STATE OF TEXAS §

October 5, 2009

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 October 5, 2009.

MEMBERS PRESENT: **MAYOR BILL MAGERS.**
COUNCIL MEMBERS ADAMI, HOWETH, SOFTLY, STEELE, WACKER.

MEMBERS ABSENT: **DEPUTY MAYOR JOE SMITH.**

CALL TO ORDER

CALL TO ORDER

Mayor Bill Magers called the meeting to order at 5:02 p.m. The Pledge of Allegiance and the Invocation were given by Mayor Bill Magers.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting of September 17, 2009 (held Jointly with the Sherman Economic Development Board of Directors) and the Regular City Council Meeting of September 21, 2009. Council Member Softly moved to approve the Minutes as presented; Second by Council Member Wacker. All present voted AYE.
MOTION CARRIED.

PROCLAMATION
"FIRE PREVENTION MONTH" – OCTOBER 2009

FIRE PREVENTION MONTH (OCT. 2009)

Council Member Adami presented a proclamation to Lieutenant Nathan Huffman, Sherman Fire Department and "Trucky" from the Klown Kompany, and Fire Chief Jeff Jones.

Lt. Huffman thanked the Mayor and City Council saying this year's theme is "Don't Get Burned." Six members of the Fire Department and one member of the Police Department make up the Klown Kompany. During the eight years that Lt. Huffman has been in the Klown Kompany, he has spoken to approximately 24,000 children about fire safety and safety in general. They will be visiting about eleven schools this year.

In the last five years, Sherman has had 17 severe fire injuries and four deaths reported and Lt. Huffman said as a firefighter, that to him is unacceptable.

This year, Sherman has received a $16,000 grant from the Federal Emergency Management Agency for the Firefighter Assistance Program to fund a program that focuses on senior citizens. This year, the Klown Kompany is focusing on children and senior citizens.

SPECIAL PRESENTATION
ANNOUNCING THE WINNER OF THE SECOND ANNUAL "SHERMAN TODAY" PHOTO CONTEST

"SHERMAN TODAY" PHOTO CONTEST

Mayor Magers said the winner of the Second Annual "Sherman Today" Photo Contest will be announced at a later City Council Meeting.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5623 HOTEL OCCUPANCY TAX

Mayor Magers introduced Ordinance 5623 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, ENTITLED "HOTEL OCCUPANCY TAX", AT SECTION 11.03.008, ENTITLED "PENALTIES FOR VIOLATION"; ADDING NEW SECTION 11.03.009 TO BE ENTITLED "KEEPING AND PRESERVING OF RECORDS"; ADDING NEW SECTION 11.03.010 TO BE ENTITLED "REGISTRATION OF HOTEL OPERATORS"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mayor Magers asked for an update from Brandon Shelby, City Attorney, concerning some of the hotels that aren't paying their Hotel/Motel Occupancy Tax.

Mr. Shelby said the ordinance makes it a Class A Misdemeanor for a hotel not to pay their Hotel/Motel Occupancy Taxes. This includes a daily fine and possible jail time for the responsible party.

No citizens appeared before the City Council to discuss Ordinance 5623.

ORD 5625 FIRE DEPT. POSITIONS

Mayor Magers introduced Ordinance 5625 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE AND POLICE DEPARTMENTS, AND AT SECTION 9.05.027, ENTITLED "POSITIONS, CLASSES, DUTIES AND SPECIFICATIONS ENUMBERATED", TO PROVIDE THAT DEPARTMENT HEADS WITHIN THE FIRE AND POLICE DEPARTMENTS SHALL ADOPT CLASS SPECIFICATIONS FOR POSITIONS IN THE FIREMEN'S AND POLICEMEN'S CLASSIFIED SERVICE; 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 5625.

Mayor Magers introduced Ordinance 5626 and called for a public hearing: **ORD 5626 FIRE DEPT. ASSIGNMENT PAY**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5572; ESTABLISHING ASSIGNMENT PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

No citizens appeared before the City Council to discuss Ordinance 5626.

