

January 18, 2016

**MEMBERS PRESENT: MAYOR DAVID PLYLER.
COUNCIL MEMBERS COUCH, DAVIS, JOHNSON, STEELE,
WATT.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**DR. MARTIN LUTHER
KING, JR. DAY
PROCLAMATION
(JAN. 18, 2016)**

**ORD 5928
CLOSING &
ABANDONING
SEASONS WEST
ROW**

Ms. Richards said her family recently built a home in The Preserve Subdivision at the end of Seasons West Avenue. She learned that the Seasons West Homeowners Association is prepared to pay and build a gate to close Seasons West Avenue, next to their home. This gate would cut their home off completely from access to Seasons West Avenue and US Hwy 56.

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access code or remote control to go through the gate. It would also not be made available to emergency vehicles.

She said there are approximately 47 homes completed in The Preserve and there are five or six lots left to be sold. She said homeowners in The Preserve are opposing this gate, which would adversely affect many families in the area.

Ms. Richards was concerned about the additional length of time it will take emergency personnel or firefighters to reach the homes in The Preserve if the road is closed. First responders to her subdivision come from near US Hwy 82 at Pecan Grove Park, down FM 1417. She said to access The Preserve from Quail Run takes longer, especially during rush hour. She said the intersection at FM 1417 and Quail Run is also dangerous because there is no traffic signal.

Ms. Richards said she has been told that the issue is about speeding as well as the fact that the road was not originally designed for heavy traffic. She said there is currently no speed limit signs on Seasons West Avenue to alert citizens to the speed limit.

After reading the Traffic Study, she determined that less than 3% of the drivers in the study were going 55 mph or over. She said most drivers were not speeding. She added that construction in the subdivision is almost complete and traffic should then be reduced.

Ms. Richards felt that installing speed limit signs, stop signs at intersections in both Seasons West and in The Preserve, and fully completing Swan Ridge Drive through to SH 56, would greatly reduce the speed and the amount of traffic on Seasons West Avenue and would allow emergency responders to have access in and out of her neighborhood.

Matt Charske, 309 Seasons West

Mr. Charske has lived in the Seasons West Subdivision for about seven years. When the road was originally closed, most residents in the area purchased houses because it was a cul-de-sac with limited traffic.

Since the road has been open he has been talking to the Engineering Department about what might be done to restrict traffic. Everyone in this neighborhood is happy that closing the road is a possibility.

Mr. Charske said he is concerned about speeding and the number of children in his neighborhood. He said many of the speeders are young adults who “live on the other side” and he has had several confrontations with them about their speeding.

Seasons West has no sidewalks or curbs and the houses are away from the street on one acre lots, which offers a “free pass” for speeders. He added that Country Ridge has been

open for about 13 years and for many of those years they only had access on FM 1417, which has a dedicated turn lane. He said entering on SH 56 is more dangerous because there is no turn lane.

Mr. Charske has measured both routes and said there is only about .2 miles of difference. He said it would not be out of the way for emergency vehicles to reach The Preserve.

He said, based on the Traffic Study and the fact that the street was not built for heavy traffic, he felt the City should close Seasons West Avenue.

Samuel Boyle, 4511 Hummingbird Dr.

Mr. Boyle lives in The Preserve, at the corner of Hummingbird Drive and Seasons West Avenue, and the most convenient way to get there is on SH 56, therefore he was against closure of Seasons West Avenue.

He added that if Seasons West Avenue was closed, that would leave one way in or out of their neighborhood. If Quail Run Road was closed, he said citizens could get out by taking Park Street to Friendship Road to SH 56, but that is miles out of the way and would be prohibitive in an emergency situation.

He has seen the Traffic Study and he agreed that speeding is an issue, but felt there were other alternatives that might be instigated prior to closing the street. He suggested speed limit signs, speed bumps, “children at play” signs, or yield signs at the intersections.

John Payne, 802 Swan Ridge Dr.

Mr. Payne lives in The Preserve and was against closing Seasons West Avenue. He was concerned about the safety issue. There is a large electrical line on Quail Run Road and if that line was down, residents would be “trapped.”

He said FM 1417 was not a safe road to enter the subdivision, because even with the turn lane, cars go around those turning. There was recently an accident on FM 1417 and the roadway was closed for 42 minutes. During that time, no one was able to leave the neighborhood.

Mr. Payne said in a medical emergency, SH 56 is faster to Wilson N. Jones Hospital. He said he had no problem with closing Seasons West Avenue if Swan Ridge Drive was completed. The residents need another way in and out of the development because one way is a safety hazard.

