STATE OF TEXAS §

January 18, 2010

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 18, 2010.

MEMBERS PRESENT: **MAYOR BILL MAGERS; DEPUTY MAYOR JOE SMITH. COUNCIL MEMBERS ADAMI, HOWETH, SOFTLY, STEELE, WACKER.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 21, 2009. Deputy Mayor Smith moved to approve the Minutes as presented; Second by Council Member Wacker. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"DR. MARTIN LUTHER KING, JR. DAY" – JANUARY 18, 2010

Council Member Softly read a proclamation designating January 18, 2010 as "Dr. Martin Luther King, Jr. Day" in Sherman.

DR. MARTIN LUTHER KING, JR. DAY (JAN. 18, 2010)

"NATIONAL MENTORING MONTH" – JANUARY 2010

Council Member Howeth presented a proclamation to Jada Brawner, Regional Executive Director, Big Brothers Big Sisters of Grayson County, designating January 2010 as "National Mentoring Month" in Sherman.

NATIONAL MENTORING MONTH (JANUARY 2010)

Ms. Brawner thanked the City for their support of the program and said they still have over 100 children on the list awaiting mentors. She urged citizens to contact them if they wanted to participate.

SPECIAL PRESENTATION

RECOGNIZING CITY MANAGER ACCOMPLISHMENT

Mayor Magers recognized George Olson, City Manager, for his recent accomplishments. When Mr. Olson was hired as City Manager, the City Council requested that he obtain certification through the Texas Certified Public Manager Program at the University of Texas at Arlington.

RECOGNIZING CITY MANAGER'S ACCOMPLISHMENT

The program is designed to improve the performance of public sector managers and the organizational performance of state, local, and federal governments. Completion of the

course leads to a nationally accredited public manager certification.

Mayor Magers said Mr. Olson entered the CPM program in May 2008 and successfully completed all seven tracts by December 2009. The program is a Master Level course and requirements include writing a thesis. Texas Governor Rick Perry presented the diploma and bestowed the CPM designation during a ceremony in Austin.

Mayor Magers said rather than attend that ceremony, Mr. Olson chose to stay in Sherman and attend a local City Council Meeting. He praised Mr. Olson for his dedication to completing the program and recognized the family time he lost during the process. He recognized Mr. Olson for the great job he has done as City Manager and said it is a great honor to work with an outstanding individual like George Olson.

Council Member Adami said there are many things the City Council has accomplished of which he is proud, but the best asset they've added is Mr. Olson.

Council Member Wacker said she has had the privilege of working with Mr. Olson both as a colleague and in the current relationship and he is fair and treats everyone well and is one of the best assets the City has. She said they are very proud of the work he has done and all he has allowed the City Council to accomplish.

CONSENT AGENDA

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

RESOLUTIONS

RES 5453
NAACP LEASE OF
KERR-EAST BLDG.

RESOLUTION NO. 5453 – AUTHORIZING THE LEASE OF CERTAIN CITY-OWNED PROPERTY KNOWN AS THE KERR-EAST BUILDING, LOCATED AT 1000 EAST STREET, WITH THE N.A.A.C.P. – GRAYSON COUNTY CHAPTER 6252
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE LEASE OF CERTAIN CITY-OWNED PROPERTY KNOWN AS THE KERR-EAST BUILDING, LOCATED AT 1000 EAST STREET, WITH THE N.A.A.C.P. – GRAYSON COUNTY CHAPTER 6252.
CONSENT AGENDA.

RES 5454
FIRE DEPT.
TRAINING

RESOLUTION NO. 5454 – AUTHORIZING THE EXECUTION OF A CONTRACT WITH ROCO RESCUE FOR SPECIALIZED RESCUE TRAINING FOR THE SHERMAN FIRE DEPARTMENT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH ROCO RESCUE FOR SPECIALIZED RESCUE TRAINING FOR THE SHERMAN FIRE DEPARTMENT.

ACTION TAKEN.
Motion by Council Member Wacker to approve Resolution No. 5454, as presented. Second by Council Member Howeth.
VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

RES 5455 SOLID WASTE TRANSFER STATION PHASE IV

RESOLUTION NO. 5455 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC FOR SOLID WASTE TRANSFER STATION PHASE IV PAVING IMPROVEMENTS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC FOR SOLID WASTE TRANSFER STATION PHASE IV PAVING IMPROVEMENTS.
CONSENT AGENDA.

RES 5456 RELIEF SEWER "C"

RESOLUTION NO. 5456 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO AN AGREEMENT WITH DICKERSON CONSTRUCTION CO., INC. FOR CONSTRUCTION OF THE RELIEF SEWER "C" PROJECT ALONG BRANCH STREET, BETWEEN KING STREET AND PACIFIC STREET
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO AN AGREEMENT WITH DICKERSON CONSTRUCTION CO., INC. FOR CONSTRUCTION OF THE RELIEF SEWER "C" PROJECT ALONG BRANCH STREET, BETWEEN KING STREET AND PACIFIC STREET.
CONSENT AGENDA.

