

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

December 6, 2011
6:00 PM

1. CALL TO ORDER

Mayor Baldwin called the meeting to order at 6:00 p.m.

2. INVOCATION & PLEDGE OF ALLEGIANCE

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

3. ROLL CALL & CERTIFICATION OF A QUORUM

The following Councilmembers were present:

Mayor Bret Baldwin
Deputy Mayor Pro Tem Colleen Halbert
Councilmember Dennis Richmond
Councilmember Bernard Grant
Councilmember Dave Brandon

Councilmember's Daugherty and Bradley were absent.

4. PUBLIC COMMENTS

No public comments were submitted.

5. CONSENT ITEMS

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.

Council Action

Staff requested that no action be taken on Items 5.2 and 5.4 at this time. Councilmember Brandon requested to remove Item 5.1 from the Consent Agenda. Councilmember Grant requested to remove Items 5.6 and 5.7 from the Consent Agenda. The remaining items, 5.3 and 5.5 were voted on separately.

5.1. Consider and/or act upon approval of a resolution repealing Resolution No. 08-R-603 and dissolving the Community Events Committee.

Council Action

Councilmember Brandon stated that he would like a separate vote on this item rather than on Consent. He went on to say that the committee has done an extreme amount of work and Council just revised the committee's roles last year and now Council is abolishing the committee. Mayor Baldwin explained that Council had determined at a previous meeting that the committee has fulfilled the mission that Council set for the committee and they have done it very well.

Motion to approve a resolution repealing Resolution No. 08-R-603 and dissolving the Community Events Committee.

VOTING

Motion by: Colleen Halbert
Second by: Bernard Grant

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Brandon, Dave		x		
Mr. Grant, Bernard	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				

5.2. Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10A on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road and Rosewood Drive.

Council Action

There was no action on this item.

5.3. Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10B on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located northwest of the intersection of Waters Edge Way and Creekside Drive.

Council Action

Motion to approve the Final Plat for Maxwell Creek North, Phase 10B on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487).

VOTING

Motion by: Colleen Halbert
Second by: Bernard Grant

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

5.4. Consider and/or act on the application of Winkelmann and Associates, Inc. representing Forestar (USA) Real Estate Group, Inc, requesting approval of the Final Plat for Maxwell Creek North, Phase 10C1 on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 00-06-487) on property located southwest of the intersection of McMillen Road and Rosewood Drive.

Council Action

There was no action on this item.

5.5. Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Maxwell Creek North Phase 8A in which the street name Greystone Court will be changed to Paint Creek Court.

Council Action

Motion to approve an ordinance ratifying the Final Plat for Maxwell Creek North, Phase 8A changing Greystone Court to Paint Creek Court.

VOTING

Motion by: Colleen Halbert
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

- 5.6. Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Daniel Crossing Phase D in which the street name Westminister Avenue will change to Westminister Avenue.

Public Comments

Mr. Eric Hartman addressed Council speaking in favor of correcting the spelling of Westminister to Westminster noting the embarrassment of the misspelling. Ms. Amy Christner addressed Council speaking in opposition of the name change noting a financial burden to residents.

Council Action

Council took no action on this item.

- 5.7. Consider and/or act upon approving an ordinance providing for the ratification of the Final Plat for Hunters Landing, Phase 1 in which the street name Westminister Avenue will change to Westminister Avenue.

Council Action

Council took no action on this item.

6. CONTRACT APPROVAL

- 6.1. Consider and/or act upon amendment 1 to engineering services agreement for FM 2551 utility relocations project with Birkhoff, Hendricks & Carter, LLP.

Council Action

Council expressed some concerns with the contract amendment, specifically the increase in the number of meetings.

VOTING

Motion by: Dave Brandon
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen		x		
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

7. PUBLIC HEARINGS

- 7.1. Hold a public hearing and consider and/or act upon approval of an ordinance authorizing the City of Murphy to allow the “Goods-in-Transit” exemption per Tax Code Section 11.253, effective January 1, 2012.**

Public Hearing

Mayor Baldwin opened the public hearing at 6:36 p.m. With no comments submitted, Mayor Baldwin closed the public hearing at 6:36 p.m.