Mr. Payne said the City has a traffic calming plan, but none of the level 1 suggestions were ever tried and residents of The Preserve were not invited to the meeting. He urged the Council to try other approaches instead of closing the road.

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Paul Reyna, 711 Swan Ridge Dr.

Mr. Reyna said he is not in support of the barricade. His wife has a medical condition and the quickest way to get emergency help for her is on SH 56. He said he understood the concerns about speeding.

He said he did not oppose the barricade if there was a second way to enter or leave the subdivision that was quick and safe. He said as a taxpayer, he should have access to the road and felt that the City should try speed bumps, stop signs, or other methods, rather than the barricade.

One reason Mr. Reyna chose to purchase a home in the subdivision is that it was close to his work and the easiest way to get there is SH 56. He said barricading the road would affect school bus routes and trash pickups. He asked the Council to look at the “big picture.”

Dustin Williams, 400 Seasons West

Mr. Williams said his main concern was safety and when the barricade has been discussed, it was always a breakaway gate, with a lock for the Fire Department, so it could be accessed from both sides. The gate would not be an entry/exit gate to close both sides of the neighborhood, but a breakaway gate to stop through traffic.

He said as for inconvenience versus safety, he measured, and the distance is minimal from one of their other access points into The Preserve. He reiterated that Seasons West has no sidewalks, no curbs, and no “dips” to slow traffic. He said it is probably one of the longest residential straight-aways in Sherman.

Mr. Williams said the first Speed Study was completed in the area a couple of years ago and they were “just under the threshold” of action. It showed that about 70% of traffic was 10 mph over the speed limit, and they needed 75% to begin the process.

Mr. Williams has called the Police Department to patrol the area several times and they have. It works for awhile, but they are short handed and can’t always be there.

This summer he asked for a second speed study and the number of speeders has increased. He said the study showed that, in a 24 hour period, five cars were driving 74+ mph.

He said the road was not built for that much traffic and the road is weakening and will have major problems.

Bruce French, History Maker Homes, 9001 Airport Freeway, North Richland Hills, Texas

Mr. French appeared representing History Maker Homes and has been involved in the acquisition of lots, over five years ago. At that time there was a recorded plat with access to

the north of the property and it had multiple points of access for traffic. They have been building homes in Country Ridge and in The Preserve for the past three years and the subdivision will be completed this year. At some point, they may consider developing additional phases of The Preserve.

He said closing Seasons West Avenue will concentrate a greater level of traffic on FM 1417. He felt that, without being signalized, this additional traffic would be a detriment to the residents. Also closing Seasons West Avenue would create a cul-de-sac issue and impact traffic.

Mr. French asked the City Council to deny the request to close Seasons West Avenue.

Tim Dungan, 308 Seasons West

Mr. Dungan said he previously lived in Country Ridge and has now moved to Seasons West, so he has lived “both sides.” He said when Seasons West Avenue was opened it helped a lot with convenience.

He said Country Ridge has a divided highway with four lanes of traffic going in and out of the subdivision, and there are no power lines that cross the roadway. He said the intersection at FM 1417 and Quail Run Road is a dangerous intersection. He felt a traffic signal might be needed at that location.

He said the convenience to SH 56 is not worth the danger to the citizens of the through traffic. Recently two mailboxes were hit by vehicles and he was concerned that it could have been children.

Lynnae Harrell, 404 Seasons West

Ms. Harrell expressed concern about the safety of the children in both areas. She said the difference for traffic is a few tenths of a mile. She said the 2009 Master Plan said that Swan Ridge Drive would be completed as a collector road. She said if the Master Plan is followed by the City, that will alleviate the issue of dual access to The Preserve.

She added that a breakaway barricade would alleviate any concerns about emergency vehicles being able to get through the area.

Rajendra Wagle, 910 Cormorant Dr.

Mr. Wagle just purchased a home on Cormorant Drive and has small children. He said the fastest way to take his children to school is SH 56 and not FM 1417. He felt that closing Seasons West Avenue did not solve the problem.

No other citizens appeared before the City Council to discuss Ordinance 5928.

Mayor Plyler introduced Ordinance 5929 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", DIVISION 1, ENTITLED "GENERALLY", SECTION 4.03.003, ENTITLED "CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5929
NON-EMERGENCY
AMBULANCE PICK
UPS

Danny Jones, Fire Chief, explained that the ordinance amends the Code to allow cities providing ambulance service in Sherman to be exempt from the requirement to be permitted in order to pick up non-emergency patients within the City limits.