RES 5457 HWY 75 NORTH WATERLINE PROJECT

RESOLUTION NO. 5457 – ACCEPTING THE CONTRACT WITH QUALITY EXCAVATION, LTD. AS COMPLETE FOR CONSTRUCTION OF THE SHERMAN U.S. HIGHWAY 75 NORTH WATERLINE PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH QUALITY EXCAVATION, LTD. AS COMPLETE FOR CONSTRUCTION OF THE SHERMAN U.S. HIGHWAY 75 NORTH WATERLINE PROJECT.
CONSENT AGENDA.

REQ TO ADVERTISE BRENTS STREET SEWER REPLACEMENT

REQUEST TO ADVERTISE
BRENTS STREET SEWER REPLACEMENT PROJECT
The City Council approved the request to advertise for bids for construction of the Brents Street Sewer Replacement Project, which will replace an existing sewer in an alley paralleling Brents Street, between College and Richards Streets. The existing sewer has deteriorated and requires replacement. The project is funded in this year's Capital Improvement Program.
CONSENT AGENDA.

PELTON STREET WATER MAIN REPLACEMENT PROJECT

PELTON STREET WATER MAIN REPLACEMENT

The City Council approved the request to advertise for bids for the construction of the Pelton Street Water Main Replacement Project. The existing water main is deteriorated, resulting in frequent breaks and service interruptions.

The project will replace an existing six inch main on Pelton Street, between Travis and Ricketts Streets. The project is funded in this year's Capital Improvement Program. CONSENT AGENDA.

CHANGE ORDER NO. 1
U.S. HIGHWAY 75 NORTH WATERLINE PROJECT; $12,370.00, DECREASE

CHANGE ORDER HIGHWAY 75 NORTH WATERLINE PROJECT

The City Council approved Change Order No. 1, which is a final reconciliatory change order to adjust the final project quantities for the U.S. Highway 75 North Waterline Project.

The project was funded through debt issued by the Greater Texoma Utility Authority on the City's behalf. The change order results in a decrease of $12,370 to the contract amount, yielding a final contract price of $1,697,772.50. CONSENT AGENDA.

OTHER BUSINESS
RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD VICE CHAIRMAN RAD RICHARDSON AND SEDCO PRESIDENT JOHN BOSWELL

SEDCO QUARTERLY UPDATE

Rad Richardson, Sherman Economic Development Corporation Vice Chairman, presented a quarterly progress report on the Corporation's activities. SEDCO's mission is to grow and diversify the economies of Sherman and the surrounding areas through new jobs and investment.

During the past quarter, SEDCO has continued to work with the Denison Development Alliance and Grayson County to promote the North Texas Regional Airport. The staff continues to meet with existing businesses to discuss development issues and how Sherman can help them grow their businesses.

SEDCO also approved a performance agreement with Mitch Bloom and Associates for the creation of 118 new full-time jobs. They also approved a performance agreement with Cooper B-Line Systems for the installation of $3.3 million in new manufacturing equipment.

Mr. Richardson said SEDCO is currently working with several projects with new and existing businesses that will add investments and jobs to the Sherman economy.

He added that SEDCO looks forward to working with the City on the implementation of the Comprehensive Master Plan.

TIF REINVESTMENT ZONE NUMBER TWO

RECEIVE PRESENTATION FROM DAVID BACA OF DAVID BACA STUDIOS ON RENOVATIONS IN SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO (TIF-2)

David Baca, Principal, David Baca Studio, updated the Council on proposed renovations for the Downtown area, using Tax Increment Financing Reinvestment Zone Number 2, TIF-2 funding.

He explained that the Downtown is a traditional commercial district and the most visible indicator of community pride. It can be an asset or liability in the effort to recruit new residents, new businesses, and new industries. The Downtown is also the visual representation of the community's heritage. The architecture of this district is the physical expression of the community's history. The Downtown area is a prime location for independent businesses.

Mr. Baca said the proposal includes looking at character-based ordinances to achieve three main goals; to provide clear guidelines for the development of property, to give developers a reasonable assurance of neighborhood success, and to preserve and promote the character of the existing urban fabric.

Downtown Sherman Preservation and Revitalization has already launched a collective marketing campaign targeting several audiences and a website providing information about Downtown businesses and events.

Mr. Baca said the City has previously approved the TIF financing, designating funding for benches, trash receptacles, planters, decorative lights at the Square, light pole replacement and service line relocation, and curb and sidewalk improvements. He proposed reallocation of the TIF funding, but added that the total amount of funding would not change.

The proposal also includes the addition of street trees at enlarged pedestrian plazas and single stem crepe myrtles in the existing planters. These two projects would be funded through DSP&R fundraising.

The project area for TIF funding would include Travis Street, the area around the Square, and Mulberry Street from Travis Street west to Kidd-Key Auditorium. The project would tie together with the Brockett Street renovation and the proposed Texas Department of Transportation grant for Houston and Lamar Streets.

