

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, DECEMBER 3, 2012
5:00 P.M.**

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)
- A.2 [PLEDGE OF ALLEGIANCE](#)
- A.3 [INVOCATION BY DEPUTY MAYOR PAMELA L. HOWETH](#)
- A.4 [APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 19, 2012](#)

Consent Agenda

B.1 [CONSENT AGENDA](#)

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

C.1 [RESOLUTION NO. 5731](#)

Authorizing the Purchase of a 2013 Ford F-350 Cab and Chassis Truck for the Street Maintenance Department from Bob Utter Ford

C.2 [* RESOLUTION NO. 5732](#)

Accepting the Contract with Vessels Construction Company, a Division of Vescor, as Complete for the Wastewater Treatment Plant Peak Flow Phase II Improvements

Other Business

D.1 [OTHER BUSINESS](#)

Receive Presentation from Customer Service Manager Angela Gurley on an Interactive Voice Response System for the Utility Billing Department

D.2 [OTHER BUSINESS](#)

Receive City Attorney Brandon Shelby's Briefing on the City's Taxicab Ordinance

D.3 [OTHER BUSINESS](#)

Receive the Sherman Chamber of Commerce's Presentation on the Sherman Christmas Parade and Snowflake Festival on December 7, 2012

D.4 [CITIZEN REQUESTS](#)

D.5 [MEDIA QUESTIONS](#)

D.6 [COUNCIL COMMENTS](#)

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[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Carolyn S. Wacker, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Pamela L. Howeth, Deputy Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. A.3

INVOCATION BY DEPUTY MAYOR PAMELA L. HOWETH



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 19, 2012

STATE OF TEXAS §
November 19, 2012

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 November 19, 2012.

MEMBERS PRESENT: MAYOR CARY WACKER.
COUNCIL MEMBERS HOWETH, 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 Robert Softly.

Mayor Wacker welcomed new Council Members Jason Sofey and Ryan Johnson adding that she looked forward to working with them in the future.

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 5, 2012 and the Called City Council Meeting (Election Canvass) of November 14, 2012. Council Member Smith moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

COUNCIL ELECTION OF DEPUTY MAYOR

Mayor Wacker asked for nominations for the Office of Deputy Mayor.

ACTION TAKEN.

Motion by Council Member Smith to elect Council Member Pam Howeth to serve as Deputy Mayor, for a term from November 19, 2012 to November 5, 2013.
Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CALL TO ORDER

APPROVE MINUTES

**ELECTION OF
DEPUTY MAYOR**

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5726 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN URBAN AREA CORRIDOR PROJECT (RELOCATION OF THE SOUTHBOUND U.S. 75 EXIT RAMP TO F.M. 1417)

**RES 5726
HWY 75 EXIT RAMP
RELOCATION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN URBAN AREA CORRIDOR PROJECT (RELOCATION OF THE SOUTHBOUND U.S. 75 EXIT RAMP TO F.M. 1417).

George Olson, City Manager, explained that the project was brought forward by the Sherman-Denison Metropolitan Planning Organization and will move the exit ramp at F.M. 1417, Heritage Parkway, back about a mile to the north.

The advance funding agreement is required for the Texas Department of Transportation to begin the planning and design process for the project. It requires a \$400,000 local match. The Sherman Economic Development Corporation and the developer have agreed to split the match, which will be brought back for Council consideration in March 2013.

Mr. Olson said that tonight the Council needs to consider the advance funding agreement so the project can move forward.

Mayor Wacker said this is a good example of the public/private partnership that the Council likes to see to make improvements to the City.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 5726, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5727 – AUTHORIZING EXECUTION OF AN AMENDMENT TO THE FAIRVIEW ELEVATED WATER TANK USE AGREEMENT WITH AT&T MOBILITY TEXAS LLC

**RES 5727
FAIRVIEW ELEVATED
WATER TANK**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDMENT TO THE FAIRVIEW ELEVATED WATER TANK USE AGREEMENT WITH AT&T MOBILITY TEXAS LLC.

Mr. Olson said AT&T Mobility has requested to amend their current agreement with the City for antennas at the Fairview Elevated Water Tank. They are requesting more ground space for their box, as well as three additional antennas.

The amendment will increase the City's income from the agreement by \$800 per month for a total monthly income of \$2,700 for the use of this tower. The agreement also includes a 3% annual increase in the lease amount.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5727, as presented. Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5728 – AUTHORIZING THE PURCHASE OF A 2013 FORD F-250, A 2013 FORD F-250 XCAB, AND A 2013 FORD F-350 FOR THE WATER PRODUCTION AND PUMP MAINTENANCE DEPARTMENTS FROM HOLIDAY FORD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2013 FORD F-250, A 2013 FORD F-250 XCAB, AND A 2013 FORD F-350 FOR THE WATER PRODUCTION AND PUMP MAINTENANCE DEPARTMENTS FROM HOLIDAY FORD.

CONSENT AGENDA.

RES 5728
FLEET PURCHASES

RESOLUTION NO. 5729 – AUTHORIZING THE PURCHASE OF A BACKHOE FOR THE STREET MAINTENANCE DEPARTMENT FROM HI-WAY EQUIPMENT, CO. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A BACKHOE FOR THE STREET MAINTENANCE DEPARTMENT FROM HI-WAY EQUIPMENT, CO. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC).

CONSENT AGENDA.

RES 5729
STREET MAINT.
EQUIPMENT

RESOLUTION NO. 5730 – AUTHORIZING THE PURCHASE OF AN ASPHALT TANK, A 2013 FORD F-350 CHASSIS WITH 1-TON DUMP, AND A 2013 FORD SUPER DUTY BUCKET TRUCK FOR THE STREET MAINTENANCE DEPARTMENT FROM VARIOUS VENDORS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF AN ASPHALT TANK, A 2013 FORD F-350 CHASSIS WITH 1-TON DUMP, AND A 2013 FORD SUPER DUTY BUCKET TRUCK FOR THE STREET MAINTENANCE DEPARTMENT FROM VARIOUS VENDORS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 5730
FLEET PURCHASES

**REQUEST TO ADVERTISE
ANNUAL SUPPLY OF CHEMICALS**

The City Council approved the request to advertise for the annual supply of chemicals, used primarily at the Water Treatment Plant and the Wastewater Treatment Plant.

CONSENT AGENDA.

REQ TO ADVERTISE
CHEMICALS

ANNUAL CONTRACT FOR WATER AND SEWER PARTS AND SUPPLIES

**WATER & SEWER
PARTS & SUPPLIES**

The City Council approved the request to advertise for bids for the annual contract for water and sewer parts and supplies. The water and sewer piping supplies and parts are used in the maintenance of the City's water system and sewer system.

CONSENT AGENDA.

OTHER BUSINESS

RECEIVE UPDATE ON THE BULK WASTE AND BRUSH COLLECTION PROGRAM FROM DIRECTOR OF PUBLIC WORKS DON KEENE

**BULK WASTE &
BRUSH COLLECTION**

Don Keene, Director of Public Works, presented an update on the Bulk Waste and Brush Collection Program. At the June 2012 Budget Work Session, Council Members approved several recommended action items that were proposed by the staff to improve the program.

The five directives were to continue the bulk and brush collection on the same schedule; to further modify and clarify the rules; to continue customer education; to collect all set-outs in the active quadrant; and to increase the enforcement of rules and procedures. Mr. Keene said the staff has achieved success in each of the five areas.

The City is divided into four quadrants with bulk and brush collection beginning on Monday of each week for a different quadrant. There is no collection during any week with a fifth Monday.

There were four rules that citizens seem to have trouble with and those include the volume limits; no mixing of brush and bulk; no unsafe placement under trees, overhead wires, or behind a pole or vehicle; and the set-out times.

Volume limits are five cubic yards for bulk and 10 cubic yards for brush. Set-out times are no earlier than Saturday before the specific collection week and no later than 7:00 a.m. on Monday of the specific collection week.

A flyer was developed to distribute to help citizens remember and understand the rules. Education is also accomplished through the website, special events, and door-hangers for non-compliant set-outs.

The City has also designated a specific person for compliance education. She is responsible for monitoring, conversations, door hangers, flyers, phone calls, data collection, and follow-ups related to education.

Mr. Keene said the City has been focusing more on education than enforcement and they have seen a reduction in non-compliant set-outs. He presented a graph that showed the number of set-outs, the original non-compliant set-outs, and the non-compliant set-outs after intervention.

Originally the program had a 10% rate of non-compliant set-outs but after intervention, non-compliant set-outs are at a rate of 2%.

Originally the discussion included an ordinance allowing immediate abatement of repeat non-compliant set-outs and collection of the cost of those pick-ups through utility billing at the special pick-up rates. However, Mr. Keene felt it would be better to collect some additional months of data before considering an ordinance with charges to citizens for pick-up of the non-compliant set-outs.

He added that the staff did what they said they would do from the Budget Work Session and said the staff proposed to continue with the program as is and continue to collect data. The staff would update the Council again in early 2013 and possibly have a recommendation.

Council Member Smith asked if the flyers were also distributed with the water bills. Mr. Keene said a one page summary was sent with the water bills. Mayor Wacker confirmed that the flyer was left with the customer when there was a compliance issue and used as door hangers.

She agreed that education was really the key to the program and said it seems to be accomplishing what was intended. Mr. Keene agreed that there will always be compliance issues, but the staff has seen a 30% to 40% reduction in original non-compliance issues.

Deputy Mayor Howeth said it was a very good program and she was surprised that the percentage of non-compliance was as small as it was.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS
COUNCIL AUDIT COMMITTEE (3)
INVESTMENT COMMITTEE (2)
TAX REINVESTMENT COMMITTEE (2)
TAX INCREMENT FINANCING BOARD #1 (3)
TAX INCREMENT FINANCING BOARD #2 (3)
TAX INCREMENT FINANCING BOARD #3 (3)

Mayor Wacker read a list of proposed appointments to the various boards and commissions.

ACTION TAKEN.

Motion by Council Member Smith to appoint Joe Smith, Pam Howeth, and Ryan Johnson to the Council Audit Committee; Robert Softly and Jason Sofey to the Investment Committee; David Plyler and Ryan Johnson to the Tax Reinvestment Committee; and Cary Wacker, Joe Smith and David Plyler to the Tax Increment Financing Boards #1, #2 and #3; for terms from November 19, 2012 to November 2013. Second by Council Member Plyler.

APPOINTMENT TO
VARIOUS COUNCIL
BOARDS

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.
VOTING NAY: None.
MOTION CARRIED.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZEN'S REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

LOSS OF FORMER DEPUTY MAYOR'S FATHER

Mayor Wacker said former Deputy Mayor Willie Steele lost his father over the weekend. She added that Bill Steele was a long-time member of the community and a former plant manager of Texas Instruments. She extended the Council's thoughts and prayers to the family.

LOSS OF FORMER
DEPUTY MAYOR'S
FATHER

HAPPY THANKSGIVING

Council Member Plyler wished everyone a happy Thanksgiving and a safe week.

HAPPY THANKSGIVING

EXIT RAMP IMPROVEMENT PROJECT

Council Member Smith said he felt the F.M. 1417 Exit Ramp Project was a very important project for Sherman's "southern gateway." Hopefully it will mean a lot for the development in that area, especially at the old Johnson & Johnson plant.

EXIT RAMP
IMPROVEMENT
PROJECT

He also thanked SEDCO for their financial participation in the project and the Sherman-Denison MPO for moving the project forward.

HAPPY THANKSGIVING

Council Member Smith wished everyone a happy Thanksgiving.

HAPPY THANKSGIVING

HAPPY THANKSGIVING

Council Member Softly wished everyone a happy Thanksgiving and said he was looking forward to serving with the new administration.

HAPPY THANKSGIVING

HAPPY THANKSGIVING

Deputy Mayor Howeth wished everyone a happy Thanksgiving and invited them to support the Bearcats and attend the football game in Allen, Texas at 1:00 p.m. on Friday.

HAPPY THANKSGIVING

HAPPY THANKSGIVING

Council Member Sofey wished everyone a happy Thanksgiving and said he was happy to be serving on the City Council. He added that he has admired the work that has been done previously and is excited to continue those things.

HAPPY THANKSGIVING

HAPPY THANKSGIVING

Mayor Wacker welcomed new Council Members Johnson and Sofey and said she is looking forward to the next year. She also wished everyone a happy Thanksgiving.

HAPPY THANKSGIVING

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.

SECTION 551.071

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:23 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:40 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPENING MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:41 p.m.