The cities do not provide the same service as private ambulance services. The requirement was enacted to allow the City to make sure the private ambulance services had all their certifications and that their equipment was up to State standards.

No citizens appeared before the City Council to discuss Ordinance 5929.

Mayor Plyler introduced Ordinance 5930 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5930
FIRE INSPECTIONS

Chief Jones said this would amend the Code to allow the City to hire two fire inspectors for the Fire Department.

No citizens appeared before the City Council to discuss Ordinance 5930.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5928

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF SEASONS WEST AVENUE RIGHT-OF-WAY LYING BETWEEN BLOCKS ONE (1) AND TEN (10) OF THE

ORD 5928
CLOSING &
ABANDONING
SEASONS WEST
ROW

PRESERVE, PHASE I ADDITION, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT.

Robby Hefton, City Manager, said the City has received a petition from the homeowners in the Seasons West Subdivision. The area developed in a way that was different from the original Master Plan.

The street is very wide with houses that are 200 to 400 feet apart. There are no natural traffic calming elements to the street such as narrower streets and houses that are closer together. This is a wide open street that it is easy to go fast on because there is nothing stopping traffic, which creates a safety concern.

He said on the other hand, 20 years ago Seasons West Avenue was designed to be a thoroughfare and carry a high volume of traffic. It developed in a way that was different from how it was originally conceived. It was intended to be a densely populated area where there would not be multiple driveways entering onto the thoroughfare. Seasons West is basically fully developed and is not suited to be a thoroughfare because of the number of driveways entering onto the street.

Mr. Hefton said there is a project in the 2009 Master Plan that would complete Swan Ridge Drive, which is east of Seasons West, and would connect SH 56 and The Preserve. It would require construction of about 2,000 to 3,000 feet of street that is currently undeveloped.

He said the staff does feel that closing Seasons West is something that ultimately needs to happen, but it could be conditioned on the completion of Swan Ridge Drive. In the meantime, additional signage could be added and police patrols could be increased. The completion of Swan Ridge Drive would be included in the proposed projects for the upcoming budget year, but completion would probably be 18 months from now.

Mr. Charske said he was still concerned about his children and the public safety issues. He said a breakaway fence was okay so emergency personnel could have direct access.

Mayor Plyler said the proposal that Mr. Hefton offered was that Swan Ridge Drive be completed, and the City would increase enforcement on the road through Seasons West. He said that would include police, and may include some engineering items such as speed bumps or dips, for a comprehensive plan of action.

Council Member Watt said if and when Swan Ridge Drive is extended, what is the development plan and zoning for that area. Mr. Hefton said the road would be a collector type roadway. Scott Shadden, Director of Development Services, said it would be zoned residential.

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Council Member Watt asked what the difference would be in what Seasons West Avenue is now and what Swan Ridge Drive will be. Mr. Hefton said as Swan Ridge Drive is developed, streets would enter the new Swan Ridge instead of driveways entering the roadway. There might be the same number of houses on the road, but not a driveway every 50 to 100 feet, as there is now.

Council Member Watt verified that ultimately the recommendation is to close Seasons West Avenue with a barricade. He felt the City should use some serious traffic calming efforts first, prior to closing the street to through traffic.

Mr. Hefton said there are multiple ways to calm traffic including closing a street and creating a cul-de-sac. He said there are other things that can be done to help calm traffic, but that still doesn't change the fact that it is a 40 foot wide, open street with not much density. The tendency for people to speed will still be there.

Council Member Davis asked about temporary speed bumps until Swan Ridge Drive is completed. Mr. Barnett said the City traditionally doesn't use speed bumps because they are extremely high maintenance and there is the potential for the filing of insurance claims due to damage to vehicles.

The first level of traffic calming is using police enforcement and that has been found not to be effective in this case. Mr. Hefton confirmed that speed bumps on a short term basis would probably be the most effective traffic calming method at this point. Mr. Barnett said they will look at all the options.

Council Member Watt said he has a hard time with putting a barricade up on a street to stop ingress and egress. Part of the government's responsibility is to facilitate the flow of traffic. He asked Mr. Charske if there was a level of traffic calming that the residents would accept short of actually barricading the street.

Mr. Charske said they originally asked for speed bumps and were told that was not done in Sherman. One of the options for the level two traffic calming was road closures. Their Homeowners Association offered to contribute \$2,500 toward the street closing with the City paying the rest of the cost. He felt speed bumps would be fine, but would be more costly.

