

CITY COUNCIL MINUTES
JUNE 4, 2013 REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

Mayor Barna called the meeting to order at 6:01 p.m.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Deputy Mayor Pro Tem St. Clair gave the invocation. Mayor Barna led the recitation of the Pledge of Allegiance.

3. ROLL CALL & CERTIFICATION OF A QUORUM

City Secretary, Kristi Gilbert, certified a quorum with the following Councilmembers present:

Mayor Eric Barna
Mayor Pro Tem Owais Siddiqui
Deputy Mayor Pro Tem Ben St. Clair
Councilmember Scott Bradley
Councilmember Betty Nichols Spraggins
Councilmember Bernard Grant
Councilmember Rob Thomas

Councilmembers absent:
None

4. PUBLIC COMMENTS –

Donna Jenkins, Murphy Historical Society – Ms. Jenkins, President of the Murphy Historical Society, along with Lolisa Langer, Vice President of the Murphy Historical Society, introduced themselves to Council and provided each member with a book on the city's history entitled "Images of America: Murphy".

Greg Matocha, 151 Moonlight Drive – Mr. Matocha stated that he was representing the homeowner's along Moonlight Drive. Mr. Matocha stated that the residents would like to see a structured, data driven approach to the traffic issues along their road.

5. PRESENTATION ITEMS –

A. Presentation – Proposed Magnolia Park subdivision - Pat Atkins spoke regarding a proposed, single family residential subdivision to be located at the southwest corner of FM 544 and Maxwell Creek. Mr. Atkins stated that the proposed development would be comprised of approximately 70 lots approximately 5,000 square feet in size.

B. Chief Mark Lee updated the Council on the North Central Texas Council of Governments' Metro Safe Room Rebate Program.

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 take action, if any, on the May 21, 2013 Regular Meeting minutes.

- B. Consider and/or act upon approval of a resolution authorizing signature authority to sign and endorse checks and drafts of the City of Murphy bank accounts. (*Assigned Resolution No. 13-R-771*)
- C. Consider and take action, if any, on the approval of an ordinance approving and adopting rate schedule "RRM – rate review mechanism" for Atmos Energy Corporation, Mid-Tex division to be in force in the city for a period of time as specified in the rate schedule; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act; declaring an effective date; and requiring delivery of this ordinance to the company and ACSC legal counsel. (*Assigned Ordinance No. 13-06-954*)
- D. Consider and/or act on the application of Helen Pickard and CVS Pharmacy for approval of a Final Plat of **McCreary Marketplace**, located on the SWC of FM544 and McCreary Road.
- E. Consider and/or act on the application of Wal-Mart Real Estate Business Trust for approval of a Final Plat of **Wal-Mart Addition**, located on the NW Corner of FM 544 and Murphy Road.

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

APPROVED

Councilmember Bradley moved to approve the consent agenda as presented. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

7. INDIVIDUAL CONSIDERATION

- A. Discuss Planned Development District Ordinance No. 03-10-590 (Gables and Ranch), Section H. City Manager James Fisher stated that staff was seeking Council direction on how to proceed with residents affected by the wooden fence along McWhirter Road.

Charles Hall, 411 Sagebrush Trail – Mr. Hall stated that he moved into his house in 2006 and was told by the developer that the HOA was responsible for the fence. He stated that the current planned development ordinance requires the homeowners to maintain the fence along McWhirter and he would like to see the ordinance amended to require the HOA to maintain the fence.

Ray Shahan, 405 Sagebrush Trail – Mr. Shahan stated that the fence along McWhirter was in deplorable condition and had been damaged severely as a result of the removal of photinia bushes by the HOA. Mr. Shahan asked that the requirement of homeowner maintenance be removed from the ordinance.

David Strudwick, 323 Sagebrush Trail – Mr. Strudwick stated he agreed with Mr. Shahan's statements.

