

**CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 7, 2015 AT 6:00 P.M.**

1. CALL TO ORDER

Mayor Barna called the meeting to order at 6:00 pm.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Barna gave the invocation and led the Pledge of Allegiance to the United States flag.

3. ROLL CALL & CERTIFICATION OF A QUORUM

Susie Quinn, City Secretary, certified a quorum with the following Councilmembers present:

Mayor Eric Barna

Mayor Pro Tem Scott Bradley

Deputy Mayor Pro Tem Owais Siddiqui

Councilmember Ben St. Clair

Councilmember Betty Nichols Spraggins

Councilmember Sarah Fincanon

Councilmember Rob Thomas

4. PUBLIC COMMENTS

None

5. PRESENTATIONS

A. Proclamation Recognizing Child Abuse Prevention Month.

Exchange Club representatives, Rosie Neely and Shelly Bottlinger were in attendance to accept the Proclamation presented by Mayor Eric Barna.

B. Proclamation recognizing National Telecommunicator Week.

Carla Kulwicki, Communications Supervisor, Shannon Long, Jill Kristiansen and Robert Davila from the City of Murphy Support Services Department were in attendance to accept the Proclamation presented by Mayor Eric Barna.

C. Proclamation for National Service Day.

Mayor Eric Barna asked for representatives to step forward to accept this Proclamation. There being none, the proclamation was not read.

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 upon the March 17, 2015 regular meeting minutes.

- B. Consider and/or act upon the March 19, 20, 21, 2015 retreat meeting minutes.

COUNCIL ACTION (6.A.and 6.B.):

APPROVED

Mayor Pro Tem Bradley moved to approve the consent agenda as presented. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

7. INDIVIDUAL CONSIDERATION

- A. Hold a public hearing and consider and/or act on the application of Murphy Four Venture, LP requesting approval of an amendment to the Concept Plan for PD (Planned Development) District No. 12-10-923 Murphy Marketplace to include a proposed layout for the property at the northeast corner of Maxwell Creek and FM 544.

Economic Director Roberts presented the plat by Race Trac on FM 544 to council for a proposed amendment for the concept plan. The site meets requirements for the development proposed by The Tom Day Company, and there are currently users for the front area of the development. Councilmembers are concerned that the "back area" will not be developed. Tom Day explained the plan to council; have retail in the front building and use the rear space for office space; trying to find one user for the whole back building. The reason for not having retail in the back building is due to not being able to have visible signage from the main road. Council asked about possibly making the back building into a two-story office space with a single user, and Tom explained about the cost being too high. In an email from DART it was stated that the rail tracks shown on the map displaying Lot 56 as closer than 50 feet to the centerline of the tracks. It will be correct when the site plan is presented.

COUNCIL ACTION (7.A.):

APPROVED

Mayor Pro Tem Bradley moved to approve the request to amend the Concept Plan for PD (Planned Development) District No. 12-10-923 Murphy Marketplace to include a proposed layout for the property at the northeast corner of Maxwell Creek and FM 544. Councilmember Fincanon seconded the motion. For: 6. Against: 1. The motion carried by a vote of 6 to 1. Deputy Mayor Pro Tem Siddiqui voted against.

- B. Consider and take action, if any to hire a CPS consultant to conduct a compensation study.

City Manager Fisher explained there was a pay plan adopted by the uniformed Police and Fire two (2) years ago: they have worked out the problems and are ready to make a new plan to encompass regular city staff. HR Manager, Traxler has researched and brought it back into focus since she has been here. A company called CPS HR Consulting can do the pay plan for \$23,500 which will create one for regular staff and double check police and fire to make sure they are still on the right track. Mr. Fisher also explained the Managers have gone over their department's job descriptions so they can compare reasonably. Council is concerned that since it is an unbudgeted item, it might be wise to wait. They agree it is a good thing to do, but suggested to wait and place in next year's budget.

COUNCIL ACTION (7.B.):

APPROVED

Mayor Pro Tem Bradley moved to authorize the City Manager to hire a CPS consultant to conduct a compensation study for the City of Murphy as described. Councilmember St. Clair

seconded the motion. For: 5. Against: 2. The motion carried by a vote of 5 to 2. Councilmember Fincanon and Councilmember Thomas voted against.

- C. Consider and take action, if any, on the proposed ILA for providing police dispatch services for the City of Parker.

Council wants to ensure the services to Parker will not affect the Murphy residents' service. Police Chief, Cox stated it should not affect the Murphy residents' service.

COUNCIL ACTION (7.C.):

APPROVED

Mayor Pro Tem Bradley moved to approve the ILA between the City of Parker and the City of Murphy for the provision of dispatching services. Councilmember Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- D. Consider and/or act upon conducting a citizen survey for the City of Murphy.

City Manager Fisher explained to council that a citizen survey was needed as the last one was completed in 2007 by Survey Research Center at the University of North Texas. To get a true sense of what the residents think/want, Council wants to do this. They also want to try to use the same company for the next two (2) times the survey is completed in order to do a gap analysis. Council also wants to make sure multiple ways of contact are used to connect with all citizens. They also want to have the comprehensive plan proposals back at the same time as the survey proposals. Mr. Fisher suggested that if a budget amendment should be necessary that it be presented with all the other budget amendment items at the same meeting for review.

COUNCIL ACTION (7.D.):

APPROVED

Mayor Pro Tem Bradley moved to authorize staff to solicit proposals for a citizens' survey to bring back to Council for approval. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- E. Consider and/or act upon updating the Comprehensive Plan for the City of Murphy.

City Manager Fisher explained to council that traditionally cities update their Comprehensive Plan every two (2) years and our last update was in 2008. Council agreed that this needs to be done.

