

STATE OF TEXAS

§

November 15, 2010

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on November 15, 2010.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 1, 2010, and the Called City Council Meeting of November 4, 2010. Council Member Adami moved to approve the Minutes as presented; Second by Council Member Wacker. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CANVASS OF ELECTION RETURNS

Mayor Magers canvassed the election returns of the November 2, 2010 Special Municipal Election by reading the total number of votes received for and against the Charter Amendments.

CANVASS OF
ELECTION RETURNS

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)

**RESOLUTION NO. 5535 - DECLARING THE RESULTS OF
THE NOVEMBER 2, 2010 SPECIAL MUNICIPAL ELECTION
HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY,
TEXAS**

RES 5535
DECLARING RESULTS
OF SPECIAL
MUNICIPAL ELECTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 2, 2010 SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5535, as presented. Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

PUBLIC HEARING OF ORDINANCE NO. 5674

Mayor Magers called for the Public Hearing on Ordinance No. 5674:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER 112010-1, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 5674
INDUSTRIAL
REINVESTMENT
ZONE
(GLOBITECH)

No citizens appeared before the City Council to discuss Ordinance 5674.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5675 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING ONE ALLEY SEGMENT WITHIN BLOCK ONE GRAND N ADDITION TO THE CITY OF SHERMAN, TEXAS, BOUNDED BY GRAND AVENUE, LUCKETT STREET, RICHARDS STREET AND DORCHESTER STREET, PORTIONS OF SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, AUSTIN COLLEGE.

ORD 5675
ABANDON ALLEY
GRAND N ADDITION

No citizens appeared before the City Council to discuss Ordinance 5675.

Mayor Magers introduced Ordinance 5676 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 10' X 30' DOUBLE-SIDED BILLBOARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 902 SOUTH SAM RAYBURN FREEWAY, BEING LOTS 18-20, L.C. CHAPMAN'S SECOND ADDITION (SPAVINAW PROPERTIES, LLC, OWNERS; AND JASON SOFEY, REPRESENTATIVE); 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.

ORD 4676
SUP FOR BILLBOARD

No citizens appeared before the City Council to discuss Ordinance 5676.

Mayor Magers introduced Ordinance 5677 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION

ORD 5677
SUP FOR SKILLED
NURSING FACILITY

(5)(A) ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A SKILLED NURSING FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT, SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND O-1 (75 & 82) OVERLAY DISTRICT IN THE 6000-6100 BLOCKS OF U.S. HIGHWAY 75 NORTH AND THE 1500-1600 BLOCKS OF FM 691 EAST, BEING 5.974 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875 (ONE GANESHA, LTD, OWNERS; AND MICHAEL CLARK, REPRESENTATIVE); 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.

Michael Clark, Winkleman and Associates, 6750, Hillcrest Plaza #325, Dallas, Texas 75230

Mr. Clark appeared representing Dr. P.T. Swamy and his partners, One Ganesha, Ltd., and the Smithers Merchant Builders, saying he was available if the Council had any questions.

No other citizens appeared before the City Council to discuss Ordinance 5677.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5674

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER 112010-1, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance No. 5674, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5675

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING ONE ALLEY SEGMENT WITHIN BLOCK ONE GRAND N ADDITION TO THE CITY OF SHERMAN, TEXAS, BOUNDED BY GRAND AVENUE, LUCKETT STREET, RICHARDS STREET AND DORCHESTER STREET, PORTIONS OF SAID PROPERTY TO

CLOSE PUBLIC
HEARING

ORD 5674
INDUSTRIAL
REINVESTMENT
ZONE
(GLOBITECH)

ORD 5675
ABANDON ALLEY
GRAND N ADDITION

BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, AUSTIN COLLEGE.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Ordinance No. 5675, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

ABSTAIN: Wacker.

MOTION CARRIED.

Ordinance 5676

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 10' X 30' DOUBLE-SIDED BILLBOARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 902 SOUTH SAM RAYBURN FREEWAY, BEING LOTS 18-20, L.C. CHAPMAN'S SECOND ADDITION (SPAVINAW PROPERTIES, LLC, OWNERS; AND JASON SOFEY, REPRESENTATIVE); 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.

