider and/or act upon approval of Resolution No. 17-R-847 authorizing signature authority to sign and endorse checks and drafts of the City of Murphy bank accounts. *Karen Montgomery, Finance Director*
- C. Consider and take action, if any, on the approval of Resolution No. 17-R-848 authorizing continued participation with the steering committee of cities served by Oncor; and authorizing the payment of 11 cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC for 2017. *Karen Montgomery, Finance Director*

COUNCIL ACTION (6.A.-6.C.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve the consent agenda as presented. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 5-0. (Mayor Barna and Councilmember Berthiaume were absent).

7. INDIVIDUAL CONSIDERATION

- A. Consider and/or act to determine the City Council meeting calendar for the remainder of 2017. *Mike Castro, City Manager*

City Manager Mike Castro reviewed with Council changes to the City Council meeting calendar. Tuesday, July 4, 2017 is a City Holiday and it is also the first Tuesday of the month of July, which is a scheduled Council meeting. Staff would like to move the meeting to the second Tuesday in July which is July 11, 2017. Tuesday, December 19, 2017 is the third Tuesday of the month of December, which is a scheduled Council meeting. Normally, City Council only meets once in December and would like to update the City's calendars so that the citizens are aware of the meeting dates with as much notice as possible. Staff recommends reschedule Tuesday, July 4, 2017 to Tuesday, July 11, 2017 and cancel the December 19, 2017 second meeting.

Discussion continued on item 5.E. presentation of FY 18 budget calendar. After much discussion and to allow adequate preparation time for Council to review the individual department budget presentations, the request is to add additional dates to the budget calendar: Monday, May 15,

Friday, May 19 and Monday, May 22 with specific times to be determined by Council.

COUNCIL ACTION (7.A)

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to reschedule the Tuesday, July 4, 2017 Regular City Council meeting to Tuesday, July 11, 2017 Regular City Council meeting and moved to cancel the second December meeting on Tuesday, December 19, 2017 Regular City Council meeting. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 5-0. (Mayor Barna and Councilmember Berthiaume were absent).

- B. Consider and/or act upon approval of Resolution Number 17-R-849 suspending the April 21, 2017, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the steering committee of cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals. *Mike Castro, City Manager*

City Manager Mike Castro provided to Council a summary that the City of Murphy is a member of a 156-city coalition known as the Steering Committee of Cities served by Oncor ("Steering Committee"). Although Oncor has increased rates many times over the past few years, this is the first comprehensive base rate case for the Company since February 2011. The background/history is Oncor Electric Delivery Company ("Oncor" or "the Company") filed an application on or about March 17, 2017 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates of \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month. The resolution suspends the April 21, 2017 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with the Steering Committee of Cities served by Oncor, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue. The law provides that a rate request made by an electric utility cannot become effective until at least thirty-five (35) days following the filing of the application to change rates. The law permits the City to suspend the rate change for ninety (90) days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, Oncor's rate request is deemed administratively approved.

COUNCIL ACTION (7.B.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve Resolution Number 17-R-849 suspending the April 21, 2017 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the steering committee of cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 5-0. (Mayor Barna and Councilmember Berthiaume were absent).

- C. Consider and/or act upon authorizing the Fire Department to purchase 15 MSA Self-Contained Breathing Apparatus (SCBA) Air Packs with 30 masks and 30 SCBA Air Bottles from Casco Industries for \$148,231. *Del Albright, Fire Chief*

Fire Chief Del Albright presented to Council an update that the Fire department's current SCBAs and air bottles which are approximately ten (10) years old. Also, within this time period National Fire Protection Association (NFPA) 1852, standard pertaining to the Selection, Care, Use and Maintenance of SCBAs, NIOSH, and OSHA Respiratory Protection regulations have been revised to include additional components, such as an integrated Thermal Imaging Camera (TIC) on each air pack. The Fire Department Committee on SCBA selection diligently and thoroughly researched three (3) SCBAs manufacturers currently used within the Fire Service. The committee chose MSA due to being within budget, ease of use by firefighters, inclusion of an integrated TIC properly installed on the SCBA Air Pack instrument gauge assembly, familiarity with the air pack due to the Fire Department currently use of MSA SCBAs. The cost includes a ten (10) year extended warranty that the other manufacturers could not provide without an extensive increase in cost. Casco will also provide the Fire Department with a Care Certification Class for these new SCBAs at no additional cost. Quote sheets from all three (3) manufacturers have been attached for review. Staff requests Council to authorize the purchase of 15 MSA Air Packs with 30 masks and 30 SCBA Air Bottles for \$148,231.