John Wideman, 404 Gene Autry Lane – Mr. Wideman stated that he was president of the HOA from 2006 through 2010 and stated that there were previously issues with drainage which resulted in the planting of the photinias by DR Horton. Mr. Wideman stated that the HOA had asked DR Horton not to install the photinias. Mr. Wideman stated that the planned development ordinance for the Gables and Ranch had been amended previously and asked the Council to look at the ordinance as a whole and not continue to nit pick at items.

Michael Teamann, 406 Sagebrush – Mr. Moon stated that, even though he did not own a fence that backed up to McWhirter, he did not have a problem with the HOA paying for the replacement cost.

The Council held discussions with regard to deed restrictions, previous amendments, aesthetics of the neighborhood and homeowner and HOA responsibilities.

Mayor Barna stated that he would like a brief from the City Attorney with regard to what can be done.

COUNCIL ACTION (ITEM 7.A.):

NON-ACTION ITEM

The Council took no action on Item 7.A.

- B. Consider and take appropriate action, if any, on professional engineering services for the Betsy Lane Widening and Drainage Improvements project from North Murphy Road to McCreary Road.

Mr. Fisher stated surplus revenue from the 121 Project, along with Collin County bond funds would be used to fund the project. He stated that no money, only staff time, would be expended at this time.

COUNCIL ACTION (7.B.):

APPROVED

Councilmember Bradley moved to authorize the City Manager to execute the engineering professional services agreement for the Betsy Lane Widening and Drainage Improvement Project. Deputy Mayor Pro Tem St. Clair seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

EXECUTIVE SESSION

The City Council convened into Executive Session at 7:11 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§ 551.076. DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS Discussion regarding a contract for Access Control/Video Surveillance for the Municipal Complex.

§ 551.087. Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 8:03 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§ 551.076. DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS Discussion regarding a contract for Access Control/Video Surveillance for the Municipal Complex.

§ 551.087. Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

COUNCIL ACTION:

APPROVE UPGRADE

Councilmember Bradley moved to authorize the City Manager to move forward with upgrading IT security infrastructure. Councilmember Nichols Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- C. Consider and/or act upon authorizing the addition of a 3rd CID position in anticipation of the opening of the new Walmart, which would require hiring an additional police officer.

Police Chief GM Cox presented the Council with the data compiled indicating the need for a third CID officer. The Council held discussions with regard to the hiring of a third officer.

COUNCIL ACTION (7.C.):

APPROVE

Councilmember Bradley moved to authorize the addition of a third CID position in anticipation of the opening of Walmart which would require the hiring of an additional police officer. Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- D. Consider and take appropriate action, if any, on an ordinance amending the FY 2012-2013 revenue and expenditure budget for the General Fund.

Finance Director Linda Truitt reviewed the budget amendments with Council.

COUNCIL ACTION (7.D.):

APPROVE

Councilmember Bradley moved to approve an ordinance amending the FY 2012-2013 revenue and expenditures budget for the General Fund with the following: increase revenues by \$67,200 based on a grant from NCTCOG; and, increase expenditures by \$79,720 for big belly trash compactors, \$16,700 for a part-time Fire Marshal \$70,000 for IT facility expenditures and \$33,000 for Police Department expenditures. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0. (*Assigned Ordinance No. 13-06-953*)

- E. Discussion regarding establishment of the FY 14 Budget schedule and planning sessions.

COUNCIL ACTION (7.E.):

NON-ACTION ITEM

The Council took no action on Item 7.E.

8. CITY MANAGER/STAFF REPORTS

Mr. Fisher provided the Council with an update on the following items:
North Murphy Road Construction Update

McCreary Road Construction Update
Murphy Central Park Construction Update
City Hall Facility Tour – June 8th
Moonlight Movie – June 14th – How to Train Your Dragon
Chamber of Commerce Meeting – June 18th
Water leak on Moonlight Drive

9. ADJOURNMENT

With no further business, the meeting was adjourned at 8:32 p.m.

APPROVED BY:



Eric Barna, Mayor

ATTEST:


Kristi Gilbert, City Secretary