

STATE OF TEXAS

§

September 2, 2014

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 of City Hall on September 2, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER.
COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, SOFEY,
WATT.

MEMBERS ABSENT:

DEPUTY MAYOR ROBERT SOFTLY.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of August 18, 2014. Council Member Plyler moved to approve the Minutes as presented; Second by Council Member Johnson. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"BLOOD CANCER AWARENESS MONTH" – SEPTEMBER 2014

Mayor Wacker read a proclamation designating September 2014 as "Blood Cancer Awareness Month" in Sherman. The Leukemia & Lymphoma Society requested this proclamation to increase awareness of and support for those afflicted with blood cancer diseases.

BLOOD CANCER
AWARENESS MONTH

PUBLIC HEARING

CAPITAL IMPROVEMENT PROGRAM 2014-2019

Mayor Wacker asked if any citizen had questions about the City's Capital Improvement Program for 2014 through 2019.

CAPITAL
IMPROVEMENT
PROGRAM

Robby Hefton, Assistant City Manager/CFO, said the Capital Improvement Program was previously presented to the City Council. Only the first year of the CIP is actually funded for projects in both the General Fund and the Utility Fund.

No citizens appeared before the City Council to discuss the Capital Improvement Program for 2014-2019.

SECOND PUBLIC HEARING OF ORDINANCE NO. 5823

Mayor Wacker called for the second public hearing of Ordinance 5823:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2014; DISTRIBUTING THE SAME

ORD 5823
LEVY OF AD
VALOREM TAXES

AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A REPEALER.

Mayor Wacker announced that the City Council will consider adoption of the tax rate ordinance at the regular meeting scheduled for 5:00 p.m. on Monday, September 15, 2014, at Sherman City Hall, 220 West Mulberry Street, Sherman, Texas.

No citizens appeared before the City Council to discuss Ordinance 5823.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5825 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING AS ELECTED THE UNOPPOSED CANDIDATES FOR THE OFFICE OF CITY COUNCIL MEMBER FOR DISTRICT 2 AND FOR DISTRICT 4; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE NOVEMBER 4, 2014 REGULAR MUNICIPAL ELECTION FOR CITY COUNCIL SHALL NOT BE HELD; PROVIDING FOR POSTING OF THIS ORDINANCE ON ELECTION DAY, NOVEMBER 4, 2014; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORD 5825
DECLARING
UNOPPOSED
CANDIDATES
ELECTED

Mayor Wacker said one candidate filed for each of the positions on the ballot, and with no opposition, there is no need to hold an Election.

She added that Council Member Plyler will be returning and Terrence Steele, former City Council Member, will be returning. Both new Council Members will be sworn in on November 17, 2014.

No citizens appeared before the City Council to discuss Ordinance 5825.

Mayor Wacker introduced Ordinance 5826 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF CERTAIN STREETS AND HIGHWAYS AND PUBLIC PLACES IN THE CITY OF SHERMAN; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING AN EMERGENCY.

ORD 5826
SPEED LIMIT
ON HWY 56

No citizens appeared before the City Council to discuss Ordinance 5826.

Mayor Wacker introduced Ordinance 5827 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5754 IN ITS ENTIRETY; ESTABLISHING ASSIGNMENT PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A REPEALER.

ORD 5827
POLICE & FIRE
PAY SCHEDULES

No citizens appeared before the City Council to discuss Ordinance 5827.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5825

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING AS ELECTED THE UNOPPOSED CANDIDATES FOR THE OFFICE OF CITY COUNCIL MEMBER FOR DISTRICT 2 AND FOR DISTRICT 4; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE NOVEMBER 4, 2014 REGULAR MUNICIPAL ELECTION FOR CITY COUNCIL SHALL NOT BE HELD; PROVIDING FOR POSTING OF THIS ORDINANCE ON ELECTION DAY, NOVEMBER 4, 2014; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORD 5825
DECLARING
UNOPPOSED
CANDIDATES
ELECTED

Ordinance 5826

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF CERTAIN STREETS AND HIGHWAYS AND PUBLIC PLACES IN THE CITY OF SHERMAN; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING AN EMERGENCY.

ORD 5826
SPEED LIMIT
ON HWY 56

Ordinance 5827

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5754 IN ITS ENTIRETY; ESTABLISHING ASSIGNMENT PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A REPEALER.

ORD 5827
POLICE & FIRE
PAY SCHEDULES

ACTION TAKEN.

Motion by Council Member Johnson to approve Ordinance Nos. 5825, 5826, and 5827, as presented.