The Public Hearing was closed. **CLOSE PUBLIC HEARING**

<u>ADOPTION OF ORDINANCES</u>

Ordinance 5623 **ORD 5623 HOTEL OCCUPANCY TAX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, ENTITLED "HOTEL OCCUPANCY TAX", AT SECTION 11.03.008, ENTITLED "PENALTIES FOR VIOLATION"; ADDING NEW SECTION 11.03.009 TO BE ENTITLED "KEEPING AND PRESERVING OF RECORDS"; ADDING NEW SECTION 11.03.010 TO BE ENTITLED "REGISTRATION OF HOTEL OPERATORS"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 5625 **ORD 5625 FIRE DEPT. POSITIONS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE AND POLICE DEPARTMENTS, AND AT SECTION 9.05.027, ENTITLED "POSITIONS, CLASSES, DUTIES AND SPECIFICATIONS ENUMBERATED", TO PROVIDE THAT DEPARTMENT HEADS WITHIN THE FIRE AND POLICE DEPARTMENTS SHALL ADOPT CLASS SPECIFICATIONS FOR POSITIONS IN THE FIREMEN'S AND POLICEMEN'S CLASSIFIED SERVICE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 5626 **ORD 5626 FIRE DEPT. ASSIGNMENT PAY**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5572; ESTABLISHING ASSIGNMENT PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Magers confirmed that Ordinance 5625, Ordinance 5626, and Resolution 5425 all pertain to Chief Jones' presentation at the last Council Meeting recommending a change in the management team for the Fire Department. He

emphasized that the changes would not increase payroll costs.

ACTION TAKEN.

Motion by Council Member Wacker to approve Ordinance Nos. 5623, 5625, and 5626, as presented. Second by Council Member Howeth.

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

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 5416 – SUPPORTING THE PROPOSED EXTENSION OF STATE HIGHWAY 289

RES 5416 SUPPORTING HWY 289 EXTENSION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, SUPPORTING THE PROPOSED EXTENSION OF STATE HIGHWAY 289; PROVIDING FOR A REPEALER CLAUSE.

Mayor Magers said the Texas Department of Transportation has requested that all cities affected by State Highway 289, adopt this resolution supporting the project.

ACTION TAKEN.

Motion by Council Member Adami to approve Resolution No. 5416, as presented. Second by Council Member Steele.

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

RESOLUTION NO. 5417 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECTS "U.S. HIGHWAY 75 SEWER" AND "WILLOW STREET WATER LINE REPLACEMENT"; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

RES 5417 HWY 75 SEWER & WILLOW ST. WATER LINE REPLACEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECTS "U.S. HIGHWAY 75 SEWER" AND "WILLOW STREET WATER LINE REPLACEMENT"; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY

MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Council Member Adami asked for a summary on the proposed resolution. George Olson, City Manager, explained that on the U.S. Highway 82 Sewer Project there are two property owners that are not allowing the City to come through the right-of-way with the sewer line. The City is requesting an easement, but negotiations to date, have not been successful. The request is an attempt to move forward with the program and to complete the sewer line.

Mark Gibson, Director of Utilities and Engineering, said one of the easements would be located on the west side of Highway 75, south of North Creek Subdivision, and the other on the east side of the highway, northeast of the subdivision by Academy. Mayor Magers verified that the property owners in question currently have septic systems instead of City sewer.

Council Member Steele verified that the project is part of the water and sewer line extension to Highway 691.

Mr. Olson said the City has been negotiating with one individual on the Willow Street Water Line Replacement Project that has come to some agreement, however nothing has been received in writing.

ACTION TAKEN.
Motion by Council Member Adami to approve Resolution No. 5417, as presented. Second by Council Member Wacker.
VOTING AYE: Adami, Howeth, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

<u>RESOLUTION NO. 5418 – AUTHORIZING THE EXECUTION OF A LONGITUDINAL PIPELINE AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY FOR THE CONSTRUCTION OF RELIEF SEWER "C"</u>

RES 5418
PIPELINE AGREEMENT
RELIEF SEWER C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A LONGITUDINAL PIPELINE AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY FOR THE CONSTRUCTION OF RELIEF SEWER "C".
CONSENT AGENDA.

<u>RESOLUTION NO. 5419 – AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH THE SHERMAN COUNCIL FOR THE ARTS & HUMANITIES, INC. AND THE FRIENDS OF THE RED RIVER HISTORICAL MUSEUM (AKA RED RIVER HISTORICAL MUSEUM)</u>

RES 5419
SCAH & HISTORICAL
MUSEUM CONTRACTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH THE SHERMAN COUNCIL FOR THE ARTS & HUMANITIES, INC. AND THE FRIENDS OF THE RED RIVER HISTORICAL MUSEUM (AKA RED RIVER HISTORICAL MUSEUM).
CONSENT AGENDA.

RES 5420 WELCOME TO SHERMAN SIGN

<u>RESOLUTION NO. 5420 – AUTHORIZING THE EXECUTION OF A LANDSCAPE AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE AND CARE OF A NEW "WELCOME TO SHERMAN" SIGN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A LANDSCAPE AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE AND CARE OF A NEW "WELCOME TO SHERMAN" SIGN.
CONSENT AGENDA.