ADJOURNMENT

MAYOR

CITY CLERK

City-Wide Monthly Bulk and Brush Collection Program



**Council Update:
11/19/2012**

On 6/21/12 the Council directed City staff to:

- **Continue the bulk and brush collection program on the same schedule**
- **Further modify and clarify rules**
- **Continue customer education**
- **Collect all set-outs in active quadrant**
- **Increase enforcement of rules & policies**

Continue the bulk and brush collection program on the same schedule

Four quadrants collected as follows:

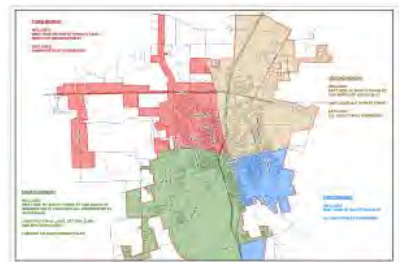
Southeast – 1st Monday of each month

Northeast – 2nd Monday of each month

Northwest – 3rd Monday of each month

Southwest – 4th Monday of each month

(No collections occur on 5th Mondays)



Further Modify and Clarify Rules

- Volume limits: Bulk: 5 cubic yds (7 ft X 5 ft X 4 ft)
Brush: 10 cubic yds (10 ft X 7 ft X 4 ft)
- No mixing of brush & bulk
- No unsafe placement under trees, overhead wires, or behind a pole or vehicle
- Set-out times:
No earlier than Saturday before your collection week
No later than 7:00 a.m. on Monday of your collection week

THIRD MONDAY

INCLUDES:
WEST SIDE OF NORTH TRAVIS ST AND
NORTH OF WASHINGTON ST

EXCLUDES:
WASHINGTON ST ADDRESSES

SECOND MONDAY

INCLUDES:
EAST SIDE OF NORTH TRAVIS ST
AND NORTH OF HOUSTON ST

DOS LAGOS and FOREST CREEK

EXCLUDES:
ALL HOUSTON ST ADDRESSES

FOURTH MONDAY

INCLUDES:
WEST SIDE OF SOUTH TRAVIS ST AND SOUTH OF
WASHINGTON ST (INCLUDES ALL WASHINGTON ST
ADDRESSES)

CONSTITUTION VILLAGE, SETTING SUN, AND
WESTERN ACRES

SHEPARD DR AND FARMINGTON RD

FIRST MONDAY

INCLUDES:
EAST SIDE OF SOUTH TRAVIS ST

ALL HOUSTON ST ADDRESSES

Sherman
CLASSIC TOWN. BROAD HORIZON.

Bulk Waste & Brush Program

The City of Sherman offers free *monthly collection of bulk waste and brush* for Sherman residents. The program operates by *sections of the city on the first four Mondays of the month*. Use this guide as a resource to help you understand the requirements of the program and determine the exact pick-up day for your home.



www.ci.sherman.tx.us



Accepted into the Bulk Waste and Brush Program.



Not accepted into the Bulk Waste and Brush Program.

1. What items are collected in the Bulk Waste and Brush Program?

Bulk Waste (up to 5 cubic yards):

- Furniture
- Appliances – Items with freon must be labeled as having the freon removed by a licensed company or individual.
- Carpet
- Mattresses and Box Springs
- All small items must be bagged or boxed

Brush (up to 10 cubic yards):

- Large limbs (nothing longer than 6 feet in length and 12 inches in diameter) – **All brush must be separated from the bulk waste.**
- Wooded shrubbery

2. What items are NOT collected in the Bulk Waste and Brush Program?

Bulk Waste:

- No tires
- No concrete
- No shingles
- No liquids
- No batteries
- No dirt and rock
- No railroad cross-ties

Brush:

- No root balls
- No lumber
- No construction material or other waste
- No bagged material

3. When is my regularly scheduled bulk waste and brush pick up day?

The City of Sherman is divided into four sections, to be collected as follows:

Southeast – 1st Monday of each month

Northeast – 2nd Monday of each month

Northwest – 3rd Monday of each month

Southwest – 4th Monday of each month

No collections occur on the 5th Monday. Please refer to the map on the back of this flyer for your exact location.

4. Where should I place my piles of bulk waste and brush?

Please place your bulk waste and brush at the curb, in front of your residence, free from obstructions. If the brush or bulk waste is blocked by a vehicle, boat, trailer or other items, it will not be picked up. Do not place brush under a tree, under overhead wires, guide wires, behind a pole, in a street, alley or other public way.

5. When should I place my bulk waste and brush at the curb?

Items may be placed at the curb no earlier than the Saturday prior to your pick up day, but no later than 7:00 a.m. on your scheduled pick up day.

6. If I don't place my brush and bulk waste out in time, will they come back and get it?

No. If you miss your collection day and time, you must remove the bulk waste and brush from the curb and set it out next month (on your scheduled Monday). You can request a special pick up (fees will apply) for your residence by calling the City of Sherman Solid Waste Department at 903-892-7261.

7. Does it matter how I stack the bulk waste and brush to be picked up?

Yes. To qualify for the program, you must have **bulk waste and brush separated**. If you do not have your bulk waste and brush neatly stacked and separated it will not be picked up. Bagging and bundling are not required for brush, but small twigs, thorny plants, vines and tall weeds will need to be placed in your trash can. For safety reasons, brush must be stacked neatly at the

curb with the cut ends facing the street.

8. Why must the pile of brush be separated from the pile of bulk waste?

When the bulk waste and brush piles are combined, the Solid Waste Department is unable to properly dispose of them. Separating the piles keeps costs down and saves space in the landfill.

9. Can friends and family add to my bulk waste and brush pile?

No. This is a free service for City of Sherman residents only. Do not allow family and friends to add to your bulk waste or brush pile.

10. Can I hire a contractor to trim trees or remove a dead tree?

If you hire a contractor, he or she must take all the tree trimmings with them.

For additional questions regarding the Bulk Waste and Brush Program, please call 903-892-7261 or visit our website at www.ci.sherman.tx.us.



Each household is limited to 5 cubic yards of bulk waste & 10 cubic yards for brush. 5 cubic yards is equal to an area of 7ft x 5ft x 4ft (approximately the size of the bed of a full-sized pickup truck filled to the top of the cab).

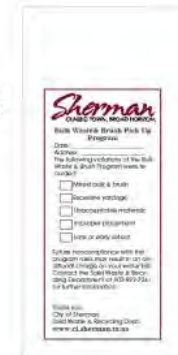
Continue Customer Education

- Informational flyers (@ website, utility billing office, events, etc.)



- Door hangers for non-compliant set-outs

- Updated Website



- Designated compliance education personnel

Increase enforcement of rules & policies

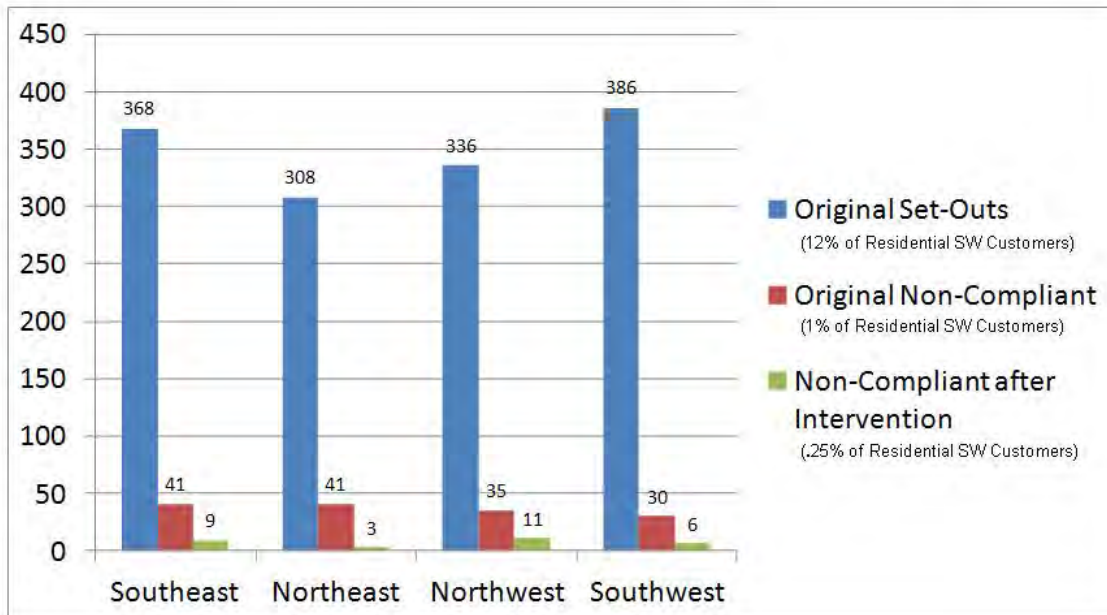
- Designated compliance education personnel



Kelsey Martin

Began in October 2012. Responsible for monitoring, conversations, door hangers, flyers, phone calls, data collection, follow-ups, etc., related to education of citizens.

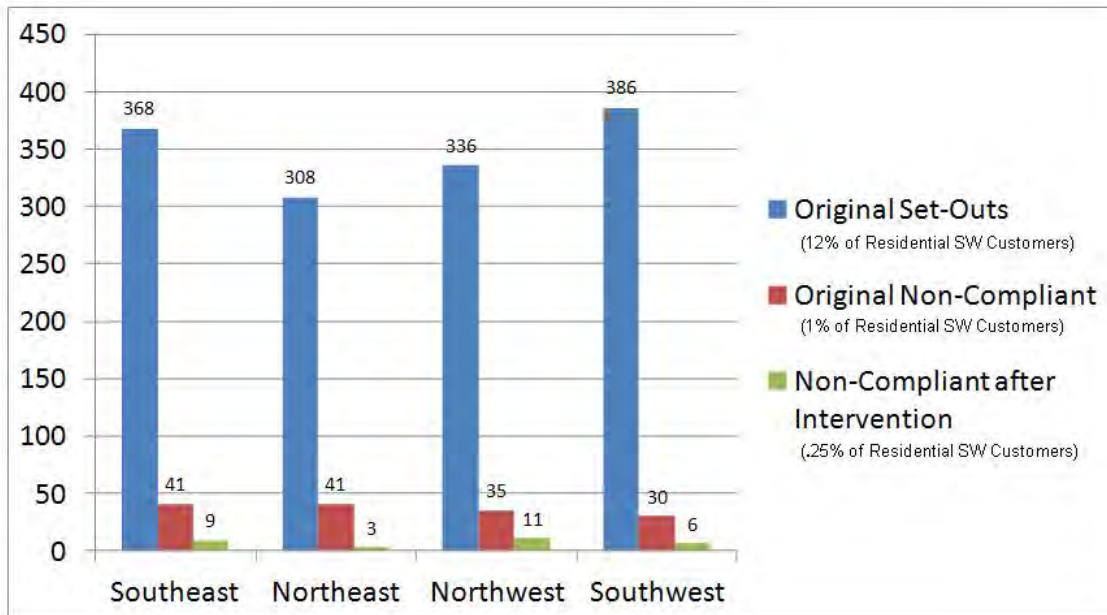
Bulk & Brush Collection – October 2012



Increase enforcement of rules & policies

- Designated compliance education personnel
- Ordinance allowing immediate abatement of repeat non-compliant set-outs and collection of cost (per current special pick-up rates) via utility billing ?

Bulk & Brush Collection – October 2012





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. B.1

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

C.2 * *RESOLUTION NO. 5732*

Accepting the Contract with Vessels Construction Company, a Division of Vescor, as Complete for the Wastewater Treatment Plant Peak Flow Phase II Improvements



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. C.1

RESOLUTION NO. 5731

Authorizing the Purchase of a 2013 Ford F-350 Cab and Chassis Truck for the Street Maintenance Department from Bob Utter Ford

Issue

Approving the purchase of a 2013 Ford F-350 Cab and Chassis Truck from Bob Utter Ford for use within the Street Maintenance Department

Background

This vehicle, the purchase of which was approved with the current budget, will replace Street Maintenance Unit #402. Local vendors were offered an opportunity to provide this vehicle. Additionally, a bid for the vehicle was requested from the Texas Local Government Purchasing Cooperative (BuyBoard). The prices received are as follows:

- Grande Truck Center through BuyBoard \$30,441.00
- Bob Utter Ford \$30,683.80
- Holiday Ford \$31,141.71

Although the price received from Bob Utter Ford is \$242.80 more than the price provided by the BuyBoard, the City will exercise its local preference option, since it is only about 1% higher than the lowest bid. The local preference provision allows the City to award a bid to a local vendor whose bid is within five percent (5%) of the lowest qualified bidder. Using Bob Utter will also reduce the lead time required to obtain the vehicle. The sales tax in the quote will be removed at purchase.

Origination

Department of Street Maintenance

Financial Consideration

The 2013 Ford F-350 Cab and Chassis Truck will be purchased from Bob Utter Ford at a total cost of \$30,683.80. Funding for this purchase was appropriated in the fiscal year 2012-2013 Street Maintenance Department budget.

Staff Recommendation

It is recommended that staff be authorized to purchase the vehicle from Bob Utter Ford.

