STATE OF TEXAS §

January 16, 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 January 16, 2012.

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

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

CALL TO ORDER

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

APPROVE MINUTES

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The Council reviewed the Minutes of the Regular City Council Meeting of December 19, 2011. Council Member Smith moved to approve the Minutes as presented; Second by Council Member Plyler. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5730
ROOFING BOND

Mayor Magers introduced Ordinance 5730 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", ARTICLE 3.02, ENTITLED "BUILDING, LIFE SAFETY AND RESIDENTIAL CODES", SECTION 3.02.002, ENTITLED "AMENDMENTS TO CODES", BY ADDING SUBSECTION (A)(6) TO PROVIDE FOR THE INCLUSION OF REQUIREMENTS FOR A CONTRACTOR ROOFING BOND; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5730.

ORD 5731
R-O-W SAFETY
REGULATIONS

Mayor Magers introduced Ordinance 5731 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", AT ARTICLE 8.03, ENTITLED "OFFENSES INVOLVING PUBLIC PEACE AND ORDER", TO PROVIDE FOR A NEW SECTION 8.03.004 TO BE ENTITLED "RIGHT-OF-WAY SAFETY REGULATIONS"; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED FIVE HUNDRED DOLLARS ($500.00); PROVIDING FOR AN EFFECTIVE DATE;

PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5731.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>

Ordinance 5730 — **ORD 5730 ROOFING BOND**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", ARTICLE 3.02, ENTITLED "BUILDING, LIFE SAFETY AND RESIDENTIAL CODES", SECTION 3.02.002, ENTITLED "AMENDMENTS TO CODES", BY ADDING SUBSECTION (A)(6) TO PROVIDE FOR THE INCLUSION OF REQUIREMENTS FOR A CONTRACTOR ROOFING BOND; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 5731 — **ORD 5731 R-O-W SAFETY REGULATIONS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", AT ARTICLE 8.03, ENTITLED "OFFENSES INVOLVING PUBLIC PEACE AND ORDER", TO PROVIDE FOR A NEW SECTION 8.03.004 TO BE ENTITLED "RIGHT-OF-WAY SAFETY REGULATIONS"; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED FIVE HUNDRED DOLLARS ($500.00); PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mayor Magers thanked Brandon Shelby, City Attorney, for his fast response to this ordinance. Several businesses complained to the City Council regarding "panhandling." While the City is limited by what they can do, he thanked the City Attorney for putting "teeth" in the ordinance and giving the Police Department more to work with.

ACTION TAKEN.

> **Motion by Council Member Smith to approve Ordinance Nos. 5730 and 5731, as presented. Second by Deputy Mayor Steele.**

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

<u>CONSENT AGENDA</u> — **CONSENT AGENDA**

Mayor Magers said the City Manager requested that Resolution 5646 be pulled from the Agenda. He verified that

no action would be taken and the resolution would be brought back at a future meeting.

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

RESOLUTIONS

RESOLUTION NO. 5645 – AUTHORIZING EXECUTION OF CONTRACT WITH ESPEY CONSULTANTS, INC. TO PREPARE EMERGENCY ACTION PLANS FOR THE CITY'S THREE FLOOD CONTROL STRUCTURES

RES 5645 EMERGENCY ACTION PLANS FOR FLOOD CONTROL STRUCTURES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH ESPEY CONSULTANTS, INC. TO PREPARE EMERGENCY ACTION PLANS FOR THE CITY'S THREE FLOOD CONTROL STRUCTURES.

Council Member Wacker asked if this contract was in conjunction with the floodplain mapping. George Olson, City Manager, said these are the same consultants that are providing the City's Watershed Management Study. Since they are already in Sherman looking at the issue anyway it would be good to utilize the information they already had.

ACTION TAKEN.
Motion by Council Member Wacker to approve Resolution No. 5645, as presented. Second by Council Member Howeth.
VOTING AYE: Howeth, Plyler, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 5646 – AWARDING BIDS TO AND AUTHORIZING EXECUTION OF CONTRACTS WITH MULTIPLE VENDORS FOR AN ANNUAL SUPPLY OF CHEMICALS FOR THE SHERMAN WATER TREATMENT PLANT

RES 5646 WATER TREATMENT PLANT ANNUAL CHEMICALS (TABLED)

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

ACTION TAKEN.
Motion by Deputy Mayor Steele to table Resolution No. 5646. Second by Council Member Howeth.
VOTING AYE: Howeth, Plyler, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED TO TABLE.

RESOLUTION NO. 5647 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO STEEPLE CHASE FARMS SUMMIT, LP FOR THE CONSTRUCTION OF A MONUMENT

RES 5647 ENCROACHMENT FOR MONUMENT SIGN

SIGN IN A UTILITY EASEMENT IN BLOCK W, LOT 2 OF THE ESTATES OF PEBBLEBROOK ADDITION, PHASE I TO THE CITY OF SHERMAN (3621 STEEPLE CHASE DRIVE)

(3621 STEEPLE CHASE DR.)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO STEEPLE CHASE FARMS SUMMIT, LP FOR THE CONSTRUCTION OF A MONUMENT SIGN IN A UTILITY EASEMENT IN BLOCK W, LOT 2 OF THE ESTATES OF PEBBLEBROOK ADDITION, PHASE 1 TO THE CITY OF SHERMAN (3621 STEEPLE CHASE DRIVE).
CONSENT AGENDA.