ORD 4676

SUP FOR BILLBOARD

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5676, as presented. Second by Council Member Adami.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5677

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 SKILLED NURSING FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT, SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND O-1 (75 & 82) OVERLAY DISTRICT IN THE 6000-6100 BLOCKS OF U.S. HIGHWAY 75 NORTH AND THE 1500-1600 BLOCKS OF FM 691 EAST, BEING 5.974 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875 (ONE GANESHA, LTD, OWNERS; AND MICHAEL CLARK, REPRESENTATIVE); 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.

ORD 5677

**SUP FOR SKILLED
NURSING FACILITY**

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance No. 5677, as presented. Second by Council Member Softly.

COUNCIL MINUTES – NOVEMBER 15, 2010

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

CONSENT AGENDA

The Council reviewed the Consent Agenda. Mayor Magers said George Olson, City Manager, asked to remove Item C-9 entitled "Resolution 5544 – Authorizing the Purchase of a New International Transfer Tractor for the Solid Waste Services Department through the Texas Local Government Purchasing Cooperative (BuyBoard)" from the Consent Agenda, for consideration in its regular order of business.

Council Member Wacker moved to approve the Consent Agenda, with the exception of Item C-9, which will be considered in its regular order of business. Second by Deputy Mayor Steele. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 5536 – AUTHORIZING EXECUTION OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY FOR EMERGENCY MANAGEMENT AND RELATED HOMELAND SECURITY SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY FOR EMERGENCY MANAGEMENT AND RELATED HOMELAND SECURITY SERVICES.
CONSENT AGENDA.

RESOLUTION NO. 5537 – AUTHORIZING EXECUTION OF A FIRE FIGHTING CONTRACT WITH GRAYSON COUNTY FOR THE THREE-YEAR PERIOD OF OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A FIRE FIGHTING CONTRACT WITH GRAYSON COUNTY FOR THE THREE-YEAR PERIOD OF OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013.
CONSENT AGENDA.

RESOLUTION NO. 5538 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF HOWE FOR AMBULANCE AND EMS SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF HOWE FOR AMBULANCE AND EMS SERVICES.

CONSENT AGENDA

RES 5536
EMERGENCY MGMT.
CONTRACT WITH
GRAYSON CO.

RES 5537
FIRE FIGHTING
CONTRACT WITH
GRAYSON CO.

RES 5538
AMBULANCE & EMS
SERVICE CONTRACT
WITH HOWE

Mayor Jeffrey Stanley, City of Howe, Texas 75459

Mayor Stanley thanked the City Council for the opportunity to work with the City of Sherman on an interlocal agreement for ambulance and EMS services.

Jeff Jones, Fire Chief, said several months ago the City of Howe approached the City of Sherman about providing ambulance service to the City limits of Howe, not including the County area.

There are approximately 150 calls for service annually in that district and Chief Jones said Sherman should be able to provide that service without any significant operational impact to their department.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5538, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5539 – AUTHORIZING EXECUTION OF A DEED WITHOUT WARRANTY TO AUSTIN COLLEGE FOR THE CONVEYANCE OF ONE ALLEY SEGMENT WITHIN BLOCK ONE GRAND N ADDITION TO THE CITY OF SHERMAN, TEXAS, BOUNDED BY GRAND AVENUE, LUCKETT STREET, RICHARDS STREET AND DORCHESTER STREET, PORTIONS OF SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEED WITHOUT WARRANTY TO AUSTIN COLLEGE FOR THE CONVEYANCE OF ONE ALLEY SEGMENT WITHIN BLOCK ONE GRAND N ADDITION TO THE CITY OF SHERMAN, TEXAS, BOUNDED BY GRAND AVENUE, LUCKETT STREET, RICHARDS STREET AND DORCHESTER STREET, PORTIONS OF SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT.

RES 5539
SALE OF ALLEY
SEGMENT TO
AUSTIN COLLEGE

ACTION TAKEN.

Motion by Council Member Adami to approve Resolution No. 5539, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

ABSTAIN: Wacker.

MOTION CARRIED.

RESOLUTION NO. 5540 – AUTHORIZING THE ACCEPTANCE OF FISCAL YEAR 2010 HOMELAND SECURITY GRANT PROGRAM FEDERAL GRANT AWARD NUMBER 2010-SS-T0-0008 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE PURCHASE OF EQUIPMENT RELATED

RES 5540
ACCEPT HOMELAND
SECURITY GRANT

TO REGIONAL RESPONSE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF FISCAL YEAR 2010 HOMELAND SECURITY GRANT PROGRAM FEDERAL GRANT AWARD NUMBER 2010-22-T0-0008 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE PURCHASE OF EQUIPMENT RELATED TO REGIONAL RESPONSE.
CONSENT AGENDA.