Alternatives

As may be recommended by the City Council

Attachments

Resolution No. 5731

Quote from Bob Utter Ford

Prepared by:
Clay Barnett, City Engineer

Approved by:
George Olson, City Manager

RESOLUTION NO. 5731

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2013 FORD F-350 CAB AND CHASSIS TRUCK FOR THE STREET MAINTENANCE DEPARTMENT FROM BOB UTTER FORD; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed to purchase a 2013 Ford F-350 Cab and Chassis Truck from Bob Utter Ford at a total purchase price of Thirty Thousand Six Hundred Eighty-Three Dollars and Eighty Cents (\$30,683.80), in accordance with the terms and conditions of Bob Utter Ford's quotation, attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

Bob Utter Ford Lincoln Mercury

Payment Options Worksheet

Buyer : City Of Sherman	Co Buyer :	Deal # : 9798
Home # :	Home # :	Deal Date : 11/27/2012
Work # :	Work # :	Salesperson :

Purchase Option Proposal

Stock Number : CofSherman1

Vehicle Description : 2013 FORD TRUCK F350 Super Duty-V8

Trade Description :

Deal Type (Scenario ID)	Finance (1)
Selling Price	30,558.80
Front End Adds	
Fees	125.00
Sales Tax	65.10
Trade Allowance	
Trade Payoff	
Total Rebates	
Customer Cash	
Term	1
Payment	\$30,748.90

*** WITH APPROVED CREDIT ***

Customer Acceptance : _____

Date : 11/27/2012

Dealer Acceptance : _____

CNGP030

VEHICLE ORDER CONFIRMATION

11/26/12 11:56:46

==>

Dealer: F52507

2013 F-SERIES SD

Page: 1 of 1

Order No: 0999 Priority: 19 Order Type: 1 Price Level: 320

Ord Code: 640A Cust/Flt Name: CITY OF SHERM PO Number:

		RETAIL	DLR INV			RETAIL	DLR INV
F3G	F350 4X2 CHAS/C	\$30520	\$28156.00	41H	ENG BLK HEATER	\$75	\$64.00
	165" WHEELBASE			425	50 STATE EMISS	NC	NC
Z1	OXFORD WHITE				JOB #1 BUILD		
A	VNYL 40/20/40				SPARE TIRE/WHL3	350	299.00
S	STEEL			61J	JACK	NC	NC
640A	PREF EQUIP PKG			65Z	AFT AXLE TANK	NC	NC
	.XL TRIM			67D	XTR HVY DTY ALT	NC	NC
572	.AIR CONDITIONER	NC	NC	76C	REVERSE ALARM	125	107.00
	.AM/FM STER/CLK			98R	MANUAL REGEN	250	214.00
99T	6.7L V8 DIESEL	7960	6787.00		FUEL CHARGE		164.80
44W	6-SPEED AUTO	NC	NC		ADV ASSESSMENT		595.00
TBK	.LT245 BSW AS 17	NC	NC		DEST AND DELIV	995	995.00
X4N	4.10 LTD SLIP	360	308.00	TOTAL	BASE AND OPTIONS	40635	37689.80
	LESS TPMS			TOTAL		40635	37689.80
	14000# GVWR PKG						

THIS IS NOT AN INVOICE

7/31.00

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC02574

#30,558.80



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. C.2

*** RESOLUTION NO. 5732**

**Accepting the Contract with Vessels Construction Company, a Division of Vescor,
as Complete for the Wastewater Treatment Plant Peak Flow Phase II Improvements**

Issue

To consider acceptance of the contract with Vessels Construction Company, a Division of Vescor, as complete for Phase II of the Wastewater Treatment Plant Peak Flow Improvements

Background

Vessels Construction Company, a Division of Vescor, has completed all work required under its contract for improvements at the City's Wastewater Treatment Plant. The improvements included modifications to the existing sludge basins for peak flow storage and a pipeline from the equalization basin to the storage area.

Origination

Greater Texoma Utility Authority (GTUA)

Financial Consideration

The project was funded through a GTUA revenue bond issue.

Staff Recommendation

It is recommended that the attached resolution be approved by the City Council.

Alternatives

As may be directed by the City Council

Attachments

Resolution No. 5732

Project Completion Certifications

Project Location Map

Prepared by:
Mark Gibson, Director of Engineering and Utilities

Approved by:
George Olson, City Manager

RESOLUTION NO. 5732

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH VESSELS CONSTRUCTION COMPANY, A DIVISION OF VESCOR, AS COMPLETE FOR THE WASTEWATER TREATMENT PLANT PEAK FLOW PHASE II IMPROVEMENTS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman has entered into a Contract for the Sherman Wastewater Treatment Plant (WWTP) Peak Flow Phase II Improvements with Vessels Construction Company, a Division of Vescor; and

WHEREAS, representatives of the City of Sherman and the project engineer have inspected the Sherman WWTP Peak Flow Phase II Improvements and found the project to be complete;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman hereby formally accepts the contracted work of Vessels Construction Company, a Division of Vescor, for the Sherman WWTP Peak Flow Phase II Improvements as complete.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

**BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY**

CERTIFICATE OF PROJECT COMPLETION

Project: SHERMAN WWTP PEAK FLOW STORAGE IMPROVEMENTS PHASE 2

Date of Issuance: October 30, 2012

Owner: Greater Texoma Utility Authority/City of Sherman, Texas

Contractor: Vessels Construction a division of VESCOR, Inc.

Engineer: Freeman-Millican, Inc.

This Certificate of Project Completion applies to all Work under Contract Documents or to the following specified parts thereof:

All specified work

To: Greater Texoma Utility Authority/City of Sherman, Texas
OWNER

And to Vessels Construction a division of VESCOR, Inc.
CONTRACTOR

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and that Work is hereby declared to be complete in accordance with Contract Documents on

October 16, 2012
Date of Completion

From the date of Completion the responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties and guarantees shall be as follows:

RESPONSIBILITIES:

OWNER: Security, operation, safety, maintenance, heat, utilities, insurance

CONTRACTOR: Two Years Contractor's Guarantee (from the date of completion).
Payment and Performance Bonds

The following documents are attached to and made a part of this Certificate:

Contractor's Guarantee, Consent of Surety, Final Pay Estimate

This certificate does not constitute an acceptance of work not in accordance with the Contract Documents nor is it a release of CONTRACTOR'S obligations to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on October 30, 2012

Freeman-Millican, Inc.
ENGINEER

By: David E. Gattis

CONTRACTOR'S CERTIFICATION AND GUARANTEE

Date: October 30, 2012

Project: SHERMAN WWTP PEAK FLOW STORAGE IMPROVEMENTS PHASE 2

Owner: Greater Texoma Utility Authority/City of Sherman

Contractor: Vessels Construction, a division of Vescor, Inc.

Date of Contract: December 27, 2011

Date of Project Completion: October 16, 2012

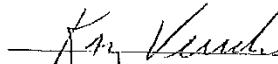
Final Contract Amount: \$313,275.40

The CONTRACTOR certifies that (1) all payments received from OWNER on account of WORK done under the CONTRACT have been applied to discharge obligations of CONTRACTOR incurred in connection with WORK; and (2) title to all materials and equipment incorporated in said WORK will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances.

The CONTRACTOR shall guarantee all materials and equipment furnished and WORK performed for a period of two (2) years from the date of completion as evidenced by the Engineer's Final Certificate. The CONTRACTOR warrants and guarantees for a period of two (2) years from the date of completion that all work under the CONTRACT is free from faulty materials in every particular and free from improper workmanship, and against injury from proper and usual wear, and agrees to replace or to re-execute without cost to the OWNER such work as may be found to be improper or imperfect and to make good all damages caused to the other work or materials, due to such required replacement or re-execution. The OWNER will give notice of observed defects with reasonable promptness. In the event that the CONTRACTOR should fail to make such repairs, adjustments, or other work that may be made necessary to such defects, the OWNER may do so and charge the CONTRACTOR the cost thereby incurred. The PERFORMANCE BOND shall remain in full force and effect through the guarantee period.

Contractor: Vessels Construction a division of VESCOR, Inc.

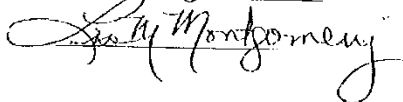
By:



Date:

10-31-12

Attest:



**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

AIA DOCUMENT G707

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
SURETY ☐
OTHER ☐

PROJECT: Post Oak Creek Wastewater Treatment Plant Peak Flow Storage Improvements Phase 2
(name, address) Sherman, TX

TO (Owner)

Greater Texoma Utility Authority
5100 Airport Drive
Denison, TX 75020

PROJECT NO: N/A

CONTRACT FOR: Wastewater Treatment

CONTRACTOR:

CONTRACT DATE: December 19, 2011

VESSELS CONSTRUCTION, A DIV OF VESCOR, INC.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety Company)

SURETEC INSURANCE COMPANY
1330 POST OAK BLVD., #1100, HOUSTON, TX 77056

, SURETY COMPANY,

On bond of (here insert name of Contractor)

VESSELS CONSTRUCTION, A DIV OF VESCOR, INC.
P. O. BOX 28, SHERMAN, TX 75090

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

GREATER TEXOMA UTILITY AUTHORITY
5100 AIRPORT DRIVE, DENISON, TX 75020

, OWNER,

as set forth in the said Surety Company's bond, Bond No. 4384698

IN WITNESS WHEREOF,

the Surety Company has hereunto set its hand this 31st day of October, 2012.

SURETEC INSURANCE COMPANY
Surety Company

Lisa Borhaug
Signature of Authorized Representative

Lisa Borhaug
Title Attorney-In-Fact

Attest: Pat Pinchback
(Seal): Pat Pinchback, Witness

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTORS AFFIDAVIT OF PAYMENT AND DEBTS AND
CLAIMS, Current Edition

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Clem F. Lesch, Steven W. Lewis, Allen Sparks, Eric Lesch, Lisa Borhaug, Roger Bales

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Five Million and 00/100 Dollars (\$5,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 12/31/2014 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 3rd day of September, A.D. 2010.

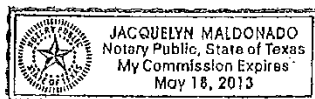
SURETEC INSURANCE COMPANY

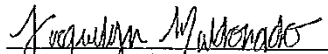
By: 
John Knox Jr., President



State of Texas SS:
County of Harris

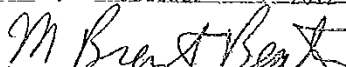
On this 3rd day of September, A.D. 2010 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.




Jacquelyn Maldonado, Notary Public
My commission expires May 18, 2013

I, M. Brent Beatty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 31st day of October, 2012, A.D.


M. Brent Beatty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 6:00 pm CST.

CONTRACTOR'S CERTIFICATION

I, Bill G. Vessels, the undersigned upon oath do depose and say that I have full knowledge of the above and foregoing account, that the said account is just, correct, due, and according to law and that the amount claimed after allowing all just credits, is now due and wholly unpaid, and that I am authorized to make this affidavit, so help me God.

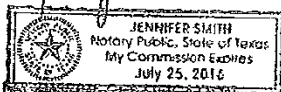
CLAIMANT: Vessels Construction

BY: Bill G. Vessels

Subscribed and sworn to before me 24th day
of October, 2012.

My commission expires: July 25, 2016

Notary Public: Jennifer Smith



I certify that I have checked and verified this Estimate No. Final, that to the best of my knowledge and belief it is a true and correct statement of work performed and/or materials supplied by the Contractor.