Second by Council Member Watt.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Mayor Wacker removed Item D-3, entitled “Resolution No. 5877 – Authorizing the Execution of Agreement with the Sherman Housing Authority, the Texoma Area Paratransit System, Inc., the Grayson County Crisis Center, the Grayson County Shelter, Inc., the Child & Family Guidance Center of Texoma, Boys & Girls Club of Sherman, Inc., and MasterKey Ministries of Grayson County, Inc. for the Use of Community Development Block Grant Funds” from the Consent Agenda, for consideration in its regular order of business.

Council Member Watt moved to approve the Consent Agenda, with the exception of Item D-3, which will be considered in its regular order of business. Second by Council Member Sofey. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 5875 – APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

CONSENT AGENDA.

RESOLUTION NO. 5876 – AUTHORIZING EXECUTION OF A CONTRACT WITH THE SHERMAN CHAMBER OF COMMERCE FOR THE PROMOTION OF TOURISM IN SHERMAN AND ITS SURROUNDING AREA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH THE SHERMAN CHAMBER OF COMMERCE FOR THE PROMOTION OF TOURISM.

Mayor Wacker said the contract will be effective October 1, 2014, and the City is looking forward to good things.

Eddie Brown, Chamber of Commerce President, said they were very happy to manage the Sherman Tourism Department. Mayor Wacker said they are already seeing some exciting things happening.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5876, as presented. Second by Council Member Watt.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5877 – AUTHORIZING THE EXECUTION OF AGREEMENT WITH THE SHERMAN HOUSING AUTHORITY, THE TEXOMA AREA PARATRANSIT SYSTEM,

CONSENT AGENDA

**RES 5875
CIP**

**RES 5876
TOURISM CONTRACT
WITH CHAMBER OF
COMMERCE**

**RES 5877
CDBG FUNDS**

INC., THE GRAYSON COUNTY CRISIS CENTER, THE GRAYSON COUNTY SHELTER, INC., CHILD & FAMILY GUIDANCE CENTER OF TEXOMA, BOYS & GIRLS CLUB OF SHERMAN, INC., AND MASTERKEY MINISTERIES OF GRAYSON COUNTY, INC. FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE SHERMAN HOUSING AUTHORITY, THE TEXOMA AREA PARATRANSIT SYSTEM, INC., THE GRAYSON COUNTY CRISIS CENTER, THE GRAYSON COUNTY SHELTER, INC., CHILD & FAMILY GUIDANCE CENTER OF TEXOMA, BOYS & GIRLS CLUB OF SHERMAN, INC., AND MASTERKEY MINISTERIES OF GRAYSON COUNTY, INC. FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Mayor Wacker removed Item D-3 from the Consent Agenda for consideration in its regular order of business.

She explained that the CDBG funds are Federal funds that come to the City for the good of Sherman citizens. She recognized the number of organizations and the number of people that are helped through these funds.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution No. 5877, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5878 – REVOKING AND REPLACING RESOLUTION NO. 5837; ESTABLISHING SALARY STRUCTURES AND INCENTIVE / CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 5837; ESTABLISHING SALARY STRUCTURES AND INCENTIVE / CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

CONSENT AGENDA.

RES 5878
POLICE & FIRE
PAY SCHEDULES

REQUEST TO ADVERTISE
REPAIR OR REPLACEMENT OF LAKE TEXOMA PUMP
STATION PUMP #2

The City Council approved the request to advertise for the repair or replacement of the Lake Texoma Pump Station Pump #2.

REQ TO ADVERTISE
LAKE TEXOMA
PUMP STATION
PUMP #2

Raw water Pump #2, which pumps water from Lake Texoma to the City's Water Treatment Plant, is not functioning and

must be pulled and inspected. The pump will be repaired or replaced as required.

CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT AND THE SHERMAN HIGH SCHOOL STUDENT COUNCIL TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “2014 SHERMAN HIGH SCHOOL HOMECOMING PARADE” ON MONDAY, SEPTEMBER 22, 2014

CLOSE STREETS
SHS HOMECOMING
PARADE

The City Council approved the request of the Sherman Independent School District and the Sherman High School Student Council to temporarily close certain streets for the “2014 Sherman High School Homecoming Parade” on September 22, 2014, at 6:30 p.m.

City labor and equipment to provide traffic control assistance and to implement barricade placement and removal will be required.

CONSENT AGENDA.

CONSIDER REQUEST OF DOWNTOWN SHERMAN PRESERVATION & REVITALIZATION TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “STROLL ON THE SQUARE” ON SATURDAY, OCTOBER 11, 2014

CLOSE STREETS
“STROLL ON THE
SQUARE”

George Olson, City Manager, addressed notes in the Agenda Communication Form about a delay and “working out some kinks” with DSP&R to assure everything goes smoothly with public safety support and the other support provided by the City.

