

CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 18, 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 (attended via video conference until 6:59 pm when technical difficulties occurred and a reconnection was not available)

Councilmember Jennifer Berthiaume

Councilmember Betty Nichols Spraggins

Councilmember Sarah Fincanon

Councilmember Don Reilly

Absent:

Mayor Eric Barna

4. PUBLIC COMMENTS

None were presented.

5. PRESENTATIONS/PROCLAMATIONS

- A. Proclamation recognizing Plano East High School Senior - Meg Blasingame for her achievement of the Gold Award for Girl Scouts, she is a member of Girl Scout Service Unit 151.

Mayor Pro Tem Bradley recognized Meg Blasingame for her achievements.

- B. Proclamation recognizing Plano East High School Senior - Skylar Bradley for her achievement of the Gold Award for Girl Scouts, she is a member of Girl Scout Service Unit 151.

Mayor Pro Tem Bradley presented proclamation to Skylar Bradley for her achievements.

- C. Proclamation recognizing Plano East High School Senior - Alyssa Chang for her achievement of the Gold Award for Girl Scouts, she is a member of Girl Scout Service Unit 151.

Mayor Pro Tem Bradley presented proclamation to Alyssa Chang for her achievements.

- D. Proclamation recognizing Plano East High School Senior - Ashley Rodda for her achievement of the Gold Award for Girl Scouts, she is a member of Girl Scout Service Unit 151.

Mayor Pro Tem Bradley recognized Ashley Rodda for her achievements.

- E. Proclamation recognizing Plano East High School Senior - Priyanka Suri for her achievement of the Gold Award for Girl Scouts, she is a member of Girl Scout Service Unit 151.

Mayor Pro Tem Bradley presented proclamation to Priyanka Suri for her achievements.

- F. Proclamation recognizing May as Motorcycle Safety Awareness Month.

Mayor Pro Tem Bradley explained that Motorcycle Safety Awareness Month urges residents to do their part to increase safety and awareness for motorcyclists in the community. Several motorcycle riding clubs joined Mayor Pro Tem Bradley at the podium in accepting the proclamation.

- G. Presentation of the financial and investment report for the month ending March 31, 2017.

Finance Director Karen Montgomery presented PowerPoint slides to Council with financial information ending March 31, 2017. The Account Balances slide highlighted major accounts detailing six (6) months of information that also included interest earned along with the interest rate of .57%.

Sales tax slide included the numbers received in April, and Council was reminded that would be for the February sales as there is a two month lag. April sales tax collections: \$25,275 more than last April, which was a 10% increase for the month and a 9% increase YTD. Five out of the seven months reported have had double digit increases.

General Fund Revenue slide explained that the Property taxes totaled \$7.1 million received, or 99.5% of the budget. Sales tax totaled \$1 million, or 52% of the budget. Other revenue: TML insurance payments of \$795,245. Permits & Licenses included four (4) Single Family issued in March 2017; twenty (20) total year to date. Five (5) single family permits issued in March 2017; twenty-eight (28) total year to date.

General Fund Expenditure's slide explained that Expenditures are at 51% of the budget. Key variances from last month are still affecting YTD results: Facilities is over budget (142%) due to 2016 hail storm (FY17 - \$623,330). IT is 70% expended due to hardware purchases and equipment leases. Pay Plan increases in all departments. Timing of purchases affects variances.

Utility Fund Revenue & Expenditures slide explained that Water Revenue is at 38% of the budget for FY17 versus 47% of budget in FY16. Wastewater revenue is at 47% of the budget. Water and sewer costs are higher than the prior year. Sales (usage) is expected to increase in summer but is very weather dependent.

Investment Report slide is presented to Council quarterly detailing the first quarter December 31, 2016 and second quarter March 31, 2017 along with changes (or differences).

6. CITY MANAGER/STAFF REPORTS

- A. Sidewalk Rehabilitation Program – Public Services Director Tim Rogers stated that the sidewalk program funds have been expended and will begin the program again in October 2017. At this time Staff is determining the necessary funds for 2018.

