

STATE OF TEXAS §

November 16, 2011

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers in City Hall on November 16, 2011.

MEMBERS PRESENT: Deputy Mayor Willie Steele.
Council Members Adami, Howeth, Smith, Softly, Wacker.

MEMBERS ABSENT: Mayor Bill Magers.

STAFF PRESENT: George Olson, City Manager; Robby Hefton, Assistant City Manager/CFO; Brandon Shelby, City Attorney; Don Keene, Director of Public Works; Mark Gibson, Director of Engineering and Utilities; J.J. Jones, Fire Chief; Ken Francis, Police Captain; Pam Cloer, Assistant to the City Manager; Linda Ashby, City Clerk.

**PURPOSE: CALL TO ORDER, QUORUM DETERMINED, MEETING
DECLARED OPEN**

PLEDGE OF ALLEGIANCE

DECLARE RESULTS OF NOVEMBER 8, 2011 REGULAR AND SPECIAL MUNICIPAL ELECTIONS

A) CANVASS OF ELECTION RETURNS

B) RESOLUTION 5632 – Declaring the Results of the November 8, 2011 Regular and Special Municipal Elections held in the City of Sherman, Grayson County, Texas

RECOGNITION OF OUTGOING COUNCIL MEMBERS

OATH OF OFFICE

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

PUBLIC HEARING

**INTRODUCTION AND PUBLIC HEARING OF
ORDINANCE NO. 5727 – Confirming and Validating the
Reauthorization of the Levy and Collection of a Sales
and Use Tax of One-Eighth (1/8) of One Percent to
Provide Revenue for the Maintenance and Repair of
Municipal Streets, as Authorized by Chapter 327 of the
Texas Tax Code**

**ADOPTION OF ORDINANCES
CONSIDER ADOPTION OF ORDINANCE NUMBER:
5727**

ADJOURNMENT

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

Deputy Mayor Steele called the meeting to order at 12:00 p.m., declared a quorum present, and opened the meeting.

PLEDGE OF ALLEGIANCE

Council Member Adami led the Pledge of Allegiance and the Invocation.

DECLARE RESULTS OF NOVEMBER 8, 2011 REGULAR AND SPECIAL MUNICIPAL ELECTIONS

CANVASS OF ELECTION RETURNS

Deputy Mayor Steele canvassed the election returns of the November 8, 2011 Regular and Special Municipal Elections by reading the number of early votes, election day votes, and total votes received for each candidate and for the proposition.

He added that the sales tax proposition passed by 89% this time. In 2007, it originally passed by 74%.

The detail of the election returns are maintained in the permanent record file entitled "Elections" in the Office of the City Clerk. The canvass statistics are attached and made a part of these Minutes. (Exhibit A)

Deputy Mayor Steele asked for a motion accepting Resolution 5632, declaring the official results of the November 8, 2011 Regular and Special Municipal Elections.

RESOLUTION 5632 – DECLARING THE RESULTS OF THE NOVEMBER 8, 2011 REGULAR AND SPECIAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 8, 2011 REGULAR AND SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

ACTION TAKEN.

Motion by Council Member Adami to approve Resolution 5632, declaring the results of the November 8, 2011 Regular and Special Municipal Elections, as presented.

Second by Council Member Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RECOGNITION OF OUTGOING COUNCIL MEMBERS

Deputy Mayor Steele presented a plaque to Council Member Chip Adami in appreciation of his service to the citizens of Sherman. He added that it was bittersweet to see

Council Member Adami leave, but he would probably find many things to do with his Monday nights.

Council Member Wacker thanked him for his service, for all she has learned from him, and for his leadership. She has also served on several boards with Council Member Adami and thanked him for the citizens of Sherman.

Council Member Adami said Sherman has great leadership and great employees and it has been a pleasure to serve on the City Council. He said he appreciated the opportunity to work with everyone and knew the Council was in good hands. He also congratulated David Plyler on his election to the City Council and said he would do well.

OATH OF OFFICE

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

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

Council Member, District 2
Council Member, District 4

Robert G. Softly
R. David Plyler, Jr.

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:

Deputy Mayor Steele.
Council Members Howeth, Plyler, Smith, Softly,
Wacker.

MEMBERS ABSENT:

Mayor Bill Magers.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5727

CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE

Deputy Mayor Steele introduced Ordinance 5727 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5727.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5727

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

Deputy Mayor Steele asked if there would be any lapse in the collection of the sales tax for street maintenance. Robby Hefton, Assistant City Manager/CFO, said there would be no lapse. The collection of the sales tax will start April 1, 2012 and the City will begin receiving the remittance of the tax in June 2012.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5727, declaring the results of the November 8, 2011 Regular and Special Municipal Elections, as presented. Second by Council Member Wacker.

VOTING AYE: Howeth, Plyler, Smith Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

Deputy Mayor Steele welcomed Council Member Plyler to the City Council adding that he appreciated his willingness to serve. There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called meeting at 12:09 p.m.

DEPUTY MAYOR

ATTEST

CITY CLERK