

STATE OF TEXAS

§

January 21, 2013

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on January 21, 2013.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR PAM HOWETH. COUNCIL MEMBERS JOHNSON, PLYLER, SMITH, SOFEY, SOFTLY.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Joe Smith.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of January 7, 2013. Deputy Mayor Howeth moved to approve the Minutes as presented; Second by Council Member Johnson. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"DR. MARTIN LUTHER KING, JR. DAY" – JANUARY 21, 2013
Council Member Softly read a proclamation designating January 21, 2013 as "Dr. Martin Luther King, Jr. Day" in the City of Sherman.

DR. MARTIN LUTHER
KING, JR. DAY
(JAN. 21, 2013)

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5762 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN AT THE INTERSECTION OF RICKETTS STREET AND HUNT STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5762
STOP SIGN

No citizens appeared before the City Council to discuss Ordinance 5762.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5762

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN AT THE INTERSECTION OF RICKETTS STREET AND HUNT STREET WITHIN THE CITY LIMITS OF

ORD 5762
STOP SIGN

COUNCIL MINUTES – JANUARY 21, 2013

THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5762, as presented. Second by Council Member Johnson.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Sofey moved to approve the Consent Agenda, as presented. Second by Council Member Softly. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5736 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO TEXAS INSTRUMENTS INCORPORATED FOR THE CONSTRUCTION OF A PIER SIGN OVER A WATER AND SEWER EASEMENT IN THE WILLIAM MARTIN SURVEY, A-765 WITHIN THE CITY OF SHERMAN (6412 U.S. HIGHWAY 75)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO TEXAS INSTRUMENTS INCORPORATED FOR THE CONSTRUCTION OF A PIER SIGN OVER A WATER AND SEWER EASEMENT IN THE WILLIAM MARTIN SURVEY, A-765 WITHIN THE CITY OF SHERMAN (6412 U.S. HIGHWAY 75).

CONSENT AGENDA.

RES 5736
TEXAS INSTRUMENTS
SIGN

RESOLUTION NO. 5737 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MORRISON SUPPLY COMPANY, INC. FOR AN ANNUAL SUPPLY OF WATER AND SEWER DISTRIBUTION AND COLLECTION MISCELLANEOUS PARTS AND MATERIALS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MORRISON SUPPLY COMPANY, INC. FOR AN ANNUAL SUPPLY OF WATER AND SEWER DISTRIBUTION AND COLLECTION MISCELLANEOUS PARTS AND MATERIALS.

CONSENT AGENDA.

RES 5737
WATER & SEWER
ANNUAL SUPPLIES

RESOLUTION NO. 5738 – AWARDING BIDS TO AND AUTHORIZING EXECUTION OF CONTRACTS WITH MULTIPLE VENDORS FOR AN ANNUAL SUPPLY OF CHEMICALS FOR THE SHERMAN WATER TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING BIDS TO AND AUTHORIZING EXECUTION OF CONTRACTS WITH MULTIPLE VENDORS FOR AN ANNUAL SUPPLY OF

RES 5738
WATER TREATMENT
PLANT ANNUAL
CHEMICALS

CHEMICALS FOR THE SHERMAN WATER TREATMENT PLANT.
CONSENT AGENDA.

REQUEST TO ADVERTISE
MAGNETIC FLOW METERS AND RELATED EQUIPMENT
FOR WATER PRODUCTION FACILITIES

The City Council approved the request to advertise for a bid for magnetic flow meters throughout the City's Water Production Facilities.

The current Capital Improvement Program contains a project to upgrade meters and the telemetry system in the water production area. The metering equipment at the City's wells and pump stations has reached the end of its useful life and must be replaced. Magnetic flow meters will be used to replace existing turbine meters throughout the facilities. The replacement meters will improve efficiency and optimize revenues for the water production facilities.

CONSENT AGENDA.

CITY RIGHT-OF-WAY AND PROPERTY MOWING

The City Council approved the request to advertise for the annual mowing of certain City street right-of-ways and other City properties.

CONSENT AGENDA.