- B. South Maxwell Creek Sewer Line – Public Services Director Tim Rogers stated that during the past two weeks, weather has slowed the project. The contractor's plan is to complete the project by the end of May with testing to be completed in June.

- C. Upcoming CPAC Town Hall Meetings – City Manager Mike Castro provided to Council an update on the upcoming CPAC town hall meetings. The first meeting is Saturday, April 22 at 9:30am in the Council Chambers and will begin with an exhibit in the lobby of the Council Chambers. The exhibit will be manned by Staff and CPAC members to answer any questions for the first thirty (30) minutes. The formal meeting will be held in Council Chambers with CPAC Chair providing an overview of the process to date, actions the committee has taken and a "question & answer" period. It should all wrap up about 11:00am. The second CPAC town hall meeting will be held on Tuesday, April 25 at 6:30pm in the Council Chambers. The meeting will follow the same format as the first meeting.

- D. Update on the Tunes, Tails and Ales event – Recreation Services Manager Caitlyn Mullins presented to Council an update on the upcoming Tunes, Tails and Ales event to be held on Saturday, April 29. VIP Access will begin at 1:00pm with everyone receiving a ticket and parking pass. In the package are red wristbands for your children that will have parent contact information. General admission will begin at 2:00pm with a DJ providing entertainment from 2:00 – 4:00pm within the craft beer tent location. The car show will be located between Plano Sports Association and fields from 2:00 – 6:00pm. VIP parking will have limited availability until about 2:00pm as PSA has scheduled activities planned on Saturday, 4/29 as well. Five (5) confirmed food trucks will be onsite. Cajun Crawfish Company will be located by the food truck area and will be selling crawfish tickets (1 ½ lb. \$12.00 and 2 lbs. \$15.00) while supplies last. There will not be a scheduled shuttle service from the event to Kimbrough Stadium but individuals can park at the Stadium and walk to Central Park. Parking will be offered at City Hall along with staff should be able to transport some of the crowd to and from in golf carts if needed. Activities in the Pint Size area will include a slip and slide (no age limit), bounce house and obstacle course. In the concession stand will be selling bottle water, can sodas, Gatorade for \$2.00 each and make your own root beer float kits at \$4.00 a kit. Question was asked if GaGa Ball would be available, nothing planned but will inquiry if possible to have onsite. A list of the craft beer vendors is on the website. Question was asked what is the plan in

case of inclement weather for Saturday, 4/29. Staff's plan is to move the craft beer area to a concrete area under a tent in the location where the car show would have been as the car show will probably cancel since they usually do not like to participate in rainy weather.

E. Other 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
- Early Voting begins Monday, April 24, 2017 at Murphy Community Center – from 8 am to 5 pm at 205 North Murphy Road, Murphy, Texas 75094 and continue through Saturday, April 29, 2017. It will also take place from 7 am to 7 pm on Monday, May 1 and Tuesday May 2, 2017 at the same location. Other early voting locations can be found at *Early Voting Locations and Calendar*
- Drug Take Back (Police Dept 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 to 8:00 pm, Murphy Central Park, 550 North Murphy Road, Murphy, Texas 75094
- Election Day Voting on Saturday, May 6, 2017 from 7:00 am to 7:00 pm, Murphy Community Center at 205 North Murphy Road, Murphy, Texas 75094

7. **INDIVIDUAL CONSIDERATION**

- A. Consider and/or act to approve the April 4, 2017 Regular Council meeting minutes. *Susie Quinn, City Secretary*

COUNCIL ACTION (7.A)

APPROVED

Councilmember Reilly moved to approve the April 4, 2017 Regular Council meeting minutes. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 6-0. (Mayor Barna was absent).

- B. Hold a public hearing and consider and/or act on approving Ordinance Number 17-04-1036 amending Chapter 26, Section 02.012, Political Signs, of the Murphy Code of Ordinances. *Jared Mayfield, Community & Economic Development Director*

Community & Economic Development Director Jared Mayfield addressed Council that there are two sections of Murphy Code of Ordinances concerning signs that are in need of immediate change. This ordinance deals with Political Signs that are placed on city owned property. The election polling location has changed from City Hall to the Murphy Community Center. Therefore, the area that signs can be placed on city property needs to be revised to reflect that change. On March 27, 2017 the Planning and Zoning unanimously recommended approval of this item. Staff to address Section 26.02.012 (H) (ii) regarding the total area of a sign on city-owned property may not exceed nine (9) square feet should be brought back to Council for consideration at a later time and date.

