

MINUTES
REGULAR CITY COUNCIL MEETING
CITY OF MURPHY
206 North Murphy Road
Murphy, Texas
Tuesday, April 03, 2012
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
- Mayor Pro Tem John Daugherty
- Deputy Mayor Pro Tem Colleen Halbert
- Councilmember Bernard Grant
- Councilmember Dave Brandon

The following Councilmembers were absent:

- Councilmember Dennis Richmond
- Councilmember Scott Bradley

4. PUBLIC COMMENTS

No public comments were submitted.

5. Proclamation designating April 2012 as Sexual Assault Awareness and Prevention Month

Mayor Baldwin read a proclamation designating April 2012 as Sexual Assault Awareness and Prevention Month.

PROCLAMATIONS / PRESENTATIONS

5.1. Presentation and discussion regarding Senate Bill 100 -Implications and Options

City Secretary Nemer presented options and implication of SB 100 in regards to City elections. Ms. Nemer asked that Council provide some direction prior to adoption of the 2013 budget.

6. 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.

6.1. Approval of the Minutes from the Regular Council Meeting of March 20, 2012.

VOTING

Motion by: Colleen Halbert to approve as presented.

Second by: John Daugherty

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

7. ORDINANCE APPROVAL

7.1. Consider and/or act upon approval of an ordinance amending the City of Murphy Code of Ordinances, Appendix A – Fee Schedule, Section 3.100 - Emergency Services.

VOTING

Motion by: John Daugherty to approve as presented.
Second by: Colleen Halbert

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

7.2. Consider and/or act upon approval of an ordinance amending the City of Murphy Code of Ordinances, Chapter 35, Section 35-6. - Duty to transport.

VOTING

Motion by: Dave Brandon to approve adding Medical City - Dallas to the list of hospitals.
Second by: Colleen Halbert

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

8. OTHER CONSIDERATION ITEMS

8.1. Consider and/or act on an Alcohol Policy for the Murphy Community Center and Murphy Activity Center.

Discussion

Council discussed the number of police officers required for certain events and whether or not that discretion should be left to the Police Chief with the potential of appealing the decision to the City Manager.

Councilmember Halbert stated she was not comfortable leaving the final discretion to the Police Chief. She expressed concern that events would end up with three officers when it may not be necessary.

Councilmember Daugherty stated he was not comfortable with the policy distinguishing between residents and non-residents.

Councilmember Brandon requested to include a requirement that alcohol service must end no less than one hour prior to the close of the event.

Councilmember Grant stated he was comfortable leaving the security discretion to the Police Chief.

Regarding the discussion to appeal to the City Manager, Councilmember Daugherty stated that he is comfortable leaving the discretion to the Chief. He stated that the policy can be revisited if there are issues.

Public Comments

Mr. Keith Patton addressed Council with concerns about staff having to track events with/without minors. He suggested that it be required that the entire facility be rented for events providing alcohol.

VOTING

Motion by: Colleen Halbert to approve the alcohol use liability policy agreement, *Saturday Night Only*, as presented with the following changes:

Remove paragraph 4 and replace it with one that states: “At events where alcohol is being served or sold, the lessee shall be responsible at their sole cost and expense for providing an off-duty uniformed Murphy police officer or other police department officer approved by the Chief of Police at a level determined by the Chief of Police”; and also adding a paragraph that states that no alcohol shall be served after one hour prior to the close of the event.

Second by: John Daugherty

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

8.2. Consider and/or act upon funding the sidewalk extension from Liberty Ridge Park to Featherwood Drive in the amount of \$29,000

Discussion

City Manager Fisher reported that Councilmember Daugherty requested this item be placed on the agenda for a second look. Mr. Fisher recommended that the City delay building the sidewalk until the Safe Routes to Schools grants are applied. Instead, he suggested that the City focus on making the current crosswalk safer through landscaping and a raised crosswalk.

Councilmember Brandon raised an issue with implementing any sort of traffic calming measures until the City has an ordinance regarding traffic calming.

Councilmember Halbert noted that traffic calming is not within the scope of the agenda item. She also stated that she would still like to see a list of sidewalks that are needed so that they may be prioritized.

VOTING

Motion by: Colleen Halbert to deny funding the sidewalk extension from Liberty Ridge Park to Featherwood Drive.

Second by: John Daugherty

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

8.3. Consider and/or take action regarding the City's Drought Contingency and Water Emergency Response Plan.

Discussion

City Manager Fisher opened by stating that this item is a moot point now, since North Texas Municipal Water District (NTMWD) already decided to relax restrictions. He also noted that some residents have asked why the City has to follow NTMWD's recommendations at all. Mr. Fisher stated that while there has been rain, the region is still in a deficit.

Councilmember Daugherty asked how the City will share water restriction information with residents. Mr. Fisher replied that staff is planning on doing a mailing separate from the water bill. Several options were discussed (e.g., email, mailing with the water bill, using the sign outside of City Hall).

Mayor Baldwin stated that he believes the City should be in Stage 2 watering restrictions, not Stage 3. He expressed concerns that requiring Stage 3 when it may not be warranted could result in citizens not taking the various watering restrictions seriously.

Councilmember Halbert said that she wants the City to monitor its own situation and impose watering restrictions based on Murphy conditions rather than following NTMWD. She also mentioned not wanting to be surrounded by communities in Stage 2 while Murphy is still in Stage 3. She noted that according to the NTMWD billing structure, the City pays for water based on the highest level of water historically used, not the current amount of water used. Councilmember Halbert suggested that a North Texas Municipal Water District (NTMWD) customer-city coalition be established so that customer cities can have some formal representation at NTMWD meetings.

There was no action taken on this item.

9. CITY MANAGERS REPORT

City Offices closed April 6

North Murphy Road Update –meeting with contractor to get updated status

Draft Budget Submittal – June/July

Budget/Vacation Schedules –send vacation dates to James or Aimee

Schedule Work Sessions - Focus Areas –send available dates

Schedule Work Session - Determine Board Scope

Upcoming Agendas

In addition to the above items, City Manager Fisher reported that the Texas Trash-off would be April 14.

10. 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:

The Executive Session was not held.

10.1. 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.

10.2. 551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving Johnny Boles v. City of Murphy, et al., Civil Action No. 4:11-cv-682.

11. RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provision of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

11.1. 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.

11.2. **551.071 Consultation with City Attorney regarding pending litigation or contemplated litigation or settlement offer involving Johnny Boles v. City of Murphy, et al., Civil Action No. 4:11-cv-682.**

12. ADJOURNMENT

With no further business, the meeting was adjourned at 7:16 p.m.

APPROVED BY:


Bret M. Baldwin, Mayor

ATTEST:


Aimee Nemer, City Secretary

