

STATE OF TEXAS

§

November 17, 2014

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on November 17, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.

COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, SOFEY.

MEMBERS ABSENT:

COUNCIL MEMBER WATT.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 3, 2014. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Sofey. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

RECOGNITION OF OUTGOING COUNCIL MEMBERS

Mayor Wacker presented Deputy Mayor Robert Softly with a plaque, thanking him for his service on the City Council.

RECOGNITION OF

OUTGOING

COUNCIL MEMBERS

Deputy Mayor Softly thanked the Mayor and City Council for the plaque, saying he appreciated the opportunity to serve. He introduced his wife Josephine and his daughter Natalie, who were in the audience.

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Linda Ashby, City Clerk, administered the Oath of Office to the following Council-elect positions.

OATH OF OFFICE

Council Member, District 2 Terrence Steele
Council Member, District 4 David Plyler

A Certificate of Election was presented to each of the newly sworn-in Council Members. The new members were seated at the Council table.

NEW COUNCIL SEATED

MEMBERS PRESENT: Mayor Cary Wacker.

Council Members Davis, Johnson,
Plyler, Sofey, Steele.

MEMBERS ABSENT: Council Member Watt.

COUNCIL ELECTION OF DEPUTY MAYOR

Mayor Wacker asked for nominations for the Office of the Deputy Mayor. Traditionally the Council Member with the most seniority serves as Deputy Mayor.

**DEPUTY MAYOR
ELECTION**

ACTION TAKEN.

Motion by Council Member Johnson to nominate Council Member David Plyler to serve as Deputy Mayor, for a term from November 17, 2014 to November 3, 2015.

Second by Council Member Sofey.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

PROCLAMATION

RECOGNIZING CINDY CARR AS “9-1-1 SUPERVISOR OF THE YEAR”

Mayor Wacker presented a proclamation recognizing Cindy Carr as “9-1-1 Supervisor of the Year.” Ms. Carr served as the Communications Supervisor at the Police Department and recently passed away. Her sister, Cathy Waldrup, accepted the proclamation in her honor.

**“9-1-1 SUPERVISOR
OF THE YEAR”**

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5861 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A FEED STORE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1916 GALLAGHER DRIVE, BEING ALL OF BLOCK 18 AND A PART OF BLOCK 17 OF THE REPLAT OF LOTS 20-27, BLOCK 11 AND ALL OF BLOCKS 12, 13, 14, 15 AND 16, TOWN NORTH ADDITION (PEANUT PROCESSORS OF SHERMAN, INC., OWNER; KEVIN L. FINNERTY, PROSPECTIVE BUYER; AND HELVEY & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 5861
SUP FOR FEED
STORE
(1916 GALLAGHER DR)**

No citizens appeared before the City Council to discuss Ordinance 5861.

Mayor Wacker introduced Ordinance 5862 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT IN THE 600 BLOCK OF EAST CARTER STREET, ALSO KNOWN AS 802 NORTH THROCKMORTON STREET, BEING LOTS 1-4, BLOCK 4, W.P. CARTER'S ADDITION, CONTAINING 0.3215 ACRES IN THE J.B.

**ORD 5862
SUP FOR PATIO
HOMES
(802 N.
THROCKMORTON)**

McANAIR SURVEY, ABSTRACT NO. 763 (LAZY L ENTERPRISES, OWNERS; AND HELVEY AND ASSOCIATES, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

No citizens appeared before the City Council to discuss Ordinance 5862.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5861

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A FEED STORE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1916 GALLAGHER DRIVE, BEING ALL OF BLOCK 18 AND A PART OF BLOCK 17 OF THE REPLAT OF LOTS 20-27, BLOCK 11 AND ALL OF BLOCKS 12, 13, 14, 15 AND 16, TOWN NORTH ADDITION (PEANUT PROCESSORS OF SHERMAN, INC., OWNER; KEVIN L. FINNERTY, PROSPECTIVE BUYER; AND HELVEY & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5861
SUP FOR FEED
STORE
(1916 GALLAGHER DR)

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance No. 5861, as presented. Second by Council Member Davis.