RESOLUTION NO. 5541 – AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. (CAPP) TO NEGOTIATE AN EXTENSION TO THE CURRENT ELECTRIC SUPPLY AND NECESSARY RELATED SERVICES AGREEMENT WITH NEXT ERA FOR A FIXED PRICE PER KWH THAT IS LOWER THAN CONTRACT RATES FOR 2011-2013, SAID EXTENSION TO CONTINUE UNTIL DECEMBER 31, 2018; AUTHORIZING CAPP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING THE CHAIRMAN OF CAPP TO EXECUTE AN EXTENSION TO THE CURRENT ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2011 OR AS SOON AFTER FINALIZATION OF A CONTRACT AS POSSIBLE; COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER THROUGH CAPP FOR ITS ELECTRICAL NEEDS THROUGH DECEMBER 31, 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. (CAPP) TO NEGOTIATE AN EXTENSION TO THE CURRENT ELECTRIC SUPPLY AND NECESSARY RELATED SERVICES AGREEMENT WITH NEXT ERA FOR A FIXED PRICE PER KWH THAT IS LOWER THAN CONTRACT RATES FOR 2011-2013, SAID EXTENSION TO CONTINUE UNTIL DECEMBER 31, 2018; AUTHORIZING CAPP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING THE CHAIRMAN OF CAPP TO EXECUTE AN EXTENSION TO THE CURRENT ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2011 OR AS SOON AFTER FINALIZATION OF A CONTRACT AS POSSIBLE; COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER THROUGH CAPP FOR ITS ELECTRICAL NEEDS THROUGH DECEMBER 31, 2018.

CONSENT AGENDA.

RESOLUTION NO. 5542 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN MILLICAN, INC. TO REVISE AND UPDATE THE CITY OF SHERMAN'S WASTEWATER TREATMENT PLANT OPERATION AND MAINTENANCE MANUAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

RES 5541
ELECTRIC SERVICES
THROUGH CAPP

RES 5542
UPDATE WWTP
OPERATION &
MAINTENANCE
MANUAL

SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN MILLICAN, INC. TO REVISE AND UPDATE THE CITY'S WASTEWATER TREATMENT PLANT OPERATION AND MAINTENANCE MANUAL.
CONSENT AGENDA.

RESOLUTION NO. 5543 – AUTHORIZING THE PURCHASE OF A NEW COMMERCIAL REAR LOAD COLLECTION TRUCK FOR THE SOLID WASTE SERVICES DEPARTMENT 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 NEW COMMERCIAL REAR LOAD COLLECTION TRUCK FOR THE SOLID WASTE SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 5544 – AUTHORIZING THE PURCHASE OF A NEW TRANSFER TRACTOR FOR THE SOLID WASTE SERVICES DEPARTMENT 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 NEW TRANSFER TRACTOR FOR THE SOLID WASTE SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

RES 5544
SOLID WASTE
TRANSFER TRACTOR

Mr. Olson asked that Resolution 5544 be removed from the Consent Agenda for discussion in its regular order of business.

He explained that there is a mistake in the caption of the Resolution and it should read "Authorizing the Purchase of a New Transfer Tractor for the Solid Waste Services Department through the Texas Local Government Purchasing Cooperative (BuyBoard)."

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Resolution No. 5544, as amended. Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

CHANGE ORDER NO. 1
SEWER K – TURTLE CREEK WEST TO LAMBERTH ROAD:
\$15,146.22, DECREASE

The City Council approved Change Order No. 1, which is a final reconciliatory change order to adjust the final project quantities for the Sewer K Project, between Turtle Creek West and Lamberth Road.

CHANGE ORDER
SEWER K

The second phase of the Sewer K Project has been completed. The project was funded through debt issued by the Greater Texoma Utility Authority on the City's behalf. The change order results in a decrease of \$15,146.22 to the contract, yielding a final contract price of \$228,202.67.
CONSENT AGENDA.