Karen Tooley, Director of DSP&R, said they are adding Wall Street to the event this year.

Council Member Watt asked if there were any problems last year with ingress and egress. Otis Henry, Police Chief, and J.J. Jones, Fire Chief, said they were not aware of any problems last year.

ACTION TAKEN.

Motion by Council Member Watt to approve the request of Downtown Sherman Preservation & Revitalization to temporarily close certain streets for the “Stroll on the Square” on October 11, 2014, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

CONDITION OF O.B. GRONER ROAD

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Dr. Mike Raleigh, 5211 O.B. Groner Road, outlined issues he has had since 2009 with road conditions caused by Grayson Pipeline. At that time the pipeline crossed his neighbor’s property, went under the street, and then across his yard.

COUNCIL MINUTES – SEPTEMBER 2, 2014

O.B. Groner Road was left “a disaster” after they completed the project. The following year he contacted the pipeline company and they said they had no rules or regulations with the City to repair the street after they left.

In 2010 he spoke with a City employee who determined that the base of the road had been destroyed and said the repair would need to be budgeted. The road continued to get worse and the next year he spoke with a different City employee. The road continues to be a disaster.

Dr. Raleigh said he has submitted a packet of 100 pictures of road problems that span 800 feet, from where the pipeline was laid to Friendship Road. The road is dangerous and is a problem he added.

Some of the road is maintained by the City of Sherman and some is maintained by Grayson County. Dr. Raleigh said the County repairs potholes annually and completed an overlay on their part for the second time in five years.

Dr. Raleigh said the road is very dangerous and someone needs to look at it and make the repairs. He also submitted an insurance claim form with the 100 pictures for the City to pay \$400 because driving out of his driveway keeps knocking his car out of alignment. He said it has also cost him about 20,000 miles on a set of tires.

He said the road is dangerous and asked that the City look at the road and make repairs. There is a major difference between the way the County is maintaining their part and the way the City is maintaining their part.

Mayor Wacker said the staff will review the situation and she thanked Dr. Raleigh for bringing it to their attention.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

NAMING OF ASSISTANT POLICE CHIEF

Council Member Watt yielded his time to Chief Otis Henry for an announcement.

Chief Henry said several weeks ago he asked the Council to allow him to appoint the position of Assistant Chief. After implementing a process for that appointment, he has made his selection.

Today Lieutenant Bob Fair was appointed Assistant Chief of the Police Department. He has served with the Department for about 35 years. Chief Henry said he is accepted by most all members of the Department, and is an excellent choice. He added that he is very confident with the decision and thanked the City Council for allowing him to make the appointment.

MEDIA QUESTIONS

NAMING OF ASSISTANT POLICE CHIEF

COUNCIL MINUTES – SEPTEMBER 2, 2014

Council Member Watt said they picked the right guy for the job and says that, because Assistant Chief Fair helped train him 31 years ago.

NEW COUNCIL MEMBERS

Council Member Sofey expressed appreciation to Council Member Plyler for running for office again and to Terrence Steele for joining them again. He looked forward to working with both men.

NEW COUNCIL MEMBERS

APPRECIATION FOR SERVICE

Council Member Plyler thanked the citizens for allowing him to serve and said he looked forward to working for another three years.

APPRECIATION FOR SERVICE

NEW COUNCIL MEMBERS

Council Member Johnson congratulated Council Member Plyler and Mr. Steele and said he looked forward to working with both men.

NEW COUNCIL MEMBERS

NEW COUNCIL MEMBERS

Council Member Davis also congratulated Council Member Plyler and Mr. Steele.

NEW COUNCIL MEMBERS

UPCOMING EVENTS

Mayor Wacker said there are many upcoming events in Sherman and one initiative the Chamber of Commerce has underway is a community calendar. The calendar will be online soon.

UPCOMING EVENTS

ARTS FEST

Mayor Wacker said Arts Fest is coming up soon.

ARTS FEST

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 5:25 p.m.

COUNCIL MINUTES – SEPTEMBER 2, 2014

On Motion duly made and carried, the Executive Session recessed at 6:20 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

MAYOR'S COMMENTS

Mayor Wacker stated for the record, that both the City Manager and City Attorney had excellent reviews and the Council appreciates tremendously the work they do on behalf of the City to make Sherman a great place to live and work. She thanked Mr. Olson and Brandon Shelby, City Attorney, for the great work they do.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:23 p.m.

OPEN MEETING

MAYOR'S COMMENTS

ADJOURNMENT

MAYOR

CITY CLERK