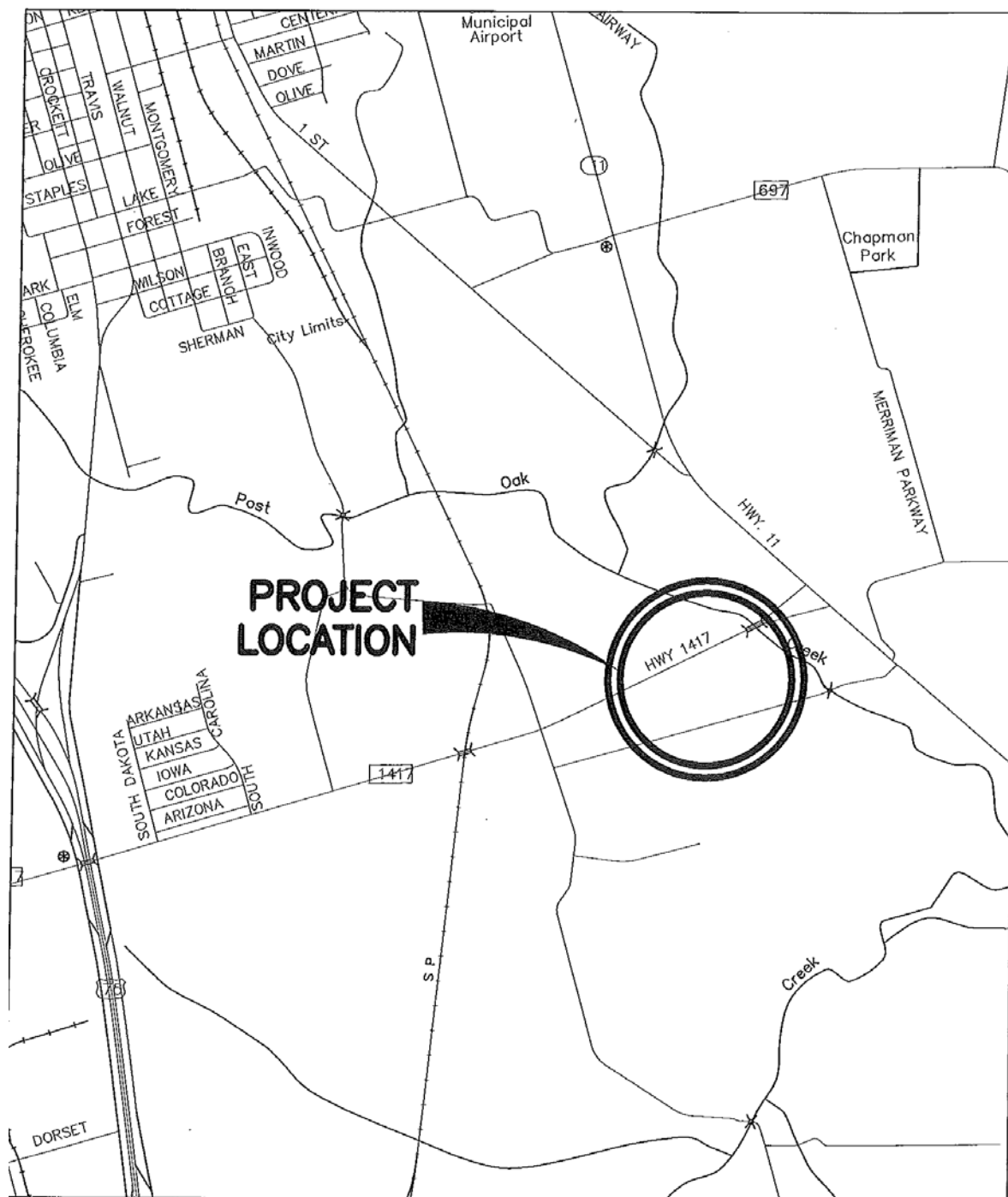
BY: David E. Harts

DATE: 10-26-2012

REMARKS: FMI

Total Additions	\$0.00
Total Deductions	\$0.00
Contract as Revised To Date	\$313,275.40
Total Amount of Work Done to Date	\$313,275.00
Materials on Hand	\$0.00
Total Work and Materials	\$313,275.00
Amount Retained (10) Percent	
Balance	\$313,275.00
Less Previous Payments	\$281,947.50
Amount Due On Contract Estimate	\$31,327.50
Contract Time/ Calendar Days	180
Days Added or (Deleted)	
Contract Time as Revised	
Days Used This Estimate	
Days Previously Used	
Total Days Used	
Days Remaining of (Late)	
Contract Completion Time	
Contractor's Estimated Completion Date	

Original Contract Amount	\$313,275.40
--------------------------	--------------



City of Sherman, Texas
WASTEWATER TREATMENT PLANT

PROJECT LOCATION MAP





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.1

OTHER BUSINESS

Receive Presentation from Customer Service Manager Angela Gurley on an Interactive Voice Response System for the Utility Billing Department

Issue

A presentation on implementation of a new Interactive Voice Response (“IVR”) System for utility customers

Background

The City currently offers several methods of payment for utility customers to pay their bills. An additional feature will soon be added that will allow customers to pay their bills using an IVR System over the phone. This system will save hundreds of man-hours of time by allowing customers to use this phone feature instead of speaking with department personnel for routine payments. There is no cost to the City for the actual service from the vendor Teleworks; and setup fees from the City’s phone provider will be less than \$1,000.

Origination

Utility Billing, Department 711

Financial Consideration

None

Staff Recommendation

There is no action required of the Council for this item.

Alternatives

None recommended

Attachments

None

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.2

OTHER BUSINESS

Receive City Attorney Brandon Shelby's Briefing on the City's Taxicab Ordinance

Issue

The City's standing taxicab ordinance is dated and unenforceable and should be repealed or amended.

Background

The City of Sherman currently has a rather lengthy and detailed City Ordinance governing the operation of taxicabs within the city limits. Ordinance No. 3149 was originally adopted in 1976 and was amended as recently as 1995. At some point since 1995, the City ceased enforcing the Ordinance. It was not codified electronically when the Code of Ordinances was put online, but remains officially a part of City code as it has never been formally repealed. The Ordinance is dated, cumbersome, and unenforceable as is.

Origination

City Council and City Attorney

Financial Consideration

No financial consideration for repeal. Revenue generated from any franchise fees from a new Ordinance would be nominal and would serve to only to offset a portion of the costs of administration and enforcement of the Ordinance.

Staff Recommendation

Staff recommends that the current Ordinance be repealed as it is not being enforced and has not been for quite some time. Staff will take recommendations from Council regarding details for amendment or drafting of new Ordinance.

Alternatives

No viable alternatives

Attachments

Memo dated September 17, 2012 from City Attorney Brandon Shelby regarding taxicabs
Chapter 28 of the formerly codified Code of Ordinances, entitled "Taxicabs"
City Ordinance No. 3149
City Ordinance No. 4467

Prepared by:
Brandon Shelby, City Attorney

Approved by:
George Olson, City Manager



memorandum

DATE: September 17, 2012

TO: The Honorable Mayor Bill Magers and Members of the Sherman City Council
George Olson, City Manager
Robby Heflon, Assistant City Manager/CFO

FROM: Brandon Shelby, City Attorney 

SUBJECT: Taxicabs

Mayor and Council:

The City of Sherman currently has a rather lengthy and detailed City Ordinance governing the operation of taxicabs within the city limits. Ordinance No. 3149 was originally adopted in 1976 and was amended as recently as 1995, but is not currently enforced and is in need of review and overhaul. Below is a very brief overview of the Ordinance. I have also attached the original Ordinance and its latest amendment for your review.

Application and Licensing

The Ordinance requires taxicabs and taxicab companies to have certificates of convenience and necessity issued by the City Council after a public hearing, individual taxicab licenses for each vehicle and licenses for each driver-operator separate from their state issued driver's license. Each taxi company must also maintain various insurance coverages with the City Clerk's office. The Ordinance further requires all taxicabs to undergo monthly inspections.

Most of the responsibility of the administration of these requirements is placed on the Police Department. The Police Department is responsible for the licensing and inspection of vehicles as well as the investigation and approval of driver applications.

Gross Receipts Tax

Holders of taxicab certificates of convenience and necessity are required to pay a quarterly two percent tax on gross receipts. For these purposes, their accounting records are subject to inspection by the City Council or any person designated by the Council.

Rates

The Ordinance establishes uniform rates for operation of taxicabs by establishing travel "zones" within the city limits. This method is employed in many cities to keep cab drivers from taking

passengers on longer routes to drive up the fare. The rates were amended in 1995 and are likely in need of amendment once again. The zones may also be dated as well.

Conclusion

As stated above, this Ordinance is currently not being enforced. I recommend it be updated to a state that can be managed and enforced or that it be repealed. It is not palatable to me as City Attorney to have an Ordinance on the books that we are simply ignoring. I will proceed as directed.

Chapter 28

TAXICABS*

Sec. 28-1. Franchise required.

No person shall operate any taxicab business within the city without first securing a franchise therefor from the city council. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-2. Definitions.

For the purpose of this chapter, the following definitions shall apply.

Driver. The word "driver" shall mean one who is authorized and licensed by a company holding a certificate of convenience and necessity as an operator of a taxicab for public hire.

Passenger. The word "passenger" shall mean and include and be construed to be a person riding in an automobile or vehicle for hire as distinguished from a person operating the same.

Passenger, additional. The words "additional passenger" shall mean any person, not a child in arms under three (3) years of age, traveling with the first passenger.

Person; persons. The words "person" or "persons" shall mean and include any person, individual, firm, association, copartnership or corporation.

Taxicab. The word "taxicab" shall include any and all motor vehicles used for the transportation or carrying of passengers for hire within the limits of the City of Sherman (except vehicles engaged in interstate commerce and vehicles properly and legally licensed by the Texas Highway Department to do a carrying business between established towns and cities within the state), and not operating on a fixed route.

Taxicab company. The words "taxicab company" shall include any "person" or "persons" as hereinabove defined, who

*Editor's note—Ord. No. 3149, § 1, adopted Oct. 11, 1976, repealed former §§ 28-1—28-20, dealing with taxicabs. Section 2 of said Ord. No. 3149 added new §§ 28-1—28-20.
Supp., No. 34

has been issued a certificate of convenience and necessity by the city council of the City of Sherman and has been duly licensed to carry on a taxi business in the City of Sherman.

Waiting time. The time when a taxicab is not in motion from the time of acceptance to the time of discharge of a passenger, exclusive of any time the taxicab is not in motion due to any cause other than the request, act or fault of the passenger. The first three (3) minutes elapsing prior to the arrival of a passenger at the beginning of a trip shall not be considered as waiting time, and in no event shall time be considered as waiting time for any period prior to the time of arrival designated by the prospective passenger when requesting a taxicab. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-3. Licenses required.

Licenses required by the City of Sherman for the operation of taxicabs and taxicab companies shall include:

- (a) Certificate of convenience and necessity;
- (b) Individual taxicab licenses for each vehicle; and
- (c) Licenses for each driver-operator. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-4. Taxicab licenses; form; due date; fee; proration; refund.

Annual taxicab licenses shall be issued in the form of serially numbered certificates, bearing the signature of the city clerk and the seal of the City of Sherman. Said certificate shall show the expiration date of the license, the name of the owner and operator, the name of the manufacturer of the vehicle, the year of the manufacture, the engine number, and the number of the license plate issued by the tax commission. Such taxicab licenses shall be obtained each year on or before May 1st for owners and operators operating within the City of Sherman. Upon application of the owner an annual license fee of fifteen dollars (\$15.00) for each taxicab operated shall

Supp. No. 34

be due and payable. License fees shall not be prorated for a fractional part of a fiscal period and no refund shall be made. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-5. Application for a taxicab license.

The application for a taxicab license shall contain the following:

- (a) Full name, address and age of the applicant, and his permanent business location; if a partnership, the name and address of the partners, if a corporation, the names and addresses of the officers and directors thereof.
- (b) A complete description of each vehicle, including the length of time the vehicle has been in use, the number of persons it is constructed or built to carry, the motive power, the model, motor and chassis number, state license number, and the seating capacity of each vehicle proposed to be used and a statement of the ownership of each vehicle, and the amount and name of the mortgagee, if encumbered.
- (c) The trade name under which applicant does, or proposes to do business, and the color or distinctive design of the body, if any, of each vehicle proposed to be used.
- (d) Whether or not the vehicle is equipped with safety glass in all doors, partitions, windows and windshields.
- (e) The name and local agent for the company issuing public liability and property damage insurance on each vehicle proposed to be used. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-6. Issuance of taxicab license; public hearing on convenience and necessity.

Upon the filing of said application for such license the matter of the hearing of said application shall be brought before the mayor and city council within a reasonable time thereafter, at which time the applicant shall show by proper proof the convenience and necessity for such license. Notice in writ-

ing at least ten (10) days prior to the date of such hearing shall first be given to all persons, partnerships or corporations engaged in the taxicab business in the city and operating under a city license, by the city clerk, by mail at their business addresses on file in the city clerk's office, of the time and place of said hearing, at which hearing they shall have an opportunity to be heard, as to the necessity and convenience of the public and their willingness and ability to meet any demands made upon them by the city. Notice of such hearing shall also be published in each issue of the official newspaper of the city for ten (10) days before said hearing and the applicant shall pay the cost thereof in advance to the city clerk.

In determining the necessity, convenience and requirements for such license, the mayor and city council shall take into consideration:

- (a) Whether the demands of public convenience and necessity require such proposed or additional taxicab service within the city.
- (b) The financial responsibility of the applicant and the likelihood of the proposed service being permanent, responsible, and satisfactory.
- (c) The number, kind, type and condition of equipment.
- (d) The number of taxicabs now operating in the city and the increased traffic congestion and demand for increased parking space upon the streets of the city by the public, both vehicular and pedestrian, which may result, and whether the safe use of the streets will be preserved.
- (e) And such other relevant facts as the mayor and city council may deem advisable and necessary.

Any taxicab company, operating under a valid license at the time of the passage of this chapter shall not be required to obtain a certificate of convenience and necessity. (Ord. No. 3149, § 2, 10-11-76; Ord. No. 3188, § 1, 4-11-77)

Sec. 28-7. Name of taxicab company.

No company can operate under more than one company name. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-8. Insurance.

(a) [*Required.*] It shall be unlawful for any person, firm or corporation to operate or cause to be operated any taxicab within the City of Sherman unless the operator of such vehicle shall have filed with the city clerk an insurance policy as hereinafter provided. No taxicab license shall be issued to any operator unless the city clerk shall have first approved such insurance policy.

(b) [*Limits.*] All insurance policies to be filed with the city clerk shall be issued by an insurance company authorized to do business in the State of Texas and shall provide liability insurance coverage for each taxicab owned, leased or operated by the assured with a liability coverage of at least ten thousand dollars (\$10,000.00) for the injury or death of any one person, and twenty thousand dollars (\$20,000.00) for the injury or death of any number of persons in any one accident, and with a coverage of five thousand dollars (\$5,000.00) for property damage in any one accident; said insurance coverage to be effective whether the taxicab was, at the time of the accident, being driven by the owner, his agent, employee, lessee or licensee.