OTHER BUSINESS

RECEIVE CHIEF ANIMAL CONTROL OFFICER SCOTT PARKER'S PRESENTATION ON SHERMAN'S VOLUNTEER AND ADOPTION PROGRAM

Scott Parker, Chief Animal Control Officer, briefed the Council on the City's Volunteer and Adoption Program. The Adoption Program focuses on placing unwanted animals in loving homes. The Volunteer Program uses individuals and groups that come to the Animal Shelter almost daily to exercise and socialize the animals.

In October 2012 adjustments were made to the Shelter's hours to allow them to set up the adoption trailer at PetCo three times weekly. A small core group of volunteers work with paid employees daily and are trained to participate in these pet adoptions. This change has dramatically increased pet adoptions and reduced the euthanasia rates.

Mr. Parker said they recently also had an Adopt-A-Pet Challenge. A citizen "put up" \$5,000 to see if others would match the donation. Through the challenge, the Animal Shelter had 32 donations for a total of almost \$13,000. The Pay Pal donation account will be left on the City's website so others can donate to the Volunteer Program.

Besides minor medical, the Volunteer Program also provides some grooming services. Mr. Parker said the grooming really makes the difference in the appearance of an animal and makes it more adoptable.

REQ TO ADVERTISE
WATER PRODUCTION
EQUIPMENT

R-O-W & PROPERTY
MOWING

ANIMAL CONTROL
PROGRAM

Donations have also been used for the addition of three 50x50 exercise kennels. These kennels give the volunteers additional room to exercise the animals. They are also used during the Adopt-A-Thon events.

Currently adoptions are held three times each week at PetCo and volunteers work alongside staff to clean and to help with adoption paperwork.

Donations will also be used to purchase an office trailer for the Adopt-A-Thons. Currently the staff and volunteers are working out of a horse trailer. There are also plans to accept credit cards for adoptions.

Mayor Wacker acknowledged the citizen that started the challenge and said the additional funding really helps make a difference in what they are able to do. Mr. Parker also introduced many volunteers that were in attendance.

Deputy Mayor Howeth confirmed that volunteers under 18 years of age must be accompanied by a parent.

RECEIVE PRESENTATION FROM CITY ENGINEER CLAY BARNETT ON THE SHERMAN-DENISON METROPOLITAN PLANNING ORGANIZATION'S ROAD PROJECTS

MPO ROAD PROJECTS

Clay Barnett, City Engineer, presented a briefing on the Sherman-Denison Metropolitan Planning Organization's Road Projects. He presented a list of five year projects, some that were approved by the MPO Board and others that are non-discretionary projects from the Texas Department of Transportation.

Two projects currently under construction are the FM 131/US 82 Widening and Signal project for \$1.25 million and the SH 91 Overlay for \$2.425 million. He also outlined projects for future years. The US 75 project was added last year for 2013 and was funded by money received by the MPO from the State. TxDOT partnered with the MPO and designated \$10.3 million to rehabilitate the road at Sherman's southern boundary.

Mr. Barnett said the US 82/Travis Street project involves widening Travis Street and the Frontage Road at US 82 and installing traffic signals. A new City street was also constructed. The project is nearly complete. He emphasized that traffic is directed left at the new street in order to travel south on Travis Street.

The Texoma Parkway project includes concrete pavement repair and a mill and overlay of the surface for \$2.4 million. The project is currently on hold until warmer weather when the asphalt can be laid.

Mr. Barnett addressed the Loy Lake Bridge Widening over US 75. TxDOT is funding the project at \$5.6 million. The owner of the Sherman Commons Development has asked

about the possibility of partnering with the City and TxDOT to raise the street significantly for better visibility of their development and to give them a new entrance. Currently the City, TxDOT, and the developer are working together to try and accomplish that objective.

The project would also require the widening of Loy Lake Road. Council Member Smith verified that the project is scheduled for 2013. Council Member Sofey asked if the City would incur the cost for the widening of Loy Lake Road. Mr. Barnett said there is approximately \$700,000 in the Tax Increment Financing No. 2 Fund that could be used for the project. Robby Hefton, Assistant City Manager/CFO, said there is also some money left from the 2008 bond issue for streets, which could be combined with the TIF dollars for the City's portion of the project.

Council Member Softly verified that the proposed widening of Loy Lake Road would continue south to Sara Swamy Drive, where a traffic signal would be installed. Mr. Barnett showed a proposed drawing of the changes, which would raise the road in front of the Sherman Commons Development and would extend Loy Lake Road to four lanes.