Council Action

Motion to approve the ordinance authorizing the City of Murphy per Tax Code Section 11.253 to allow the exemption of “Goods-in-Transit” effective January 1, 2012.

VOTING

Motion by: Dave Brandon
Second by: Bernard Grant

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

8. ORDINANCE APPROVAL

- 8.1. Consider and/or act upon the approval of an ordinance amending the FY 2010-2011 budget for the General Fund, Utility Fund, Economic Development Corporation (4A), Community Development Corporation (4B) and Debt Service Fund.**

Council Action

Motion to approve ordinance amending the FY 2010-2011 budget for the General Fund, Utility Fund, Economic Development Corporation (4A), Community Development Corporation (4B), and Debt Service Fund.

VOTING

Motion by: Bernard Grant
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

- 8.2. Consider and / or act upon approval of an ordinance regulating the provision of Emergency Medical Services within the City of Murphy.**

Public Comments

Mr. Keith Patton addressed Council with comments about city liability if patients are taken to a lesser facility.

Council Action

Mayor Baldwin inquired why the hospital at PGBT/Renner was not on the approved list. Chief Lee explained that this hospital is currently a standalone emergency facility without a hospital or 24 hour ICU. He explained that it would be added to the list once it is a full service hospital. Motion to approve an ordinance of the City of Murphy regulating the provision of Emergency Medical Services within the City.

VOTING

Motion by: Dennis Richmond
Second by: Colleen Halbert

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

9. OTHER CONSIDERATION ITEMS

- 9.1. Consider and/or act upon a nomination of an elected official to the Emergency Preparedness Planning Council for the North Central Texas Council of Governments.**

Council Action

Motion to nominate Councilmember Dave Brandon.

VOTING

Motion by: Colleen Halbert
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave			x	
Mr. Grant, Bernard		x		

- 9.2. Consider and/or act upon cancelling the December 20th City Council Meeting.**

Council Action

There was no action on this item. Council indicated that if there was not any business for the 20th meeting, it would not be held.

- 9.3. Consider and/or act upon award of bid for the Liberty Ridge Park Construction project.**

Council Action

Motion to approve awarding bid to Walls Enterprises not to exceed \$750,000.00.

VOTING

Motion by: Colleen Halbert
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

Council Action

Motion to accept withdrawal of low bid by JonesPlan.

VOTING

Motion by: Colleen Halbert
Second by: Bernard Grant

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

9.4. Consider and/or act upon approval of a community built playground for Murphy Central Park.

Council Action

Motion to authorize staff to advertise for an exploratory committee for a community built playground with candidates to be interviewed by City Council.

VOTING

Motion by: Colleen Halbert
Second by: Dennis Richmond

Councilmembers	YES	NO	ABSTAIN	RECUSE
Mr. Baldwin, Bret	x			
Ms. Halbert, Colleen	x			
Mr. Richmond, Dennis	x			
Mr. Bradley, Scott				
Mr. Daugherty, John				
Mr. Brandon, Dave	x			
Mr. Grant, Bernard	x			

10. DISCUSSION ITEMS

10.1. Discussion regarding executing a street name change for FM544 to Main Street and a street name change for Betsy Lane to become Park Blvd.

Council Action

There was no action on this item. Council requested staff to gather more information from both Wylie and Plano regarding changing street names.

Public Comments

Mr. Keith Patton addressed Council with historical information about the location of Betsy Lane.

11. **CITY MANAGER'S REPORT**
Dec 12 - Employee Holiday Party 4-6pm
Dec 20 - City Council Meeting (TBD)
Dec 23-26, Jan 2 - City Offices Closed for Holidays
Mar 1-2 - City Council Planning Session

The City Council Planning Session will be held February 23-24.

12. **ADJOURNMENT**
With no further business, the meeting was adjourned at 7:31 p.m.

APPROVED BY:


Bret M. Baldwin, Mayor

ATTEST:


Aimee Nemer, City Secretary