Council Member Johnson verified that the timeline to complete Swan Ridge Drive would be about 18 months.

Council Member Watt asked if the staff had looked at raising or lowering the surface to where traffic must slow down. Mr. Hefton said the changes couldn't be so dramatic that they cause damages, but it would need to be dramatic enough to

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slow the traffic. Council Member Watt agreed there was a problem, but felt there should be a “happy medium” without completely stopping the ingress and egress from one area of the City to another.

Mr. Hefton said traffic counts on Seasons West Avenue have increased significantly in the last 12 months, and as The Preserve continues to grow, and residential development continues in the area, it will continue to get more congested with traffic.

He reiterated that Council Member Watt would prefer not to close Seasons West Avenue, but would like to add permanent traffic calming measures. He expressed concern that the street is long and wide, and that no matter what traffic control is added, the tendency will be to speed.

Council Member Davis said if speed bumps are added and Swan Ridge Drive is built, the Council could always revisit the situation in 18 months to see how it is working. Mr. Hefton said Swan Ridge Drive is included in the Master Plan and it will be built anyway. This issue would just accelerate the need to build it sooner.

Council Member Couch said this sounded like a great compromise and he verified that the Council wanted to approve the ordinance, but move forward with signage and some calming measures. The City would then move forward with the construction of Swan Ridge Drive and then Seasons West would be closed. Council Members discussed the possible motions.

Council Member Johnson asked about a timeline on speed bumps and signage. She felt that most citizens did not want Seasons West Avenue closed.

Council Member Steele felt that the convenience of one community was compromising the other community. Unfortunately you can't change people's habits and he didn't feel that the safety issue could be “fixed” and keep the convenience.

ACTION TAKEN.

Motion by Council Member Couch to adopt Ordinance No. 5928, to close Seasons West Avenue after the completion of Swan Ridge Drive.

Council Member Steele asked to direct the City staff to install traffic calming devices immediately. Mr. Hefton said that did not need to be a part of the motion because the staff will start working on that immediately.

RESTATEMENT OF MOTION.

Motion by Council Member Couch to adopt Ordinance No. 5928, subject to the completion of Swan Ridge Drive.
Second by Council Member Steele.

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VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 5929

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", DIVISION 1, ENTITLED "GENERALLY", SECTION 4.03.003, ENTITLED "CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5929
NON-EMERGENCY
AMBULANCE PICK
UPS

Ordinance 5930

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5930
FIRE INSPECTIONS

ACTION TAKEN.

Motion by Council Member Davis to adopt Ordinance Nos. 5929 and 5930, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6054 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF THE SHERMAN INDUSTRIAL PARK REPLACEMENT SEWER; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR

RES 6054
SHERMAN
INDUSTRIAL PARK
REPLACEMENT
SEWER

CONSTRUCTION OF THE SHERMAN INDUSTRIAL PARK REPLACEMENT SEWER; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
CONSENT AGENDA.

REQUEST TO ADVERTISE
LOY LAKE ROAD RECONSTRUCTION PROJECT

Mr. Barnett said the staff is requesting to advertise for bids for construction of the Loy Lake Road Reconstruction Project. The project will be delayed as they work with Verizon on the relocation of their utilities.

REQ TO ADVERTISE
LOY LAKE ROAD
RECONSTRUCTION
PROJECT

The staff would like to advertise for bids now so when the utilities are relocated they can bid the job and proceed with construction.

ACTION TAKEN.

Motion by Council Member Steele to approve the request to advertise for the Loy Lake Road Reconstruction Project, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATELY 275 ACRES OF LAND NEAR FRIENDSHIP ROAD AND STATE HIGHWAY 56, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

ANNEXATION OF
PROPERTY AT
FRIENDSHIP RD
& SH 56

Mr. Hefton said this is the first step in the annexation process for approximately 275 acres on SH 56 West. There will be public hearings at the next three Council Meetings for both public and Council input.

ACTION TAKEN.

Motion by Council Member Johnson to approve the Annexation Schedule for Approximately 275 Acres near Friendship Road and SH 56, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RECEIVE DEVELOPMENT SERVICES DIRECTOR SCOTT SHADDEN'S PRESENTATION ON THE REGULATION OF

MOBILE FOOD
VENDORS

MOBILE FOOD VENDORS WITHIN SHERMAN'S CITY LIMITS

Mr. Shadden said Council Member Couch asked the staff to review requirements for mobile food vendors. There are several types of mobile food vendors including catering trucks that go to job sites, special events vendors, food trucks that park on specific lots, and ice cream truck vendors.