(c) [*Notice of cancellation.*] Said policy shall further provide that it cannot be cancelled until ten (10) days' notice in writing of such cancellation shall have been filed with the city clerk. If said notice of cancellation is filed and the operator shall fail to provide within ten (10) days another policy of insurance, complying with the provisions hereof, then the license issued for such taxicab shall automatically become void and of no effect. The cancellation of any policy shall in no way affect or terminate any liability arising prior to the effective date of such cancellation.

(d) [*Information required.*] The policy of insurance shall carry the name of the manufacturer of said taxicab, the year of manufacture, and the engine number thereof.

(e) [*Recall of cancellation notice.*] No cancellation notice shall be recalled by a letter of reinstatement.

(f) [*Endorsement.*] There shall be attached to all liability insurance policies issued pursuant to the requirements of this section, the following endorsement, to wit:

"In consideration of the premium stated in the policy to which this endorsement is attached, the company hereby waives a description of the motor vehicles to be insured and agrees to pay, to the extent of the maximum amounts named in the policy, any final judgment for personal injury, including death, resulting therefrom, or damage to property caused by any and all motor vehicles operated by the assured as taxicabs within the City of Sherman, Texas, and further agrees that upon the assured's failure to pay any such final judgment, the judgment creditor may maintain an action in any court of competent jurisdiction to compel such payment. Nothing contained in the policy or any endorsement thereon, nor the violation of any of the provisions thereof by the assured, shall relieve the company from liability hereunder or from the payment of such judgment. The policy to which this endorsement is attached shall not expire, nor shall cancellation take effect until ten (10) days' notice in writing by the company shall have been given to the city clerk at Sherman, Texas, said ten (10) days' notice to commence to run from the date notice is actually received at the office of the city clerk."

(g) [*Continuance of liability.*] Said insurance policy shall contain a provision for continuing liability thereunder to the

full amount thereof notwithstanding any recovery thereon, and provide that until the policy is revoked as herein provided, the insurance company will not be relieved from liability on account of nonpayment of premiums. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-9. Inspection of taxicabs.

All taxicabs will be required to undergo inspection each month by a qualified mechanic-inspector, appointed by the chief of police. All taxicabs will carry a certificate or card of a nature that will allow the inspecting officer to place the date of inspection and his initials thereon each time the taxicab is inspected. Any police officer may inspect any taxicab operating within the City of Sherman at any time. The mechanic-inspector shall maintain an inspection record which shall show all taxicabs being operated in the City of Sherman, the date of last inspection of each taxicab and the recommendations made by the mechanic-inspector in connection with each taxicab. The mechanic-inspector shall furnish to the city manager, the chief of police and the taxicab owner, each month, a copy of his inspection report. The copy furnished the taxicab owner shall be prominently displayed in the taxicab so as to be visible to any passenger in the taxicab. It shall be the duty of the mechanic-inspector, in connection with each inspection made, to inspect the mechanical condition of each taxicab and also inspect such taxicabs for cleanliness, comfort and efficiency of operation. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-10. Driver-operator licenses.

(a) *License.* No person shall drive a taxicab within the City of Sherman without a taxicab driver's license issued by said city and no person operating a taxicab within the City of Sherman shall permit such taxicab to be driven by any person who is not licensed by the city to drive taxicabs. The taxicab drivers' licenses shall be issued by the chief of police. No license shall be issued to extend beyond the 30th day of the following April and shall be good for one year. Supp. No. 84

No such license shall be issued to any person who does not have an unrevoked chauffeur's license issued by the State of Texas.

(b) *Form; display.* The license shall be on card of appropriate size. There shall be placed thereon in easily readable letters the name of the driver to whom it is issued and there shall be mounted thereon a photograph of the driver. No additional charge shall be made for the taking of the picture of the applicant by employees of the city and for the furnishing of the photograph and mounting the same on the license card. The driver's license card, enclosed in a container furnished by the city, shall be displayed on the front interior of the taxicab, above the windshield. Such driver's license card shall be displayed in such manner that the entire card, including the name and picture of the driver, shall be visible at all times to any person riding in any seat of the taxicab. No driver's license card shall be displayed other than the one issued to the driver who is on duty in that particular taxicab at that time. It shall be a violation of this chapter for any driver to drive a taxicab at any time without displaying his driver's license card as herein provided. The driver shall be responsible for keeping his license card in good condition, and it shall be unlawful to display a torn or illegible card or one in which the photograph of the driver is defaced.

(c) *Application.* The application for a driver-operator's license shall contain the following information:

- (1) Name, age, sex, weight, height, color of eyes and hair of applicant, his residence or address and length of residence in the city and place of residence and employment during the past three (3) years.
- (2) Whether or not the applicant is now or has been heretofore licensed as a chauffeur or taxicab driver and, if so, when and by what state and whether such license has been revoked or suspended and the date of any revocation or suspension. The application shall also contain the name of the person by whom the applicant is employed.

- (3) The number of times and places arrested or convicted for traffic violations.
- (4) The experience the applicant has had in driving motor vehicles.
- (5) Whether or not the applicant has ever been convicted of a felony or misdemeanor with particulars of each conviction.
- (6) A health certificate after examination by a licensed physician, to the effect that the applicant is in good health and possessed of his normal faculties, shall be furnished and attached to said application.
- (7) Reference to three (3) reputable persons who have known the applicant for one year or more immediately prior to such application.
- (d) *Investigation and approval of application by police.*

The chief of police shall cause an investigation to be made of the facts set forth in said application and shall not recommend approval of the issuance of a license to any person whose general reputation for integrity and responsibility, or whose previous record as a law violator is such as to render the applicant unfit for such occupation or who, in the opinion of the examining physician, after examination, is not physically fit to drive or operate a taxicab.

The chief of police shall also cause such applicant for a driver's license to be examined as to the provisions of this chapter and the traffic regulations and ordinances relating to traffic of the city and of the geography of the city and if the applicant fails to show a reasonable knowledge of such matters, the chief of police shall refuse to recommend approval and issuance of a license. Each such applicant must be required by the police department to demonstrate his skill and ability to safely handle a motor vehicle by driving it through a crowded section of the city, accompanied by an officer of the police department. If the applicant is found to be a fit and proper person to operate and drive a taxicab by the chief of police, according to the standard set forth

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herein, his application shall be approved by the chief of police. (Ord. No. 3149, § 2, 10-11-76)

Sec. 23-11. Revocation or suspension of a driver's license.

(a) *Revocation.* A driver's license shall be revoked by the chief of police for any of the following acts:

- (1) Upon conviction, after the issuance of the license, of a violation of any federal or state law.
- (2) For operating a taxicab while drinking.
- (3) For leaving the scene of an accident.
- (4) For permitting any other person to use his license.
- (5) For obliterating or erasing any official entry on his license.
- (6) Upon conviction of three (3) major traffic violations during any one license year; a major traffic violation is hereby defined to be:
 - (a) Speeding.
 - (b) Reckless driving.
- (c) Nonobservance of lights or signs.
- (d) Improper parking.
- (e) Making a left or U-turn where not permitted.
- (f) Driving on the wrong side of the street.
- (7) For the use of obscene or profane language in public in the presence or hearing of any passenger.

(b) *Suspension.* A driver's license may be suspended by the chief of police for a period not to exceed ninety (90) days for any of the following reasons:

- (1) First and second offenses for any major traffic violation, as hereinabove defined.
- (2) Repeated infractions of minor traffic laws.

(3) Failure or refusal to assist or cooperate with the law enforcement officers in the investigation of any accident or law violation.

(4) Repeated failure to present a clean appearance while on duty.

(c) *Police action when license revoked.* Whenever a driver's license is revoked, the chief of police shall take up the driver's license and forward it to the city clerk, together with a reason for such revocation. No person whose license has been revoked shall be able to get a license until one year from the date of such revocation.

(d) *Driver's right of appeal.* In case of the revocation or suspension of a driver's license, the driver shall have the right to appeal to the mayor and the city council of the City of Sherman by immediately notifying the city clerk and thereafter, presenting the matter at the next regular meeting of the mayor and the city council whose decision thereon, shall be final.

(e) *Supplementary provisions.* The provisions of this section are supplementary to penalties provided in this chapter. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-12. Revocation of owners' or drivers' licenses.

An owner's license or driver's license, or both, may be revoked for repeated failure of the owner or driver to charge the fare fixed by the city council of the City of Sherman. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-13. Nonpaying passengers prohibited.

Any nonpaying passengers are prohibited from riding in any taxi vehicle during the operating hours. (Ord. No. 3149, § 2, 10-11-76; Ord. No. 3331, § 1, 6-18-79)

Sec. 28-14. Refusal of passengers to pay fare.

It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the same, and

it shall be unlawful for any person to hire a vehicle, herein defined as a taxicab, with intent to defraud the person from whom it is hired for the value of such service. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-15. Gross receipts tax.

(a) There is levied and assessed against each holder of a certificate, including the current operator, a gross receipts tax in an amount equal to two per cent (2%) of the gross receipts of the permit-holders from the operation of their taxicabs for the carriage of passengers for hire within the City of Sherman. Such tax shall be payable in quarterly installments, one installment due on the 15th day of January, April, July and October for each calendar year, the amount so then payable to be determined upon the gross receipts as above specified for the preceding quarter of the calendar year. This tax shall accrue from and after the effective date of this chapter; and for the purpose of ascertaining the gross earnings from which such payment shall be made, as aforesaid, an accurate account of such earnings shall be kept by the permittee, taxicab operator, and an abstract and account thereof furnished by it to the city manager of the City of Sherman at the time of paying each quarterly installment for such tax; provided that with the quarterly installment due on January 15th of each year, a full, complete and accurate account of the gross receipts for the preceding calendar year shall be furnished to the City of Sherman, and any discrepancy in the amount of the tax paid during the preceding year, together with the amount paid on the 15th day of January, for such preceding year, shall be adjusted at the time of making such payment. The truth of all such abstracts and accounts shall be verified by affidavit of the holder of the permit to operate taxicabs.

(b) For the purpose of verifying the gross receipts tax due and payable as well as for the purpose of determining the fairness of the rates charged by taxicab operators from time to time, the books of such taxicab operators shall, at all times, be open for inspection by the city council of the City of Sherman, or any officer or person designated by the city

council for the purpose of investigating said books, and for the purpose of securing to the City of Sherman the payment of said gross receipts tax, the said city shall have a lien for the payment of said tax, and the same shall be charged upon all the property, estate and effects used by the permit-holder in pursuing the business of operating taxicabs used and located within the City of Sherman, and such lien may be enforced by said city by civil action in any court of appropriate jurisdiction; but nothing contained herein shall be held to impair the right of said city to enforce the terms and conditions of this chapter by any appropriate lawful means. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-16. Contract agreement upon gross receipts.

(a) Upon the approval and issuance of a certificate of public convenience and necessity, the city, and the holder of the certificate, shall agree by contract upon gross receipts due and payable.

(b) Any person not required to secure a certificate by this chapter shall agree with the city upon the amount of gross receipts due and payable by contract. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-17. Exclusive control of taxi.

The driver-operator of a taxi licensed under this chapter shall retain exclusive control of his taxi at all times and may add additional passengers while the taxi is in hire; provided however, if a passenger desires to hire any taxi for uninterrupted use, the driver is hereby authorized to charge thirty-five cents (\$0.35) in addition to the fare authorized by this chapter. (Ord. No. 3149, § 2, 10-11-76)

Sec. 28-18. Food and beverage in taxicab.

It shall be unlawful for drivers or passengers to carry open containers of food or beverage inside any taxicab. (Ord. No. 3149, § 2, 10-11-76)

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Sec. 28-19. Receiving and discharging passengers.

Drivers shall not receive or discharge passengers in the roadway of any street, but shall drive to the right hand curb as nearly as possible, or, in the absence of a curb, to the extreme right hand side of the road and there receive and discharge passengers, except upon one-way streets where the passengers may be discharged at either the right hand or left hand curb or side of the roadway in the absence of a curb. (Ord. No. 8149, § 2, 10-11-76)

Sec. 28-20. Rates established.

(a) Taxi rates to be charged passengers for service within the corporate limits of the city shall be consistent with this section and it shall be unlawful for any person driving such taxicab to charge any fare other than those rates adopted by this section.

(b) The rates for taxi service within the city shall be determined by the transporting of passengers within and between zones within the city. The zones hereby established shall be those which conform to the map appendix of this article which is specifically incorporated herein by reference and attached hereto for all intents and purposes, a copy of which shall be kept at all times in the office of the city clerk and shall be made available for public inspection during routine office hours. Each taxi driver within the city shall keep a duly certified copy of such map appendix as adopted in the vehicle being operated and shall make the same available for inspection by passengers and potential passengers upon request.

(c) Passengers shall be individually charged for service consistent with the rates established below; provided however, when two (2) or more passengers have the same point of origin and destination, one fee based upon the rates established below plus thirty-five cents (\$0.35) for each additional passenger above one passenger shall be charged for all passengers having the same point of origin and destination.

(d) Service sought having its origin or destination outside of the zoned areas and not included in the special schedule, Supp. No. 84

but within the corporate limits of the city shall be charged at a rate agreeable to passenger and company; provided however, no such charge shall ever exceed the sum of five dollars (\$5.00).