PUBLIC HEARING OPENED at 6:39pm

David Brandon, resident is not opposed to the change in size for signs.

PUBLIC HEARING CLOSED AT 6:40pm

COUNCIL ACTION (7.B.):

APPROVED

Councilmember Reilly moved to approve the amendment to Ordinance Number 17-04-1036 amending Chapter 26, Section 02.012 of the City Charter in reference to Political Signs as presented with the amendment of removing the change to 26.02.012 Section 1 (H) (ii) which will leave the size of the sign at sixteen (16) feet and to amend Section 26.02.012, Section 1 (H) (iii) to say that on election day, candidates and/or supporters may place campaign signs by removing "the east lawn across from the city hall south parking lot", language and inserting "the area west of the entrance lanes to the Murphy Community Center and west of the parking area of the Murphy Community Center", as long as the signs are placed outside the mandated election boundary lines. Councilmember Berthiaume seconded the motion. For: Unanimous. The motion carried by a vote of 6-0. (Mayor Barna was absent).

- C. Hold a public hearing and consider and/or act to approve Ordinance Number 17-04-1037 amending Chapter 26, Section 02.024, Attached Signs in Business Districts, of the Murphy Code of Ordinances. *Jared Mayfield, Community & Economic Development Director*

Community & Economic Development Director Jared Mayfield addressed Council that this is the second of two sections of the Murphy Code of Ordinances concerning signs that needs an immediate change. This ordinance deals with Attached Signs in Business Zoning Districts. Currently, the code is silent on the number of attached signs (wall signs) that are allowed per tenant space. The proposed revisions will clarify that up to two attached signs are allowed within 100 feet of a residential zoning district as well as not allowing illuminated signs to face residential zoning districts. On March 27, 2017 the Planning and Zoning Commission unanimously recommended approval of this item. A new tenant, Jersey Mikes had three permits issued for three signs (front facing, side facing and rear facing on three sides) with a variance progressing through the process. Several business have more than one sign so therefore they will be grandfathered through the process. Businesses would conform to the new ordinance as tenant ownership changes, would affect new business tenants and in unique situations would allow a business to ask for a variance.

PUBLIC HEARING OPENED at 6:47pm

Bob Mortonson, resident is not in favor of limitation of signage.

PUBLIC HEARING CLOSED at 6:49pm

COUNCIL ACTION (7.C.):

APPROVED

Councilmember Berthiaume moved to approve Ordinance Number 17-04-1037 amending Chapter 26, Section 26.02.024 "Attached Signs in Business Districts" of the Murphy Code of Ordinance as presented. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 6-0. (Mayor Barna was absent).

8. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) at 6:50 pm to discuss the following:

- A. § 551.071(1): Consultation with City's Attorney regarding pending or potential litigation – *Kevin Johnson - 437 Lakefield, Murphy, Texas.*

9. RECONVENE INTO REGULAR SESSION

The City Council reconvened into Regular Session at 7:00 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(1): Consultation with City's Attorney regarding pending or potential litigation – *Kevin Johnson - 437 Lakefield, Murphy, Texas.*

COUNCIL ACTION (9.A.):

APPROVED

Councilmember Fincanon moved to authorize the City Attorney to file a lawsuit seeking a temporary restraining order and injunction to stop the operation of a business at the residence located at 437 Lakefield, Murphy, Texas, and seeking all other relief and damages to which the City is entitled. Councilmember Berthiaume seconded the motion. For: Unanimous. The motion carried by a vote of 6-0. (Mayor Barna was absent).

10. ADJOURNMENT

With no further business, a motion was entertained by the Mayor Pro Tem Bradley and the Council meeting adjourned at 7:01 pm.

APPROVED BY:


Scott Bradley, Mayor Pro Tem

ATTEST:


Susie Quinn, City Secretary