The staff reviewed ordinances from several cities and found that many cities require liability insurance and background checks on the operators. The State of Texas and the Grayson County Health Department both have regulations that must be met by mobile food vendors. They also require that the vendor has a commissary that they go to every night to clean the vehicle.

The staff recommendation is to delete the current mobile food vendor ordinance and create a Specific Use Permit for a food truck lot. The proposed ordinance would include liability insurance and background checks. Once they obtain their zoning, and the other requirements, they would obtain an Itinerant Vendor's Permit from the City Clerk's Office. Some cities also have a limit on how long an ice cream truck could stop so they would not be in one location for an extended period of time.

He said tonight the staff would like direction from the Council as to whether the proposal should be put into ordinance form and brought back for their consideration.

Council Member Davis asked about the designated lot and who would own that. Mr. Shadden said this would be a privately owned lot. The owner would obtain the permit and then lease space to vendors. He added that the food truck would then be required to go back to a commercial location each night.

Council Member Couch said the idea is that a land owner would supply his property and receive a small fee from the mobile food vendors to set up on his property. This would be in addition to the City requirements to have a mobile food truck.

Council Member Steele asked if some of the businesses on Texoma Parkway would be closed with the new requirements. Mr. Shadden said there are two businesses and they would be "grandfathered" and would continue to work under the current mobile food vendor ordinance.

Council Member Couch asked about parking stipulations, especially in the downtown area. Mr. Shadden said the traffic laws prohibit a vendor from setting up and selling out of a parking space. Mr. Hefton said the City might also limit the sales in the Central Business District from being on public property, which includes the streets.

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Mr. Hefton said the staff will need to delete the current ordinance and put the recommendation in ordinance form for the Council's consideration. He said the State and County laws already regulate many of the health and safety elements of the mobile food vendors. The City would really be "pointing" to those regulations already in place and adding a few regulations specific to the City. Mr. Shadden said the main City requirement would be for zoning on the designated lot.

Council Member Watt verified that a food truck could still go to the various construction sites around town. Council Member Steele verified that snow cone vendors are considered "seasonal" and work under a temporary use permit. They would not be affected.

Council Members did want to move forward and consider a proposed ordinance.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS**

LIBRARY BOARD (4)

ACTION TAKEN.

LIBRARY BOARD

Motion by Council Member Steele to reappoint Nick Keating, John West, and Judith Sloan to the Library Board for a term from January 8, 2016 to January 8, 2019 and to appoint Laurie Mealy for a term from January 19, 2016 to January 19, 2019. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

DR. MARTIN LUTHER KING, JR. DAY EVENT

Council Member Couch said he attended a great ceremony at Austin College for Dr. Martin Luther King, Jr. Day this morning. He appreciated the Council support for the event.

**DR. MARTIN LUTHER
KING, JR. DAY
EVENT**

DR. MARTIN LUTHER KING, JR. DAY EVENT

Council Member Steele said he also enjoyed the breakfast in honor of Dr. King this morning and he thanked everyone that serves in the Sherman community.

**DR. MARTIN LUTHER
KING, JR. DAY
EVENT**

DR. MARTIN LUTHER KING, JR. DAY EVENT

Council Member Watt said the breakfast celebrating Dr. King was an amazing collection of members of the community and that is what is awesome about Sherman.

**DR. MARTIN LUTHER
KING, JR. DAY
EVENT**

WAL-MART NEIGHBORHOOD MARKET OPENING

Council Member Johnson said she was excited about the recent grand opening of the Wal-Mart Neighborhood Market.

**WAL-MART
NEIGHBORHOOD
MARKET OPENING**

DR. MARTIN LUTHER KING, JR. DAY EVENT

Mayor Plyler said he appreciated being part of the Dr. Martin Luther King, Jr. parade on Saturday and the ceremony this morning at Austin College. He said he appreciated everyone's participation.

**DR. MARTIN LUTHER
KING, JR. DAY
EVENT**

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

CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION

SECTION 551.087

DELIBERATION REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM A
BUSINESS PROSPECT AND
DELIBERATE ANY OFFERS OR
INCENTIVES TO THE BUSINESS
PROSPECT

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:19 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:14 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

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ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:15 p.m.

ADJOURNMENT

MAYOR

CITY CLERK