(e) There shall be an additional charge of fifteen cents (\$0.15) per minute for first thirty (30) minutes and thirty cents (\$0.30) for each additional minute for waiting time as defined herein. Also, there shall be an additional charge of seventy-five cents (\$0.75) for messages, and an additional charge of one dollar (\$1.00) for parcels delivered by the company when no passenger accompanies in addition to the normal fare authorized herein.

(f) The following rates are hereby authorized and approved and said rates shall be the only lawful rates charged of passengers employing taxi service within the City of Sherman:

Travel within the central business district	\$2.25
Travel within any one zone other than CBD and exterior zone	2.50
Travel within any two (2) zones, including one exterior zone	4.00
Travel within any three (3) zones, including exterior zones	5.25
Travel within any four (4) zones, including exterior zones	6.50
Travel within any five (5) zones, including exterior zones	7.75
Travel from special zone to CBD, or vice versa	2.50
Travel within any exterior zone	4.00
Travel within any two (2) exterior zones	4.00
The following schedule of base rates shall apply when the destination or origin of any fare appears below:	
Kaiser Aluminum	5.25

§ 28-20	SHERMAN CODE	§ 28-21
	Olson Bodies	5.25
	Oscar Mayer	5.25
	Yellow Freight	5.25
	Fisher Controls	5.25
	Texas Instruments	5.25
	Johnson & Johnson	5.25
	Constitution Village	5.25
	Beyond Highway 1417	5.25
	Sher-Den Mall	5.25

The fare for passengers having their origination or destination at one of the locations listed above shall be the corresponding base rate, plus the zone rate approved for the number of zones through which travel is required. (Ord. No. 3149, § 2, 10-11-76; Ord. No. 3331, § 2, 6-18-79; Ord. No. 3518, § 1, 6-1-81; Ord. No. 3833, § 1, 6-24-85)

Sec. 28-21. Trip sheets.

Drivers are to maintain daily trip sheets that reflect such information as "odometer in," "odometer out," "total miles," "time in," "time out," "date," "vehicle number," "shift number," "driver," and a chart reflecting "trip number," "time," "from," "to," "miscellaneous," "number passengers," "fare," a copy of which is specifically incorporated herein by reference and attached hereto for all intents and purposes. (Ord. No. 3331, § 3, 6-18-79)

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ORDINANCE NO. 3149

AN ORDINANCE OF THE CITY OF SHERMAN, TEXAS, REPEALING ALL PRIOR ORDINANCES AND ENACTMENTS REGULATING THE SERVICE, RATES, AND LICENSING OF TAXI SERVICE WITHIN THE CITY AND ADOPTING A NEW ORDINANCE TO BE CODIFIED AS CHAPTER 28 PROVIDING FOR LICENSING PROCEDURES FOR TAXI COMPANIES, TAXI DRIVER-OPERATOR LICENSES, REQUIRING FRANCHISES FOR TAXI COMPANIES, LEVYING A GROSS RECEIPT TAX UPON SUCH COMPANIES, PROVIDING FOR STANDARDS FOR SERVICE, ESTABLISHING RATES TO BE CHARGED FOR SUCH SERVICE, PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE AND PROVIDING A SEVERABILITY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1: That all other ordinances and enactments by the City of Sherman, Texas, dealing with the franchising, licensing, services, and rates for taxi companies operating within said City be, and the same are hereby, in all things repealed.

SECTION 2: That there is hereby enacted a new ordinance, to be codified as Chapter 28 of the Code of Ordinances of the City of Sherman, Texas, regulating taxi service within said City, said Chapter to be enacted and read as follows:

Chapter 28

TAXICABS

Sec. 28-1. Franchise required.

No person shall operate any taxicab business within the City without first securing a franchise therefor from the City Council.

Sec. 28-2. Definitions.

For the purpose of this Chapter, the following definitions shall apply.

Driver. The word "driver" shall mean one who is authorized and licensed by a company holding a certificate of convenience and necessity as an operator of a taxicab for public hire.

Passenger. The word "passenger" shall mean and include and be construed to be a person riding in an automobile or vehicle for hire as distinguished from a person operating the same.

Passenger, additional. The words "additional passenger" shall mean any person, not a child in arms under three years of age, traveling with the first passenger.

Person; persons. The words "person" or "persons" shall mean and include any person, individual, firm, association, co-partnership or corporation.

Taxicab. The word "taxicab" shall include any and all motor vehicles used for the transportation or carrying of passengers for hire within the limits of the City of Sherman (except vehicles engaged in interstate commerce and vehicles properly and legally licensed by the Texas Highway Department to do a carrying business between established towns and cities within the state), and not operating on a fixed route.

Taxicab company. The words "taxicab company" shall include any "person" or "persons" as hereinabove defined, who has been issued a certificate of convenience and necessity by the City Council of the City of Sherman and has been duly licensed to carry on a taxi business in the City of Sherman.

Waiting time. The time when a taxicab is not in motion from the time of acceptance to the time of discharge of a passenger, exclusive of any time the taxicab is not in motion due to any cause other than the request, act or fault of the passenger. The first three minutes elapsing prior to the arrival of a passenger at the beginning of a trip shall not be considered as waiting time, and in no event shall time be considered as waiting time for any period prior to the time of arrival designated by the prospective passenger when requesting a taxicab.

Sec. 28-3. Licenses required.

Licenses required by the City of Sherman for the operation of taxicabs and taxicab companies shall include:

- (a) Certificate of convenience and necessity;
- (b) Individual taxicab licenses for each vehicle; and
- (c) Licenses for each driver-operator.

Sec. 28-4. Taxicab licenses; form; due date; fee; proration; refund.

Annual taxicab licenses shall be issued in the form of serially numbered certificates, bearing the signature of the city clerk and the seal of the City of Sherman. Said certificate shall show the expiration date of the license, the name of the owner and operator, the name of the manufacturer of the vehicle, the year of the manufacture, the engine number, and the number of the license plate

issued by the tax commission. Such taxicab licenses shall be obtained each year on or before May 1st for owners and operators operating within the City of Sherman. Upon application of the owner an annual license fee of fifteen dollars (\$15.00) for each taxicab operated shall be due and payable. License fees shall not be prorated for a fractional part of a fiscal period and no refund shall be made.

Sec. 28-5. Application for a taxicab license.

The application for a taxicab license shall contain the following:

- (a) Full name, address and age of the applicant, and his permanent business location; if a partnership, the name and address of the partners, if a corporation, the names and addresses of the officers and directors thereof.
- (b) A complete description of each vehicle, including the length of time the vehicle has been in use, the number of persons it is constructed or built to carry, the motive power, the model, motor and chassis number, state license number, and the seating capacity of each vehicle proposed to be used and a statement of the ownership of each vehicle, and the amount and name of the mortgagee, if encumbered.
- (c) The trade name under which applicant does, or proposes to do business, and the color or distinctive design of the body, if any, of each vehicle proposed to be used.
- (d) Whether or not the vehicle is equipped with safety glass in all doors, partitions, windows and windshields.
- (e) The name and local agent for the company issuing public liability and property damage insurance on each vehicle proposed to be used.

Sec. 28-6. Issuance of taxicab license; public hearing on convenience and necessity.

Upon the filing of said application for such license the matter of the hearing of said application shall be brought before the Mayor and City Council within a reasonable time thereafter, at which time the applicant shall show by proper proof the convenience and necessity for such license. Notice in writing at least ten (10) days prior to the date of such hearing shall first be given to all persons, partnerships or corporations engaged in the taxicab business in the City and operating under a city license, by the city clerk, by mail at their business addresses on file in the city clerk's office, of the time and place of said hearing, at which hearing they shall have an opportunity to be heard, as to the necessity and convenience of the public and their willingness and ability to meet any demands made upon them by the City. Notice of

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such hearing shall also be published in each issue of the official newspaper of the City for ten (10) days before said hearing and the applicant shall pay the cost thereof in advance to the city clerk.

In determining the necessity, convenience and requirements for such license, the Mayor and City Council shall take into consideration:

- (a) Whether the demands of public convenience and necessity require such proposed or additional taxicab service within the City.
- (b) The financial responsibility of the applicant and the likelihood of the proposed service being permanent, responsible, and satisfactory.
- (c) The number, kind, type and condition of equipment.
- (d) The number of taxicabs now operating in the City and the increased traffic congestion and demand for increased parking space upon the streets of the City by the public, both vehicular and pedestrian, which may result, and whether the safe use of the streets will be preserved.
- (e) And such other relevant facts as the Mayor and City Council may deem advisable and necessary.

In the event that the Mayor and City Council determine there is a necessity, convenience and requirement for such license, the companies licensed and actually and legally operating in the City at the time shall be given the first opportunity to add such proposed or additional taxicab service. Upon their failure, neglect or refusal to do so within a period of thirty (30) days, an order shall be entered in the minutes to that effect and directing the city clerk to issue a license to said applicant, upon compliance with this Chapter.

Any taxicab company, operating under a valid license at the time of the passage of this Chapter shall not be required to obtain a certificate of convenience and necessity.

Sec. 28-7. Name of taxicab company.

No company can operate under more than one (1) company name.

Sec. 28-8. Insurance required.

It shall be unlawful for any person, firm or corporation to operate or cause to be operated any taxicab within the City of Sherman unless the operator of such vehicle shall have filed with the city clerk an insurance policy as hereinafter provided. No taxicab license shall be issued to any operator unless the city clerk shall have first approved such insurance policy.

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All insurance policies to be filed with the city clerk shall be issued by an insurance company authorized to do business in the State of Texas and shall provide liability insurance coverage for each taxicab owned, leased or operated by the assured with a liability coverage of at least ten thousand dollars (\$10,000.00) for the injury or death of any one person, and twenty thousand dollars (\$20,000.00) for the injury or death of any number of persons in any one accident, and with a coverage of five thousand dollars (\$5,000.00) for property damage in any one accident; said insurance coverage to be effective whether the taxicab was, at the time of the accident, being driven by the owner, his agent, employee, lessee or licensee.

Said policy shall further provide that it cannot be cancelled until ten (10) days' notice in writing of such cancellation shall have been filed with the city clerk. If said notice of cancellation is filed and the operator shall fail to provide within ten (10) days another policy of insurance, complying with the provisions hereof, then the license issued for such taxicab shall automatically become void and of no effect. The cancellation of any policy shall in no way affect or terminate any liability arising prior to the effective date of such cancellation.

The policy of insurance shall carry the name of the manufacturer of said taxicab, the year of manufacture, and the engine number thereof.

No cancellation notice shall be recalled by a letter of reinstatement.

There shall be attached to all liability insurance policies issued pursuant to the requirements of this section, the following endorsement, to wit:

"In consideration of the premium stated in the policy to which this endorsement is attached, the company hereby waives a description of the motor vehicles to be insured and agrees to pay, to the extent of the maximum amounts named in the policy, any final judgment for personal injury, including death, resulting therefrom, or damage to property caused by any and all motor vehicles operated by the assured as taxicabs within the City of Sherman, Texas, and further agrees that upon the assured's failure to pay any such final judgment, the judgment creditor may maintain an action in any court of competent jurisdiction to compel such payment. Nothing contained in the policy or any endorsement thereon, nor the violation of any of the provisions thereof by the assured, shall relieve the company from liability hereunder or from the payment of such judgment. The policy to which this endorsement is attached

shall not expire, nor shall cancellation take effect until ten (10) days' notice in writing by the company shall have been given to the city clerk at Sherman, Texas, said ten (10) days' notice to commence to run from the date notice is actually received at the office of the city clerk."

Said insurance policy shall contain a provision for continuing liability thereunder to the full amount thereof notwithstanding any recovery thereon, and provide that until the policy is revoked as herein provided, the insurance company will not be relieved from liability on account of nonpayment of premiums.

Sec. 28-9. Inspection of taxicabs.

All taxicabs will be required to undergo inspection each month by a qualified mechanic-inspector, appointed by the chief of police. All taxicabs will carry a certificate or card of a nature that will allow the inspecting officer to place the date of inspection and his initials thereon each time the taxicab is inspected. Any police officer may inspect any taxicab operating within the City of Sherman at any time. The mechanic-inspector shall maintain an inspection record which shall show all taxicabs being operated in the City of Sherman, the date of last inspection of each taxicab and the recommendations made by the mechanic-inspector in connection with each taxicab. The mechanic-inspector shall furnish to the city manager, the chief of police and the taxicab owner, each month, a copy of his inspection report. The copy furnished the taxicab owner shall be prominently displayed in the taxicab so as to be visible to any passenger in the taxicab. It shall be the duty of the mechanic-inspector, in connection with each inspection made, to inspect the mechanical condition of each taxicab and also inspect such taxicabs for cleanliness, comfort and efficiency of operation.

Sec. 28-10. Driver-operator licenses; form; display; applications; investigation and approval by police.

(a) License. No person shall drive a taxicab within the City of Sherman without a taxicab driver's license issued by said City and no person operating a taxicab within the City of Sherman shall permit such taxicab to be driven by any person who is not licensed by the City to drive taxicabs. The taxicabs drivers' licenses shall be issued by the chief of police. No license shall be issued to extend beyond the 30th day of the following April and shall be good for one year. No such license shall be issued to any person who does not have an unrevoked chauffeur's license issued by the State of Texas.