COUNCIL ACTION (7.E.):

APPROVED

Mayor Pro Tem Bradley moved to authorize staff to solicit proposals to update the Comprehensive Plan for the City of Murphy to bring back to Council for approval. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

- F. Discussion on the 2015 Planning Session.

City Manager Fisher recapped briefly what was accomplished during the three (3) day planning session regarding vision and purpose statements that had been put together. We need to finalize

a sense of direction, a shared vision of where the city is going. What, where, and how we want things developed. Great steps have been taken but there is still a lot of work to do. Especially when it comes to the budget. Something to keep in mind is: what we are doing, what we are funding? Does this support our vision? Council said they have had time to absorb what they talked about, so more discussion in detail will be beneficial.

G. Discussion on the FY 16 Budget Preparation Calendar.

City Manager Fisher asked council how they wanted to do the budget this year. When and how often do they want to meet? In the past there have been all day meetings on budget but that may not be the best route considering council and staff's schedules. Mr. Fisher explained that the Collin County Appraisal District will be getting back to the City of Murphy at the end of this month (April) regarding the tax increase. It is estimated it could increase 7 to 9% in valuation. This possesses its own challenges, in Austin, Texas there is legislature that might take it down to 5%. A councilmember said it would be beneficial to have some feedback from the citizen survey and another council member pointed out that the survey will fill the big gaps; but those gaps won't come out of an operational budget. City Manager Fisher pointed out that the budget in May will be preliminary. By June or July the numbers should be more solid.

H. Discussion on North Murphy Road.

City Manager Fisher recapped the history with TxDOT. November was their original walkthrough and the city created a punch list. TxDOT followed up in December, the city followed up with TxDOT in January and also on April 6, 2015. The City of Murphy will be sending HOA letters later this week asking them to advise the City of any issues or concerns they have with the road construction and entrances to their communities. The challenge with it is most of the HOA's built into the TxDOT right of way unknowingly. There was no way of knowing this at the time they built. TxDOT's philosophy is if it's in the way it shouldn't have been there in the first place. Council is concerned about the visibility for turning on the bridge. Mr. Fisher explained they have voiced their concerns to TxDOT and to the county but they said it was fine.

TxDOT is also proposing to put 1 to 3 foot retaining walls up in places they are needed. We (the city) have asked that the retaining walls be made to compliment the areas they are in, however TxDOT wants to put in grey retaining walls. The City is staying on top of this to ensure the best possible outcome. The sidewalks are of concern as well. They are being made with wooden forms, rebar on the dirt, and then pouring concrete, very little work is being done for stabilization such as putting sand down to ensure the sidewalks stay good for years to come.

The City of Murphy is also making sure they clean up the medians. Currently, there is debris that will cause damage to mowers and other equipment if left in the medians. There are also many elevation differences, sprinkler lines and meter boxes that have been damaged by the construction. The City wants TxDOT to get in contact with Lonestar Construction about the poor quality workmanship. While they have improved on some things, there are many things they have not improved. Even though TxDOT doesn't require a maintenance bond for their contractors, they should still do it right the first time so our citizens aren't inheriting something that should have been done correctly. Council members were concerned why the curbs are cracking. Mr. Fisher

explained that the City is researching this. Council may want to consider at a future meeting rescinding Resolution No.14-R-804 which would reinstate Murphy Road as a State Highway.

8. CITY MANAGER/STAFF REPORTS

A. Timbers Nature Preserve

Sixty percent (60%) of construction is completed to date. Ninety-seven percent (97%) of concrete trail has been installed. Plano is to connect across South Murphy Road. The soft surface trail cutting has started. The restroom is scheduled to be delivered in early May. The pavilion construction has begun. We are still on target to complete this project by August 2015. Council asked about moving the bathroom. Mr. Fisher's explained that the restroom has been moved as far as the Fire Chief will allow. There are also plans to heavily landscape to cover it from view for the nearby homeowners.

B. South Maxwell Creek Parallel Trunk Sewer Line

City Manager Fisher explained that we are resolving the last easement issues and the work is ready to begin. But has been delayed due to the weather.

C. Betsy Lane Road Widening Project

Last week the bids for this project were opened for evaluation and should be presented to council in May to begin the project in June. The last of the right-of-way issues are being resolved. Currently this job is still fully funded.

D. Keep Texas Beautiful Event

This event is typically very successful. Staff has been working with the Environmental Clubs at Murphy Middle School and Boggess Elementary this year for e-recycling.

E. Farmers Market

Staff has been working hard to make this a great and successful event.

9. EXECUTIVE SESSION

The City Council convened into close Executive Session at 7:33 pm pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. §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).

- B. §551.072 To deliberate the purchase, exchange, lease, or value of real property.
- C. §551.071 Consultation with 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 in regard to Safe Routes to School and Open Records Act and procedures.

10. RECONVENTE INTO REGULAR SESSION

The City Council reconvened into open session at 7:52 pm with the Mayor's announcement that no action was taken in Executive Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. §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).
- B. §551.072 To deliberate the purchase, exchange, lease, or value of real property.
- C. §551.071 Consultation with 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 in regard to Safe Routes to School and Open Records Act and procedures.
- D. Take Action on any Executive Session Items.

COUNCIL ACTION (10.A., 10.B., 10.C., and 10.D.)

NO ACTION

11. ADJOURNMENT

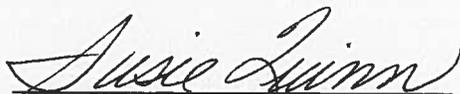
With no further business, the meeting was adjourned at 7:53 pm.

APPROVED BY:



Eric Barna, Mayor

ATTEST:



Susie Quinn, City Secretary