VOTING AYE: Davis, Johnson, Sofey, Steele.

VOTING NAY: None.

ABSTAIN: Plyler.

MOTION CARRIED.

Ordinance 5862

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT IN THE 600 BLOCK OF EAST CARTER STREET, ALSO KNOWN AS 802 NORTH THROCKMORTON STREET, BEING LOTS 1-4, BLOCK 4, W.P. CARTER'S ADDITION, CONTAINING 0.3215 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (LAZY L ENTERPRISES, OWNERS; AND HELVEY AND ASSOCIATES, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5862
SUP FOR PATIO
HOMES
(802 N.
THROCKMORTON)

COUNCIL MINUTES – NOVEMBER 17, 2014

ACTION TAKEN.

Motion by Council Member Johnson to approve Ordinance No. 5862, as presented. Second by Deputy Mayor Plyler.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5918 – AUTHORIZING THE PURCHASE OF A 2015 INTERNATIONAL 7400 REAR LOAD CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM SOUTHWEST INTERNATIONAL TRUCKS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2015 INTERNATIONAL 7400 REAR LOAD CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM SOUTHWEST INTERNATIONAL TRUCKS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

**RES 5918
PURCHASE OF
SOLID WASTE
VEHICLE**

RESOLUTION NO. 5919 – AUTHORIZING THE PURCHASE OF A HEIL REAR LOAD BODY FOR THE SOLID WASTE SERVICES DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A HEIL REAR LOAD BODY FOR THE SOLID WASTE SERVICES DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

**RES 5919
PURCHASE OF
SOLID WASTE
VEHICLE**

**REQUEST TO ADVERTISE
ANNUAL SUPPLY OF CHEMICALS**

The City Council approved the request to advertise for the annual supply of chemicals for the 2015 calendar year. These chemicals are primarily for use at the Water Treatment Plant and the Wastewater Treatment Plant.

CONSENT AGENDA.

**REQ TO ADVERTISE
ANNUAL SUPPLY
OF CHEMICALS**

OTHER BUSINESS

REPLAT APPROVAL OF AUSTIN PARK ADDITION, PHASE II, BEING A REPLAT OF LOTS 1-4, BLOCK 4, W.P. CARTER ADDITION, BEING LOTS 1-4, BLOCK 4, W.P. CARTER'S ADDITION, CONTAINING 0.3215 ACRES IN THE J.B.

**APPROVE REPLAT
AUSTIN PARK
ADDITION, PHASE II
(802 N.**

McANAIR SURVEY, ABSTRACT NO. 763; LAZY L ENTERPRISES, OWNER; AND HELVEY AND ASSOCIATES, SURVEYORS (600 BLOCK OF EAST CARTER STREET ALSO KNOWN AS 802 NORTH THROCKMORTON STREET)

THROCKMORTON)

Mayor Wacker explained that the approval of this Replat was not on the Consent Agenda because it was tied to Ordinance No. 5862.

ACTION TAKEN.

Motion by Council Member Sofey to approve the Replat of Austin Park Addition, Phase II, being a Replat of Lots 1-4, Block 4, W.P. Carter Addition, as presented. Second by Council Member Steele.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF WEST CANYON CREEK ESTATES, SECTION 3, BEING 2.342 ACRES IN THE JAMES H. VADEN SURVEY, ABSTRACT NO. 1288; WESTFIELD ESTATES, A LIMITED PARTNERSHIP, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS (2700 BLOCK OF SHADY OAKS LANE)

APPROVE FINAL PLAT
WEST CANYON
CREEK ESTATES
(2700 BLOCK OF
SHADY OAKS LANE)

The City Council approved the Final Plat of the West Canyon Creek Estates, Section 3, located in the 2700 Block of Shady Oaks Lane. The owners would like to plat the 2.342 acres into six lots for residential development.

