

STATE OF TEXAS

§

January 20, 2014

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 20, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.
COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, SOFEY,
WATT.

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 Ryan Johnson.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of January 6, 2014. Council Member Sofey moved to approve the Minutes as presented; Second by Council Member Plyler. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"DR. MARTIN LUTHER KING, JR. DAY" – JANUARY 20, 2014
Mayor Wacker said a breakfast was held earlier today at Austin College to kick-off celebrations for "Dr. Martin Luther King, Jr. Day." The theme for the day has often been centered on the idea of service and she recognized Deputy Mayor Softly for his service to the community and asked him to read the proclamation.

DR. MARTIN LUTHER
KING, JR. DAY
(JAN. 20, 2014)

Deputy Mayor Softly read the proclamation designating January 20, 2014 as "Dr. Martin Luther King, Jr. Day."

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5808 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", AT ARTICLE 4.03, ENTITLED "AMBULANCE SERVICE", TO AMEND SECTIONS 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 AND 4.03.025, TO ADD SECTION 4.03.004 AND TO DELETE SECTION 4.03.026 IN ITS ENTIRETY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5808
AMBULANCE
SERVICE

J.J. Jones, Fire Chief, explained that Chapter 4 was originally amended in 2006 and many operational things

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have changed since then. The amendment addresses two issues, the first being that the old ordinance required that private ambulances must be franchised by the City Council. That is an arduous process for companies.

The new ordinance changes that requirement to a permit process instead. This guarantees that the ambulance companies working in Sherman have personnel and vehicles that are permitted by the State and provide the best service to the citizens. It also provides Sherman with an opportunity to explain how they operate and to share radio frequencies.

The second change is the billing process. The current ordinance itemizes each medicine or piece of disposable equipment that is used. That is sometimes “a billing nightmare” as medicines and procedures change. Rather than formally amending the ordinance with every minor adjustment, this would allow the City Manager and Finance Department to approve these minor modifications without coming back to the City Council for approval.

Council Member Watt asked how the City would ensure quality control for substandard service. Chief Jones said any company working in the City will be subject to the permitting process and will be required to register with the City. This will also provide documentation that the vehicles and personnel are permitted and licensed by the State. They will actually be issued a permit sticker. Council Member Watt verified that the Texas Department of Health Services oversees their performance.

Council Member Plyler asked if the permits had an expiration date and the process for renewal. Chief Jones said they propose that the permits would be issued annually and there is an application and a permit fee for each vehicle.

Also, Chief Jones said any new company coming to Sherman should provide a statement of need for service so that numerous ambulance services are not competing for a small market. They don't want to limit the number of companies, but they don't want companies that are just “testing the market.”

Council Member Plyler asked if the private ambulance companies offered the quality of care that Sherman citizens deserve. Chief Jones said they did. In 2007, the Fire Department stopped providing non-emergency transfers. Initially there were several companies that came to Sherman to “test the waters” and tried to provide transfer service. Some of the companies were better than others, but what remained was “the cream of the crop,” he added.

Mayor Wacker verified that the proposed ordinance primarily relates to transfers. Chief Jones said as the City's service demand increases, they would be depending on a company that would be available if needed.

Mike Ingraham, 501 S. Austin, Georgetown, Texas

Mr. Ingraham is the Vice President of Operations for Allegiance Ambulance, which is one of the services currently located in Sherman.

Mr. Ingraham said his ambulances are licensed identically to the way Chief Jones' ambulances are licensed, through the Department of State Health Services in Texas. He is required to have the same equipment and the same level of training for the paramedics and the EMTs. The only difference between the Chief's ambulances and Allegiance's ambulances is who is operating them.

He added that the ambulances are governed by the State of Texas and through the proposed franchise, the City of Sherman will also have the authority to become involved.