(b) Form; display. The license shall be on card of appropriate size. There shall be placed thereon in easily readable letters

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the name of the driver to whom it is issued and there shall be mounted thereon a photograph of the driver. No additional charge shall be made for the taking of the picture of the applicant by employees of the City and for the furnishing of the photograph and mounting the same on the license card. The driver's license card, enclosed in a container furnished by the City, shall be displayed on the front interior of the taxicab, above the windshield. Such driver's license card shall be displayed in such manner that the entire card, including the name and picture of the driver, shall be visible at all times to any person riding in any seat of the taxicab. No driver's license card shall be displayed other than the one issued to the driver who is on duty in that particular taxicab at that time. It shall be a violation of this Chapter for any driver to drive a taxicab at any time without displaying his driver's license card as herein provided. The driver shall be responsible for keeping his license card in good condition, and it shall be unlawful to display a torn or illegible card or one in which the photograph of the driver is defaced.

(c) Application. The application for a driver-operator's license shall contain the following information:

- (1) Name, age, sex, weight, height, color of eyes and hair of applicant, his residence or address and length of residence in the City and place of residence and employment during the past three (3) years.
- (2) Whether or not the applicant is now or has been heretofore licensed as a chauffeur or taxicab driver and, if so, when and by what state and whether such license has been revoked or suspended and the date of any revocation or suspension. The application shall also contain the name of the person by whom the applicant is employed.
- (3) The number of times and places arrested or convicted for traffic violations.
- (4) The experience the applicant has had in driving motor vehicles.
- (5) Whether or not the applicant has ever been convicted of a felony or misdemeanor with particulars of each conviction.
- (6) A health certificate after examination by a licensed physician, to the effect that the applicant is in good health and possessed of his normal faculties, shall be furnished and attached to said application.
- (7) Reference to three (3) reputable persons who have known the applicant for one (1) year or more immediately prior to such application.

(d) Investigation and approval of application by police. The chief of police shall cause an investigation to be made of the facts set forth in said application and shall not recommend approval of the

issuance of a license to any person whose general reputation for integrity and responsibility, or whose previous record as a law violator is such as to render the applicant unfit for such occupation or who, in the opinion of the examining physician, after examination, is not physically fit to drive or operate a taxicab.

The chief of police shall also cause such applicant for a driver's license to be examined as to the provisions of this Chapter and the traffic regulations and ordinances relating to traffic of the City and of the geography of the City and if the applicant fails to show a reasonable knowledge of such matters, the chief of police shall refuse to recommend approval and issuance of a license. Each such applicant must be required by the police department to demonstrate his skill and ability to safely handle a motor vehicle by driving it through a crowded section of the City, accompanied by an officer of the police department. If the applicant is found to be a fit and proper person to operate and drive a taxicab by the chief of police, according to the standard set forth herein, his application shall be approved by the chief of police.

Sec. 28-11. Revocation or suspension of a driver's license.

(a) Revocation. A driver's license shall be revoked by the chief of police for any of the following acts:

- (1) Upon conviction, after the issuance of the license, of a violation of any federal or state law.
- (2) For operating a taxicab while drinking.
- (3) For leaving the scene of an accident.
- (4) For permitting any other person to use his license.
- (5) For obliterating or erasing any official entry on his license.
- (6) Upon conviction of three major traffic violations during any one license year, a major traffic violation is hereby defined to be:
 - (a) Speeding.
 - (b) Reckless driving.
 - (c) Nonobservance of lights or signs.
 - (d) Improper parking.
 - (e) Making a left or U turn where not permitted.
 - (f) Driving on the wrong side of the street.
- (7) For the use of obscene or profane language in public in the presence or hearing of any passenger.

(b) Suspension. A driver's license may be suspended by the chief of police for a period not to exceed ninety (90) days for any of the following reasons:

- (1) First and second offenses for any major traffic violation, as hereinabove defined.
- (2) Repeated infractions of minor traffic laws.
- (3) Failure or refusal to assist or cooperate with the law enforcement officers in the investigation of any accident or law violation.
- (4) Repeated failure to present a clean appearance while on duty.

(c) Police action when license revoked. Whenever a driver's license is revoked, the chief of police shall take up the driver's license and forward it to the city clerk, together with a reason for such revocation. No person whose license has been revoked shall be able to get a license until one year from the date of such revocation.

(d) Driver's right of appeal. In case of the revocation or suspension of a driver's license, the driver shall have the right to appeal to the Mayor and the City Council of the City of Sherman by immediately notifying the city clerk and thereafter presenting the matter at the next regular meeting of the Mayor and the City Council whose decision thereon shall be final.

(e) Supplementary provisions. The provisions of this section are supplementary to penalties provided in this Chapter.

Sec. 28-12. Revocation of owners' or drivers' licenses.

An owner's license or driver's license, or both, may be revoked for repeated failure of the owner or driver to charge the fare fixed by the City Council of the City of Sherman.

Sec. 28-13. Nonpaying passengers prohibited.

Any nonpaying passengers are prohibited from riding in any taxi vehicle during the operating hours, except employees and those expressly authorized by management.

Sec. 28-14. Refusal of passengers to pay fare.

It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the same, and it shall be unlawful for any person to hire a vehicle, herein defined as a taxicab, with intent to defraud the person from whom it is hired for the value of such service.

Sec. 28-15. Gross receipts tax.

(a) There is levied and assessed against each holder of a certificate, including the current operator, a gross receipts tax in an amount equal to two per cent (2%) of the gross receipts of

the permit-holders from the operation of their taxicabs for the carriage of passengers for hire within the City of Sherman. Such tax shall be payable in quarterly installments, one installment due on the 15th day of January, April, July and October for each calendar year, the amount so then payable to be determined upon the gross receipts as above specified for the preceding quarter of the calendar year. This tax shall accrue from and after the effective date of this Chapter; and for the purpose of ascertaining the gross earnings from which such payment shall be made, as aforesaid, an accurate account of such earnings shall be kept by the permittee, taxicab operator, and an abstract and account thereof furnished by it to the city manager of the City of Sherman at the time of paying each quarterly installment for such tax; provided that with the quarterly installment due on January 15th of each year, a full, complete and accurate account of the gross receipts for the preceding calendar year shall be furnished to the City of Sherman, and any discrepancy in the amount of the tax paid during the preceding year, together with the amount paid on the 15th day of January, for such preceding year, shall be adjusted at the time of making such payment. The truth of all such abstracts and accounts shall be verified by affidavit of the holder of the permit to operate taxicabs.

(b) For the purpose of verifying the gross receipts tax due and payable as well as for the purpose of determining the fairness of the rates charged by taxicab operators from time to time, the books of such taxicab operators shall, at all times, be open for inspection by the City Council of the City of Sherman, or any officer or person designated by the City Council for the purpose of investigating said books, and for the purpose of securing to the City of Sherman the payment of said gross receipts tax, the said City shall have a lien for the payment of said tax, and the same shall be charged upon all the property, estate and effects used by the permit-holder in pursuing the business of operating taxicabs used and located within the City of Sherman, and such lien may be enforced by said City by civil action in any court of appropriate jurisdiction; but nothing contained herein shall be held to impair the right of said City to enforce the terms and conditions of this Chapter by any appropriate lawful means.

Sec. 28-16. Contract agreement upon gross receipts.

Upon the approval and issuance of a certificate of public convenience and necessity, the city, and the holder of the certificate, shall agree by contract upon gross receipts due and payable.

Any person not required to secure a certificate by this Chapter shall agree with the City upon the amount of gross receipts due and payable by contract.

Sec. 28-17. Exclusive control of taxi,

The driver-operator of a taxi licensed under this Chapter shall retain exclusive control of his taxi at all times and may add additional passengers while the taxi is in hire; provided however, if a passenger desires to hire any taxi for uninterrupted use, the driver is hereby authorized to charge thirty-five cents (35¢) in addition to the fare authorized by this Chapter.

Sec. 28-18. Food and beverage in taxicab.

It shall be unlawful for drivers or passengers to carry open containers of food or beverage inside any taxicab.

Sec. 28-19. Receiving and discharging passengers.

Drivers shall not receive or discharge passengers in the roadway of any street, but shall drive to the right hand curb as nearly as possible, or, in the absence of a curb, to the extreme right hand side of the road and there receive and discharge passengers, except upon one way streets where the passengers may be discharged at either the right hand or left hand curb or side of the roadway in the absence of a curb.

Sec. 28-20. Rates established.

(a) Taxi rates to be charged passengers for service within the corporate limits of the City shall be consistent with this section and it shall be unlawful for any person driving such taxicab to charge any fare other than those rates adopted by this section.

(b) The rates for taxi service within the City shall be determined by the transporting of passengers within and between zones within the City. The zones hereby established shall be those which conform to the Map Appendix of this ordinance which is specifically incorporated herein by reference and attached hereto for all intents and purposes, a copy of which shall be kept at all times in the office of the city clerk and shall be made available for public inspection during routine office hours. Each taxi driver within the City shall keep a duly certified copy of such Map Appendix as adopted in the vehicle being operated and shall make the same available for inspection by passengers and potential passengers upon request.

(c) Passengers shall be individually charged for service consistent with the rates established below; provided however, when two or more passengers have the same point of origin and destination, one fee based upon the rates established below plus thirty-five cents (35¢) for each additional passenger above one passenger shall be charged for all passengers having the same point of origin and destination.

(d) Service sought having its origin or destination outside of the zoned areas and not included in the special schedule, but within the corporate limits of the City shall be charged at a rate agreeable to passenger and company; provided however, no such charge shall ever exceed the sum of three dollars fifty cents (\$3.50).

10-167

(e) There shall be an additional charge of ten cents (10¢) per minute for waiting time, as defined herein. Also, there shall be an additional charge of twenty-five cents (25¢) for messages, and an additional charge of fifty cents (50¢) for parcels delivered by the company when no passenger accompanies in addition to the normal fare authorized herein.

(f) The following rates are hereby authorized and approved and said rates shall be the only lawful rates charged of passengers employing taxi service within the City of Sherman.

TRAVEL WITHIN THE CENTRAL BUSINESS DISTRICT	.75
TRAVEL WITHIN ANY ONE ZONE OTHER THAN CBD & EXTERIOR ZONE	.85
TRAVEL WITHIN ANY TWO ZONES, INCLUDING ONE EXTERIOR ZONE	1.35
TRAVEL WITHIN ANY THREE ZONES, INCLUDING EXTERIOR ZONES	1.85
TRAVEL WITHIN ANY FOUR ZONES, INCLUDING EXTERIOR ZONES	2.00
TRAVEL WITHIN ANY FIVE ZONES, INCLUDING EXTERIOR ZONES	2.30
TRAVEL FROM SPECIAL ZONE TO CBD, OR VICE VERSA	1.05
TRAVEL WITHIN ANY EXTERIOR ZONE	1.30
TRAVEL WITHIN ANY TWO EXTERIOR ZONES	1.55

The following schedule of base rates shall apply when the destination or origin of any fare appears below:

KAISER ALUMINUM	1.65
OLSON BODIES	1.65
OSCAR MAYER	1.65
YELLOW FREIGHT	1.65
FISCHER CONTROLS	1.65
TEXAS INSTRUMENTS	2.40

The fare for passengers having their origination or destination at one of the locations listed above shall be the corresponding base rate, plus the zone rate approved for the number of zones through which travel is required.