PAYMENT APPROVAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
(TCEQ) ANNUAL CONSOLIDATED WATER QUALITY
ASSESSMENT FEE FOR FISCAL YEAR 2010-2011;
\$69,645.00

The City Council approved payment of the Annual Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality (TCEQ) for FY 2010-2011, in the amount of \$69,645.

The fee is imposed to fund the Clean Rivers Program and to pay TCEQ expenses for administering water quality programs, including the City's wastewater permit.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVE PRESENTATION FROM PARKS AND RECREATION
ADMINISTRATOR KEVIN WINKLER ON PARK AND LEISURE
SERVICES

Kevin Winkler, Parks and Recreation Administrator, presented an update on Park and Leisure Services, which includes the recreation aspect of his departments.

There are currently four full time employees at the Youth Center, one employee at The Splash/Sprayground, and three employees at the Senior Citizens Center and the Glennie O. Ham Community Center.

The Senior Citizens Center and the Glennie O. Ham Community Center have recently been placed under the Parks and Recreation Department and represent the social service portion of management. Some of their programming has been changed to reflect more of a parks and recreation background.

Deputy Mayor Steele confirmed that the employee for The Splash/Sprayground is a full time employee. Mr. Winkler said that employee also helps facilitate sports and activities during the off season for swimming.

He discussed the resource management percentage breakdown for the amount of time and resources spent in each area. About 27% of the time and resources are attributed to administration and planning, which includes signups for classes, special events, sports, and swim lessons. They also handle reservations for park pavilions, the Youth Center, the Senior Citizens Center, and the amphitheater, including the newly added Center Street Park and Pecan Grove Park, both East and West. They also take

PAYMENT APPROVAL
TCEQ ANNUAL
WATER QUALITY
FEE

UPDATE ON PARK &
LEISURE SERVICES

reservations for private use of the pool and for use of the cabanas, as well as sales for pool punch cards and season passes.

Mayor Magers confirmed that the Parks and Recreation Department also works with the Tourism Director for booking of the amphitheater.

Throughout the year, there were also 915 sports practices scheduled, not including any Sherman Youth Baseball or Softball, or Texoma Soccer Association practices. Approximately 2,760 games over 30 sports fields were scheduled during the past year. Over the course of six tournaments, there were about 250 games scheduled during the past year.

Mr. Winkler addressed activities held through the Youth Center, the Glennie O. Ham Community Center, and the Senior Citizens Center. There were 5,585 participants in activities at the Youth Center alone this year. Council Member Howeth verified that is an increase over past years.

Mr. Winkler also outlined the sports activities offered, saying the City would like to add an open basketball and an open volleyball league. This year the football league had 16 teams with approximately 216 participants and the softball league had 70 teams with approximately 875 participants.

Mayor Magers asked how many of the participants were Sherman residents, however Mr. Winkler said they currently do not track that information but plan too in the future.

The Sherman Youth Sports Association and the Texoma Soccer Association are also recognized users and scheduled games. This year there were 2,762 games played and 915 practices scheduled, not including those with the Sherman Youth Sports Association.

Mr. Winkler said The Splash was open over three months this year and employed 46 lifeguards and eight concession/gate workers. There were 36,146 entries into the pool during the summer. There were 52 classes of swim lessons with 484 participants.

Social Services took 14% of the resources and time of the staff and includes the Senior Citizens Center and the Glennie O. Ham Community Center. Meals on Wheels is offered in tandem with the Senior Citizens Center, as well as special needs assistance to participants by helping explain utility bills or paperwork they must complete.

The Glennie O. Ham Community Center also provides a meeting place for community organizations and a medication assistance program for low income citizens.

COUNCIL MINUTES – NOVEMBER 15, 2010

Mr. Winkler addressed cost savings measures and said one position was not filled at the Senior Citizens Center this year after the retirement of an employee. The two facilities have also been “blended together” and the programs adjusted to accommodate three employees instead of four.

Mayor Magers asked about the meal program through the Senior Citizens Center and the one through Meals on Wheels. Mr. Winkler said the numbers for the two programs are separate.

Mr. Winkler said overtime has been reduced by 50% by the implementation and use of flex scheduling, which also allowed for increased event coverage in the evenings.

He also said this year they hosted six sports tournaments, two of which had approximately 60 teams each. These tournaments brought in many visitors to Sherman that spent money on hotels, restaurants, gas, and shopping during the tournament. Mr. Winkler said the City should continue to promote the parks and recreation program with the resources at hand.