Mr. Ingraham said this type of ordinance does limit the number of ambulance companies that can come into an area, because if an area becomes over saturated, the only way you can survive is to "cut corners." If a service begins cutting corners, then patient care does go down. If the franchises are limited based on need, then there is enough work for everyone.

He added that this type of ordinance is occurring in most cities and is not unusual. He said they are in support of Chief Jones 100% and if something major happens, Allegiance's resources are his. If needed he can also pull resources out of Dallas.

No other citizens appeared before the City Council to discuss Ordinance 5808.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", AT ARTICLE 4.03, ENTITLED "AMBULANCE SERVICE", TO AMEND SECTIONS 4.03.003, 4.03.021, 4.03.023, 4.03.0232, 4.03.024 AND 4.03.025, TO ADD SECTION 4.03.004 AND TO DELETE SECTION 4.03.026 IN ITS ENTIRETY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5808
AMBULANCE
SERVICE

ACTION TAKEN.

Motion by Council Member Watt to approve Ordinance No. 5808, as presented. Second by Council Member Johnson.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 5836 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1514 NORTH BRENTS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1514 NORTH BRENTS AVENUE.

CONSENT AGENDA.

REQUEST TO ADVERTISE

LOY LAKE ROAD IMPROVEMENT PROJECT

Clay Barnett, Director of Public Works and Engineering, said this project is a public – private partnership between the City of Sherman, United Commercial Realty, and the Texas Department of Transportation, and includes the Loy Lake Bridge at US Hwy 75.

Of the approximately \$6.3 million cost, TxDOT is funding \$4.6 million, United Commercial Realty is funding \$1.3 million, and the City is paying \$400,000.

The City's portion consists of extending a four lane median divided section from the TxDOT right-of-way to Sara Swamy Drive and adding a traffic signal at Sara Swamy Drive.

The current request is to advertise the City's portion of the project for a public bid.

Mayor Wacker asked for an update on the Loy Lake Bridge Project. Mr. Barnett said TxDOT has scheduled a pre-construction meeting on Wednesday, January 22, 2014 and construction on the bridge should begin a couple of weeks after that. He added that the anticipated schedule for construction is 12 to 18 months.

Council Member Watt asked if there were any long range plans to do the same thing at Gallagher Road. Mr. Barnett said Gallagher Road is designated as a minor thoroughfare on the transportation plan, which would be a four lane median divided section. There are currently no Capital Improvement Projects or funds available for that project at this time.

ACTION TAKEN.

Motion by Council Member Johnson to approve the

CONSENT AGENDA

**RES 5836
RESIDENTIAL TAX
ABATEMENT
(1514 N. BRENTS)**

**REQ TO ADVERTISE
LOY LAKE ROAD
IMPROVEMENT
PROJECT**

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request to advertise for the construction of the Loy Lake Road Improvement Project, as presented. Second by Deputy Mayor Softly.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

DR. MARTIN LUTHER KING, JR. EVENTS

Deputy Mayor Softly said there was a good crowd at the breakfast this morning for "Dr. Martin Luther King, Jr. Day." There was a dynamic singer and speaker, and anyone that did not attend missed a great event.

READING OF ORDINANCE

Council Member Watt recognized Linda Ashby, City Clerk, for her reading of Ordinance 5808 earlier in the meeting.

ANNOUNCEMENTS

Mayor Wacker announced the following:

- The Sherman Public Library is hosting AuthorFest on January 23, 2014 from 6:30 p.m. to 8:30 p.m. at the Library. Award winning author Joan Bauer will discuss her books and will hold a book signing.
- In honor of Black History Month, the Community Series will present Bandan Koro: African Drum and Dance on February 1, 2014 at 7:30 p.m. in Kidd-Key Auditorium.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:19 p.m.

CITIZENS REQUESTS

MEDIA QUESTIONS

DR. MARTIN
LUTHER KING, JR.
EVENTS

READING OF
ORDINANCE

ANNOUNCEMENTS

ADJOURNMENT

MAYOR

CITY CLERK