Mr. Barnett also introduced the new Sherman-Denison MPO website.

Mayor Wacker said the Council is excited about the projects slated for 2013 and said they are "much needed" and will be appreciated by citizens and by visitors.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZEN'S REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

TRANSPORTATION EXCELLENCE FOR THE 21ST CENTURY (TEX-21)(1)

TEX-21 BOARD

Mayor Wacker explained that last year the City Council voted to pay for a membership in the Transportation EXcellence for the 21st Century (TEX-21) organization. She recently attended a meeting and felt that it was still important for Sherman to participate in the organization.

Currently Sherman has one voting member and one secondary member that attends in the main member's absence. She said she would like to continue serving as the Mayor and asked that Council Member Smith serve as the secondary member.

ACTION TAKEN.

Motion by Council Member Johnson to appoint Mayor Cary Wacker to the Transportation EXcellence for the

COUNCIL MINUTES – JANUARY 21, 2013

21st Century (TEX-21) Board for a term from January 22, 2013 to January 22, 2014. Second by Council Member Smith.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

MEALS ON WHEELS OF TEXOMA BOARD OF DIRECTORS

(1)

ACTION TAKEN.

Motion by Council Member Smith to appoint Council Member Robert Softly to the Meals on Wheels of Texoma Board of Directors for a term from January 22, 2013 to January 22, 2015. Second by Council Member Sofey.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

MEALS ON WHEELS
BOARD

COUNCIL COMMENTS

DR. MARTIN LUTHER KING, JR. SPEECHES

Council Member Plyler encouraged everyone to take a look at Dr. Martin Luther King's speeches and get familiar on his stand on social justice and what he did for our country.

DR. MARTIN LUTHER
KING, JR. SPEECHES

PET ADOPTION VOLUNTEERS

Council Member Smith thanked the volunteers and staff that worked with the pet adoptions, adding that it has worked. It is a good thing, and he thanked the volunteers for taking their time to help.

PET ADOPTION
VOLUNTEERS

PRESIDENTIAL INAUGURATION

Deputy Mayor Howeth said she had been watching "politics" since the early morning. Today is the Presidential Inauguration and she felt very fortunate that we live in a country where there is citizen's input into government and a peaceful transition of government, unlike many countries.

PRESIDENTIAL
INAUGURATION

DR. MARTIN LUTHER KING, JR. EVENTS

Council Member Softly said he has been participating all day in events for Dr. Martin Luther King, Jr. Day. He thanked all the citizens that have been a part of the events and encouraged them to enjoy the day.

PET ADOPTION VOLUNTEERS

Council Member Sofey thanked the volunteers and staff for all their work with the pet adoptions.

PET ADOPTION
VOLUNTEERS

POLICE CHIEF TOM WATT'S RETIREMENT

Council Member Sofey said Police Chief Tom Watt has announced his retirement and he said he appreciated all the work he has done.

POLICE CHIEF
TOM WATT'S
RETIREMENT

He also thanked the police officers for apprehending the people that were involved in the chase last week that ended downtown in front of his business.

POLICE CHIEF TOM WATT'S RETIREMENT

Mayor Wacker said the City will be celebrating Chief Watt's retirement and his service to the City soon.

**POLICE CHIEF
TOM WATT'S
RETIREMENT**

ANIMAL SHELTER DONATION CHALLENGE

Mayor Wacker thanked the citizens that participated in the Animal Shelter's Donation Challenge. She appreciated all those that gave money to this worthy cause. Mayor Wacker also recognized the citizen that helped start the challenge. She said this was a great example of how the citizens and government work together.

**ANIMAL SHELTER
DONATION
CHALLENGE**

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

EXECUTIVE SESSION

SECTION 551.071(1) CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING
LITIGATION

SECTION 551.071(2) CONSULTATION WITH CITY
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:
CONSULT WITH THE CITY
ATTORNEY REGARDING LEGAL
ISSUES WITH ORDINANCE
REVISIONS

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:28 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:53 p.m. and reconvened in Open Meeting.

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

OPEN MEETING

COUNCIL MINUTES – JANUARY 21, 2013

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:56 p.m.

ADJOURNMENT

MAYOR

CITY CLERK