He added that for the past year, out of 365 days, there were only 19 days when something wasn’t scheduled at one of the facilities or in one of the parks.

Council Member Howeth asked if there were any programs that citizens wanted that the City was unable to offer because of budget restraints. Mr. Winkler said there are always things people are asking for, but the staff tries to select programs for which they get the most requests.

Council Member Adami asked how the swimming pool revenues this year compared with last year. Mr. Winkler said they were down slightly. This year the net revenue from the pool was \$173,570 as opposed to \$201,230 last year.

Council Member Wacker asked if the price increase affected the number of people renting the facility. Mr. Winkler said monthly passes were down significantly because the daily rate wasn’t increased, which made the passes less valuable. There were 29 rentals this year and 35 rentals last year. However the price was doubled. Council Member Adami verified that the attendance was close to the same, only down maybe 5%.

SETTING THE PUBLIC HEARING ON THE PROPOSED AGREEMENT WITH GLOBITECH INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER 112010-1, CITY OF SHERMAN, TEXAS

Robby Hefton, Assistant City Manager/CFO, explained that the public hearing would be held at the December 6, 2010

SET PUBLIC HEARING
GLOBITECH TAX
ABATEMENT

COUNCIL MINUTES – NOVEMBER 15, 2010

City Council Meeting, and at the same meeting the Council will consider the adoption of the resolution to approve the tax abatement for GlobiTech.

ACTION TAKEN.

Motion by Council Member Adami to set a public hearing for December 6, 2010, on the proposed agreement with GlobiTech Incorporated for the abatement of ad valorem property taxes for improvements within Industrial Reinvestment Zone, Number 112010-1, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

Mayor Magers thanked Council Member Smith and Council Member Adami for their work on the abatement committee. He added that these abatements cost taxpayers zero dollars. These are opportunity investments and they are very important in these tough economic times. The City must do everything they can to support the local businesses and to help them expand.

This project was also done in conjunction with the Sherman Economic Development Corporation grant. He encouraged the other partners, the Grayson County Commissioner's Court and the Grayson County College Board of Trustees, to work with the City and approve their abatements.

CONSIDER REQUEST OF THE SHERMAN CHAMBER OF COMMERCE AND THE SHERMAN TOURISM DEPARTMENT TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE ANNUAL SHERMAN CHRISTMAS PARADE ON FRIDAY, DECEMBER 3, 2010

The City Council approved the request of the Sherman Chamber of Commerce and the Sherman Tourism Department to temporarily close certain downtown streets for the Annual Christmas Parade on December 3, 2010.

The event will require traffic control assistance and barricades from the City of Sherman.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

SHERMAN BEARCAT FOOTBALL TEAM

Council Member Howeth said the Sherman Bearcat Football Team won last weekend and will play at Cowboy Stadium this coming Friday night. She encouraged all citizens to attend the game.

**CLOSE STREETS
FOR CHRISTMAS
PARADE**

CITIZENS REQUESTS

MEDIA QUESTIONS

**SHERMAN BEARCAT
FOOTBALL TEAM**

TAX REINVESTMENT COMMITTEE

Council Member Smith thanked Mr. Olson and Mr. Hefton for their help with the Tax Reinvestment Committee for the GlobiTech tax abatement. He said they were originally charged with redoing the entire “grid” and they did so very quickly and efficiently. The Council could not do what they do without the staff doing what they do.

**TAX REINVESTMENT
COMMITTEE**

ECONOMIC TIMES

Mayor Magers said times are tough now economically and the City is working with their neighbors in Howe to save them some money and give them some service.

ECONOMIC TIMES

Sherman is working hard to draw businesses to the community. The Council will use the assets, the water and cheap taxes, to draw others to Sherman. He praised the City Council for their efforts and said it is very important to work together as a region.

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.

EXECUTIVE SESSION

SECTION 551.074

**PERSONNEL MATTERS
DELIBERATE THE EVALUATION
OF A PUBLIC OFFICER OR
EMPLOYEE:
ANNUAL PERFORMANCE
EVALUATION OF THE CITY
MANAGER**

**ANNUAL PERFORMANCE
EVALUATION OF THE CITY
ATTORNEY**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:38 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:31 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

COUNCIL MINUTES – NOVEMBER 15, 2010

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:33 p.m.

ADJOURNMENT

MAYOR

CITY CLERK