COUNCIL ACTION (7.C.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve the Fire Department to purchase 15 MSA Self-Contained Breather Apparatus (SCBA) Air Packs with 30 masks and 30 SCBA Air Bottles from Casco Industries for \$148,231. Councilmember Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 5-0. (Mayor Barna and Councilmember Berthiaume were absent).

- D. Consider and/or act on the application of First Crescent Enterprises, LLC requesting approval of a Construction Plat and Landscape Plans for Oasis Springs Manors, Planned Development (PD) No. 16-10-1023, for property located on 10.351 acres north of McMillen Road adjacent to N. Murphy Road, having the legal description of Murphy Manors (CMR), Lot 2. *Jared Mayfield, Economic and Community Development Director*

Economic and Community Development Director Jared Mayfield presented to Council a request for approval of a Construction Plat and Landscape Plans for Oasis Springs Manors for property located on 10.351 acres in the southeast corner of North Murphy Road and Betsy Lane to build a maximum of thirty-one (31) single family homes. The Planned Development District for Single-Family Residential (SF-9) was approved by City Council on October 4, 2016, see Ordinance 16-10-1023 has details. The proposed Construction Plat would allow for the development of the subdivision known as Oasis Springs Manor. On March 6, 2017 the Planning and Zoning Commission unanimously recommended approval of this item conditioned upon approval of associated civil plans. The plans have subsequently been revised and approved by the City Engineer. Council had questions in regards to Murphy Manors and drainage. Lot One, Block D and Lot One shall remain

zoned as SF-20 and shall not be part of the planned development of the Oasis Springs Manor plat and HOA. Property lots are to be regraded as the drainage naturally contours flow towards McMillen Drive. There is a plan to add a storm sewer inlet for drainage which will be piped to McMillen Drive and then go underneath McMillen Drive directing drainage to the channel towards Maxwell Creek. A revision was added in the case of an emergency overflow, a new concrete drainage flume would run between the lines to direct flow away. The perimeter easement is four feet wide. A board on board fence will be built on top of the retaining wall as required in the Planned Development.

COUNCIL ACTION (7.D.):

APPROVED

Deputy Mayor Pro Tem Siddiqui moved to approve the application of First Crescent Enterprises, LLC requesting approval of a Construction Plat and Landscape Plans for Oasis Spring Manors, Planned Development (PD) No. 16-10-1023, for property located on 10.351 acres north of McMillen Road adjacent to N. Murphy Road, having the legal description of Murphy Manors (CMR), Lot. 2 Councilmember Reilly seconded the motion. For: Unanimous. The motion carried by a vote of 5-0. (Mayor Barna and Councilmember Berthiaume were absent).

8. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) at 7:02 pm to discuss the following:

- A. § 551.071: Consultation with City's Attorney on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding zoning, moratorium, and land use.
- B. § 551.071(1): Consultation with City's Attorney regarding pending or potential litigation – *City of Murphy vs. George Parker d/b/a Parker Tree Service, Collin County District Court Cause No. 199-02937-2012; Kevin Johnson - 437 Lakefield, Murphy, Texas; and Claudio Macias - 332 Sycamore, Murphy, Texas;*
- C. § 551.087: To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Murphy and with which the City is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.

9. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Regular Session at 7:52 pm, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding, and he read the following into the record:

- A. § 551.071: Consultation with City's Attorney on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding zoning, moratorium, and land use.

- B. § 551.071(1): Consultation with City's Attorney regarding pending or potential litigation – *City of Murphy vs. George Parker d/b/a Parker Tree Service, Collin County District Court Cause No. 199-02937-2012; Kevin Johnson - 437 Lakefield, Murphy, Texas; and Claudio Macias - 332 Sycamore, Murphy, Texas;*

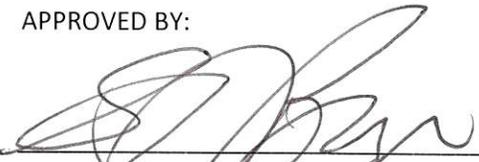
- C. § 551.087: To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Murphy and with which the City is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect.

No motions were made.

10. ADJOURNMENT

With no further business, a motion was entertained by the Mayor Pro Tem Bradley and the Council meeting adjourned at 7:52 pm.

APPROVED BY:


Scott Bradley, Mayor Pro Tem

ATTEST:


Susie Quinn, City Secretary