76-170

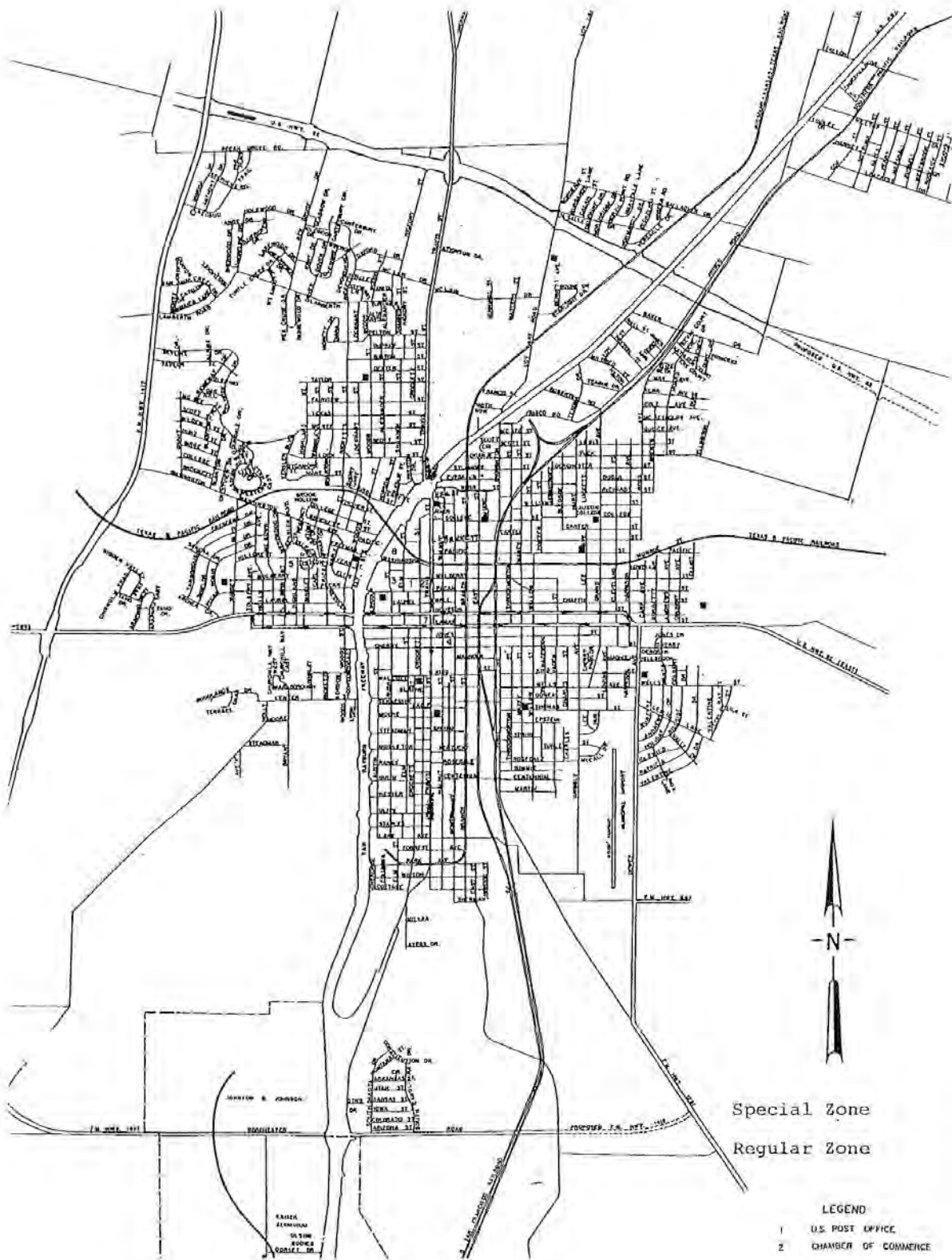
SECTION 3. That this ordinance shall become effective seven (7) days from and after its final passage and publication.

PASSED AND APPROVED on this the 11 day of October, A.D. 1976.

Herman Baker
MAYOR

ATTEST:
Jack Spears
CITY CLERK

APPROVED:
Sam Olin
CITY ATTORNEY



95-075

ORDINANCE NO. 4467

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 4294, TO PROVIDE FOR A REVISION IN TAXICAB RATES; PROVIDING FOR A REPEALER CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Ordinance No. 4294 of the City of Sherman, Texas, which amended Section 28-20 of Chapter 28 of the Sherman City Code (1967 Edition) to provide for a revision in taxicab rates, be amended at subsection (f) so that such ordinance shall read as follows:

- (f) The following standard rates are hereby announced and approved and said rates shall be the lawful rates charged of passengers employing taxi service within the City of Sherman. Lower rates may be established by municipal contract for special classes of passengers.

Travel within the central business district	\$3.25 \$3.50
Travel within any one zone other than CBD and exterior zone	\$3.50 \$4.00
Travel within any two (2) zones, including one exterior zone	\$5.00 \$5.75
Travel within any three (3) zones, including exterior zones	\$6.25 \$7.00
Travel within any four (4) zones, including exterior zones	\$7.50 \$8.25
Travel within any five (5) zones, including exterior zones	\$8.75 \$9.50
Travel within any six (6) zones, including exterior zones	\$10.75
Travel from special zone to CBD, or vice versa	\$3.50

Travel within any exterior zone \$5.50

Travel within any two (2) exterior zones \$5.00

The following schedule of base rates shall apply when the destination or origin of any fare appears below:

Kaiser Aluminum \$6.25 + Zones

Olson Bodies \$6.25 + Zones

Oscar Mayer \$6.25 + Zones

Yellow Freight \$6.25 + Zones

Fisher Controls \$6.25 + Zones

Texas Instruments \$6.25 + Zones

Johnson & Johnson \$6.25 + Zones

Constitution Village \$6.25 + Zones

Beyond Highway 1417 \$6.25 + Zones

Midway Mall \$6.25 + Zones

SECTION 2. That the revision of fees provided herein shall be effective from and after the effective date of this ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

1ST READING this the 10 day of OCTOBER, 1995.

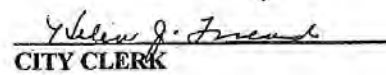
2ND READING this the 23 day of OCTOBER, 1995.

EFFECTIVE DATE: 30 day of OCTOBER, 1995.

95-075


MAYOR

ATTEST:

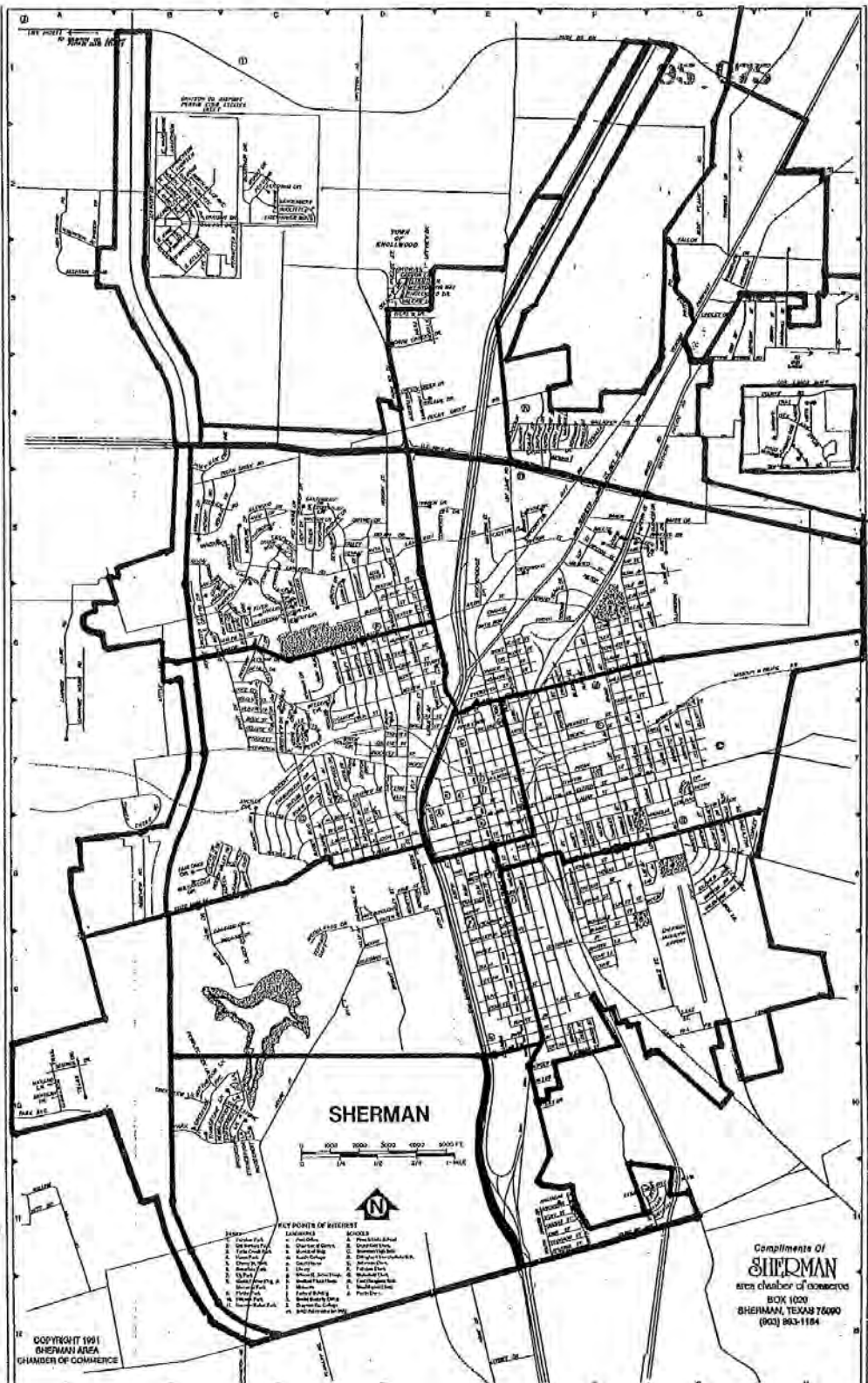

CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Street Index

A	Adams St.	100	Adams St.	100
B	Baker St.	101	Baker St.	101
C	Camden St.	102	Camden St.	102
D	Dexter St.	103	Dexter St.	103
E	East St.	104	East St.	104
F	Fair St.	105	Fair St.	105
G	Green St.	106	Green St.	106
H	Hill St.	107	Hill St.	107
I	Indiana St.	108	Indiana St.	108
J	Jackson St.	109	Jackson St.	109
K	Kearney St.	110	Kearney St.	110
L	Lincoln St.	111	Lincoln St.	111
M	Madison St.	112	Madison St.	112
N	Nash St.	113	Nash St.	113
O	Oak St.	114	Oak St.	114
P	Park St.	115	Park St.	115
Q	Quincy St.	116	Quincy St.	116
R	Railroad St.	117	Railroad St.	117
S	State St.	118	State St.	118
T	Tenth St.	119	Tenth St.	119
U	Union St.	120	Union St.	120
V	Vermont St.	121	Vermont St.	121
W	Washington St.	122	Washington St.	122
X	Xenia St.	123	Xenia St.	123
Y	York St.	124	York St.	124
Z	Zion St.	125	Zion St.	125



SHERMAN



- KEY POINTS OF INTEREST
- 1. Sherman Park
 - 2. Sherman High School
 - 3. Sherman Junior High School
 - 4. Sherman Elementary School
 - 5. Sherman Community Center
 - 6. Sherman Public Library
 - 7. Sherman Post Office
 - 8. Sherman City Hall
 - 9. Sherman Court House
 - 10. Sherman Police Station
 - 11. Sherman Fire Station
 - 12. Sherman Cemetery
 - 13. Sherman Cemetery
 - 14. Sherman Cemetery
 - 15. Sherman Cemetery
 - 16. Sherman Cemetery
 - 17. Sherman Cemetery
 - 18. Sherman Cemetery
 - 19. Sherman Cemetery
 - 20. Sherman Cemetery

Courtesy of
SHERMAN
 Area Chamber of Commerce
 BOX 1020
 SHERMAN, TEXAS 75090
 (803) 893-1184

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 SHERMAN AREA
 CHAMBER OF COMMERCE



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.3

OTHER BUSINESS

Receive the Sherman Chamber of Commerce's Presentation on the Sherman Christmas Parade and Snowflake Festival on December 7, 2012

Issue

A presentation on the Sherman Christmas Parade and Snowflake Festival, scheduled for Friday, December 7, 2012

Background

At the November 5th meeting, the City Council approved the closure of certain streets in the downtown area, along with traffic control assistance and barricades, for the annual Sherman Christmas Parade and Snowflake Festival, to take place on Friday, December 7th. The Sherman Chamber of Commerce is coordinating this event; and Chamber Events Coordinator Lauren Roth will give the City Council a brief presentation covering both events.

Origination

Mayor and City Council

Financial Consideration

None

Staff Recommendation

There is no action required of the Council for this item.

Alternatives

None recommended

Attachments

"A Hollywood Christmas" Flyer

**Prepared and Approved by:
George Olson, City Manager**



Sherman Chamber of Commerce Presents:

***A* HOLLYWOOD
*Christmas!***

Friday, December 7, 2012

Snowflake Festival begins at 4 pm

Christmas Parade begins at 7 pm

**Contact the Sherman Chamber of Commerce
for more information**

903-893-1184

lroth@shermanchamber.us



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.4

CITIZEN REQUESTS

The Honorable Carolyn S. Wacker, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.5

MEDIA QUESTIONS

The Honorable Carolyn S. Wacker, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.6

COUNCIL COMMENTS

The Honorable Carolyn S. Wacker, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. D.7

ADJOURNMENT

The Honorable Carolyn S. Wacker, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 12-3-2012

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2012

CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
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FEBRUARY

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MARCH

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JULY

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01/02/12 - January 2nd Council meeting cancelled
01/16/12 - M.L.K., Jr. Birthday / Regular Council Meeting
02/20/12 - Washington's Birthday / Regular Council Meeting
04/02/12 - April 2nd Council meeting cancelled
04/20/12 - 12 Noon Budget Planning Meeting in Council Chambers
06/21-22/12 - Budget Workshop in Council Chambers
(06/22/12 Budget Workshop date unnecessary)
06/25/12 - 12 Noon Called Meeting for Annexation Ordinance
(71.671 acres on Washington Street)
07/02/12 - July 2nd Council meeting cancelled

09/03/12 - Labor Day / Called Council Meeting on 09/04/12
09/21/12 - 12 Noon Called Joint Meeting with SEDCO Board
11/06/12 - City Council Election
11/14/12 - 12 Noon Called Meeting to Canvass Election Results

**2013
CITY COUNCIL MEETINGS**

JANUARY

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MARCH

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APRIL

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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09/02/13 - Labor Day / Called Council Meeting on 09/03/13