He presented examples of curb and sidewalk improvements from other cities adding that through his research, lighting is not indicated as a contributing factor in the Downtown.

Trees and narrow crosswalks seem to be more important than changing out light fixtures. However, Sherman does have a hodgepodge of different service poles.

Mr. Baca recommended replacing the old truss-type poles along Travis Street, replacing fixture heads to be more artistic, but using many of the existing poles, and painting all poles, fixture heads, and street furniture the same color for a unifying element. The trees will provide a new focal point to hide the chaos of the overhead lines.

Mr. Baca discussed the street trees that he is recommending and added that the trees would be "pushed out" into the street so they will not be directly under the overhead lines. Mayor Magers verified that no parking spaces would be lost, but some street intersections would have an enlarged pedestrian plaza.

The tree campaign where citizens or businesses can sponsor a tree is currently underway and DSP&R has received 10 checks and have 18 more commitments. Mr. Baca said they are already one-third of the way toward the number of trees needed.

Council Member Steele verified that Mr. Baca appeared representing DSP&R and asking the City to change the allocations for the TIF funding. Mayor Magers asked for examples of specific changes they were requesting. Mr. Baca said originally about $250,000 of the funding was allocated for light pole replacement and service line relocation. They felt there were other things that would be less expensive that would accomplish more and would allow a better look without replacing the overhead lines.

Mr. Baca recommended increasing the curb and sidewalk funding and decreasing the light pole replacement and service line relocation funding.

Deputy Mayor Smith verified that the trees would all be purchased with private money. Mr. Baca added that care and maintenance of the trees had not been worked out yet, but he felt it would be negligible.

Council Member Steele verified that DSP&R is agreeable to changing the allocation for TIF money.

FINAL PLAT APPROVAL OF THE ALEMAN FRIENDSHIP ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION, BEING 16.3 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 AND THE JASON STAMPS SURVEY, ABSTRACT NO. 1115; EUFRACIO ALEMAN, JR., OWNER, AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS (700 BLOCK OF NORTH FRIENDSHIP ROAD)

APPROVE FINAL PLAT ALEMAN FRIENDSHIP ADDITION IN ETJ

The City Council approved the Final Plat of the Aleman Friendship Addition, located in the 700 block of North Friendship Road, in the City's Extra Territorial Jurisdiction.

The Addition consists of 16.3 acres in the Fielding Bacon Survey, Abstract No. 119 and the Jason Stamps Survey, Abstract No. 1115. The owner would like to plat the property into one lot for residential development. The Planning and Zoning Commission recommended approval of the Final Plat.
CONSENT AGENDA.

CITIZENS REQUESTS — CITIZENS REQUESTS
There were no citizen's requests.

MEDIA QUESTIONS — MEDIA QUESTIONS
There were no media questions.

COUNCIL COMMENTS
DOWNTOWN PRESENTATION — DOWNTOWN PRESENTATION
Council Member Adami thanked Mr. Baca for his presentation concerning the Downtown area and the use of TIF funding.

DR. MARTIN LUTHER KING, JR. BREAKFAST — DR. MARTIN LUTHER KING, JR. BREAKFAST
Council Member Wacker attended the annual Martin Luther King breakfast at Austin College this morning where former City Council Member Terrence Steele spoke. She thanked all who organized the event.

DR. MARTIN LUTHER KING, JR. PROCLAMATION — DR. MARTIN LUTHER KING, JR. PROCLAMATION
Council Member Softly recognized Janet Roy in the audience and asked her to come forward and accept the proclamation for "Dr. Martin Luther King, Jr. Day."

HAITI EARTHQUAKE — HAITI EARTHQUAKE
Mayor Magers mentioned the recent Haiti earthquake adding that his former Austin College fraternity brother, Clinton Rabb was in Haiti doing missionary work and was killed in the earthquake. He asked everyone to keep those touched by the earthquake in their thoughts and prayers.

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

SECTION 551.072 — **DELIBERATIONS REGARDING REAL PROPERTY: DELIBERATE REGARDING THE POTENTIAL PURCHASE, EXCHANGE, LEASE, OR VALUE**

OF A PIECE OF REAL PROPERTY: BLALOCK FIRE STATION IN THE 100 BLOCK OF HIGHWAY 1417 EAST

ADDENDUM:
SECTION 551.074 **PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT OR REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: PLANNING AND ZONING COMMISSION (1)**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:33 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:04 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

PLANNING AND ZONING COMMISSION CHAIRMAN

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS:
PLANNING AND ZONING COMMISSION (1)
ACTION TAKEN.

Motion by Council Member Steele to appoint Lawrence Davis as Chairman of the Planning and Zoning Commission for a term from January 19, 2010 to January 19, 2012. Second by Council Member Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 6:05 p.m.

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MAYOR

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CITY CLERK