The property was formerly the County Farm, which was annexed into the City in 2003. West Canyon Creek Estates, Section 1 (consisting of five lots) and Section 2 (consisting of eight lots) were filed May 16, 2014.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

REPLAT APPROVAL OF C&M ADDITION, A REPLAT OF PART OF LOT 5, BLOCK 1, MIDWAY INDUSTRIAL PARK, BEING 2.0 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 AND PART OF LOT 5, BLOCK 1, MIDWAY INDUSTRIAL PARK; C&M VILLAREAL FLP, OWNER; AND SARTIN AND ASSOCIATES, SURVEYORS (2931 FALLON DRIVE)

APPROVE REPLAT
C&M ADDITION
(2931 FALLON DR)

The City Council approved the Replat of C&M Addition, A Replat of part of Lot 5, Block 1, Midway Industrial Park, located at 2931 Fallon Drive. The owners would like to plat the 2.0 acres into two lots for development.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

CITIZENS REQUESTS

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

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 Deputy Mayor Plyler to appoint David Plyler, Ryan Johnson, and Lawrence Davis to the Council Audit Committee; Jason Sofey and Tom Watt to the Investment Committee; Ryan Johnson and Terrence Steele to the Tax Reinvestment Committee; and Cary Wacker, David Plyler, and Lawrence Davis to the Tax Increment Financing Boards #1, #2 and #3; for terms from November 18, 2014 to November 2015. Second by Council Member Steele.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

HAPPY THANKSGIVING

Council Member Davis wished everyone a safe and happy Thanksgiving.

THANKS FOR SERVICE

Council Member Johnson thanked Deputy Mayor Softly for his service on the City Council, adding that it had been a pleasure to work with him. He wished him and his family the best of luck in the future.

He also welcomed Council Member Steele to the City Council, saying he looked forward to working with him in the future.

RECENT WATER BOIL ORDER

Council Member Johnson thanked the City staff for their hard work during the “boil order” that was recently issued. He thanked Mark Gibson, Director of Utilities, and his staff that worked tirelessly during the recent water main break.

HAPPY THANKSGIVING

Council Member Johnson wished everyone a happy Thanksgiving.

MEDIA QUESTIONS

APPOINTMENT TO
VARIOUS COUNCIL
BOARDS

HAPPY THANKSGIVING

THANKS FOR SERVICE

RECENT WATER
BOIL ORDER

HAPPY THANKSGIVING

THANKS FOR SERVICE

Deputy Mayor Plyler also thanked Deputy Mayor Softly for his service, saying it had been a pleasure working with him. He thanked him for his leadership.

He also welcomed Council Member Steele to the City Council and said he looked forward to working with him, with his experience of having served on the Council before.

THANKS FOR SERVICE

Council Member Sofey thanked Deputy Mayor Softly for his service and welcomed Council Member Steele to the Council.

LOOK FORWARD TO SERVING

Council Member Steele said he looked forward to serving as a member of the City Council and to hearing what the citizens have to say.

ANNOUNCEMENTS

Mayor Wacker announced the following:

- The Parks and Recreation Department will hold their Annual Holiday Bazaar in the Municipal Ballroom on Saturday, November 22, 2014, from 9:00 a.m. until 3:00 p.m. Vendors will offer handcrafted gifts, jewelry, woodworks, and much more.
- For citizens that have Thursday trash collection, there will be no commercial or residential solid waste, or recycling service on Thanksgiving, Thursday, November 22, 2014. The regular Thursday collection will move to Wednesday. There will be no change for the Friday collection.

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 551.074

**CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
PLANNING AND ZONING
COMMISSION (2)**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:19 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:45 p.m. and reconvened in Open Meeting.

THANKS FOR SERVICE

THANKS FOR SERVICE

LOOK FORWARD
TO SERVING

ANNOUNCEMENTS

EXECUTIVE SESSION

COUNCIL MINUTES – NOVEMBER 17, 2014

OPEN MEETING

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

OPEN MEETING

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PLANNING &
ZONING COMMISSION

PLANNING AND ZONING COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Sofey to reappoint Sean Vanderveer to the Planning and Zoning Commission for a term from November 8, 2014 to November 8, 2017 and to appoint Shawn Davis for a term from November 18, 2014 to November 18, 2017. Second by Deputy Mayor Plyler.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:46 p.m.

MAYOR

CITY CLERK