RESOLUTION NO. 5648 – RENAMING THE 3600 BLOCK OF CALAIS DRIVE TO NORTH CALAIS STREET

RES 5648
RENAME 3600 BLOCK CALAIS TO N. CALAIS STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENAMING THE 3600 BLOCK OF CALAIS DRIVE TO NORTH CALAIS STREET.
CONSENT AGENDA.

RESOLUTION NO. 5649 – APPROVING AND ADOPTING AN AMENDED CAFETERIA PLAN, INCLUDING A DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT AND A HEALTH FLEXIBLE SPENDING ACCOUNT, EFFECTIVE OCTOBER 1, 2010

RES 5649
EMPLOYEE CAFETERIA PLAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING AN AMENDED CAFETERIA PLAN, INCLUDING A DEPENDENT CARE FLEXIBLE SPENDING ACCOUNT AND A HEALTH FLEXIBLE SPENDING ACCOUNT, EFFECTIVE OCTOBER 1, 2010.
CONSENT AGENDA.

REQUEST TO ADVERTISE
PARK RESTROOM CLEANING SERVICES

REQ TO ADVERTISE PARK RESTROOM CLEANING SERVICES

The City Council approved the request to advertise for the private contract cleaning of eight public park restrooms. The contract would include cleaning and securing the facilities seven days a week for a nine month period at the minimum.
CONSENT AGENDA.

CITY RIGHT-OF-WAY AND PROPERTY MOWING

CITY R-O-W & PROPERTY MOWING

The City Council approved the request to advertise for the annual mowing of City boulevards, islands, street right-of-ways and other City properties. The staff is requesting to contract this mowing in an ongoing effort to increase efficiency and maintenance of City-owned properties.
CONSENT AGENDA.

OTHER BUSINESS
RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD VICE CHAIRMAN JUSTON DOBBS AND SEDCO EXECUTIVE VICE PRESIDENT FRANK GADEK

SEDCO QUARTERLY REPORT

Juston Dobbs, Vice Chairman of the Sherman Economic Development Corporation, presented a quarterly progress

report on the Board's activities. SEDCO's mission is to grow and diversify the Sherman and surrounding area economies through the addition of new jobs and investment.

The Board's top accomplishments during the last quarter includes a Joint Board Meeting with the City Council where they presented their Annual Work Plan and Budget, which was approved by Council Members. There are many projects "in the works" but nothing has "closed."

SEDCO has conducted interviews with five candidates for the position of president.

During the next quarter the Board will report on their Work Plan and the status of the projects. The goal is to have a new president in place by March 1, 2012. The field of candidates has been narrowed to two.

Mr. Dobbs added that there is continued activity with Panda Energy. There is nothing significant to announce, but SEDCO continues to receive data from Panda Energy.

He felt that a deal will be closed in the next couple of weeks with a medium sized company. The move to the City's old Youth Center is not currently on the "front burner" with SEDCO but is still in the process.

Mr. Dobbs said SEDCO currently has a strong Board and he felt they would make good decisions for 2012. Mayor Magers said the current Board is very business oriented and very involved. There are some projects in the works.

Mayor Magers confirmed that SEDCO has "walked through" the Youth Center and is viewing the "big picture" as to changes that need to be made.

CITIZENS REQUESTS

CITY USE OF THE PUBLIC INFORMATION ACT

USE OF THE PUBLIC INFORMATION ACT

Christopher Rehmet, 4520 Texoma Parkway, Ste. I, said he had some concerns he would like to voice, but decided he had chosen an inappropriate time or forum or manner to do so. Therefore, at this time, Mr. Rehmet withdrew his request to speak.

WELCOME TO BOY SCOUT TROOP

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Mayor Magers recognized Boy Scout Troop 66 from Texoma Christian School. The Scouts are working on their "Citizenship in the Community" badge and attended the City Council Meeting.

One of their leaders asked about Panda that was referenced in the report from SEDCO. Mayor Magers explained that Panda Energy is an energy company that plans to relocate to Sherman. It would be the biggest capital investment in

Sherman's history at approximately $600 million. They are a natural gas power generating company and would be a high water user for Sherman.

MEDIA QUESTIONS

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There were no media questions.

COUNCIL COMMENTS

WELCOME BACK TO MAYOR

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Deputy Mayor Steele welcomed the Mayor back after his holiday travels.

DR. MARTIN LUTHER KING, JR. DAY

DR. MARTIN LUTHER KING, JR. DAY EVENT
Council Member Softly thanked everyone that participated in the breakfast at Austin College in honor of Dr. Martin Luther King, Jr. Day. This was the eighth year of the event, which was hosted by Austin College and the Rotary Club.

DR. MARTIN LUTHER KING, JR. DAY

DR. MARTIN LUTHER KING, JR. DAY EVENT
Mayor Magers added that there was great attendance at the breakfast in honor of Dr. Martin Luther King, Jr. Day.

AUSTIN COLLEGE IDEA CENTER

AUSTIN COLLEGE IDEA CENTER
Mayor Magers reminded citizens that SEDCO supported Austin College in the construction of an IDEA Center. This is a significant project and SEDCO and the City Council felt it was very important that local companies become involved in the project.

According to Dr. Marjorie Hass, President of Austin College, many local contractors and sub-contractors are involved in the project. Mayor Magers felt the project was great for the community and commended Austin College for fulfilling their commitment to use local contractors.

TRIP TO BRAZIL

TRIP TO BRAZIL
Mayor Magers said his family took a trip to Brazil for the holidays, but it was great to be back in Sherman.

ADJOURNMENT

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On Motion duly made and carried, the meeting adjourned at 5:16 p.m.

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MAYOR

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CITY CLERK