RES 5421 HOUSEHOLD HAZARDOUS WASTE

<u>RESOLUTION NO. 5421 – AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FORT WORTH FOR HOUSEHOLD HAZARDOUS WASTE SERVICES</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FORT WORTH FOR HOUSEHOLD HAZARDOUS WASTE SERVICES.
CONSENT AGENDA.

RES 5422 STREET SWEEPER

<u>RESOLUTION NO. 5422 – AUTHORIZING THE PURCHASE OF A NEW TYMCO STREET SWEEPER BODY AND INTERNATIONAL CHASSIS FOR THE STREET SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW TYMCO STREET SWEEPER BODY AND INTERNATIONAL CHASSIS FOR THE STREET SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 5423 STREET DEPT. EQUIPMENT

<u>RESOLUTION NO. 5423 – AUTHORIZING THE PURCHASE OF A NEW HAMM STEEL WHEEL ROLLER FOR THE STREET SERVICES DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW HAMM STEEL WHEEL ROLLER FOR THE STREET SERVICES DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).
CONSENT AGENDA.

<u>RESOLUTION NO. 5424 – AUTHORIZING THE PURCHASE OF A 2010 MACK RESIDENTIAL AUTOMATED COLLECTION TRUCK CHASSIS AND McNEILUS COLLECTION BODY FOR THE SOLID WASTE SERVICES DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)</u>

RES 5424 AUTOMATED SOLID WASTE TRUCK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2010 MACK RESIDENTIAL AUTOMATED COLLECTION TRUCK CHASSIS AND McNEILUS COLLECTION BODY FOR THE SOLID WASTE SERVICES DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).
CONSENT AGENDA.

<u>RESOLUTION NO. 5425 – REVOKING AND REPLACING RESOLUTION NO. 5259; ESTABLISHING SALARY STRUCTURES AND INCENTIVE / ASSIGNMENT PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS</u>

RES 5425 POLICE & FIRE SALARY & ASSIGNMENT PAY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 5259; ESTABLISHING SALARY STRUCTURES AND INCENTIVE / CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.
CONSENT AGENDA.

<u>REQUEST TO ADVERTISE</u>
<u>ANNUAL SUPPLY OF CHEMICALS</u>

REQ TO ADVERTISE ANNUAL CHEMICALS

The City Council approved the request to advertise for an annual supply of chemicals for Fiscal Year 2009-2010. The chemicals are primarily used at the Water Treatment Plant and the Wastewater Treatment Plant.
CONSENT AGENDA.

<u>CHANGE ORDER NO. 1</u>
<u>2009 BIOSOLIDS PROJECT; SYNAGRO OF TEXAS – CDR, INC.; $17,061.39, DECREASE</u>

CHANGE ORDER BIOSOLIDS PROJECT

The City Council approved Change Order No. 1, which is a final reconciliatory change order to adjust the final contract amount for the 2009 Biosolids Project at the Wastewater Treatment Plant.

Most of the cost reduction for the project was attributable to a smaller-than-planned requirement for lime. The amount of biosolids processed was also slightly lower than original estimates.

The change order results in a net decrease of $17,061.39 for a final contract price of $142,123.61.
CONSENT AGENDA.

<u>CHANGE ORDER NO. 1</u>
<u>CANYON CREEK DRIVE EXTENSION PROJECT; GILCO CONTRACTING, INC.; $8,073.50, INCREASE</u>

CANYON CREEK EXTENSION

The City Council approved Change Order No. 1, which is a

final closeout to adjust the contract amount for the Canyon Creek Drive Extension project.

The Capital Improvement Program project to build the new section of West Canyon Creek Drive, from its west end at Silverado Trail to Shady Oaks Lane is complete.

The change order is a result of credits for fence construction and lime used for base stabilization. Increases occurred for the amount of concrete used, additional sod needed to stabilize slopes, and one additional metal culvert needed at Shady Oaks and Canyon Creek.

The change order results in a net increase of $8,073.50 for a final contract price of $523,068.25.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF THE AUSTIN COLLEGE KAPPA GAMMA CHI TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE HOMECOMING 2009 'ROO RUN AND JOEY WALK ON SATURDAY, OCTOBER 17, 2009

CLOSE STREETS FOR AUSTIN COLLEGE HOMECOMING

The City Council approved the request of Austin College Kappa Gamma Chi to temporarily close certain streets surrounding the College campus for the Homecoming 2009 'Roo Run and Joey Walk on October 17, 2009.
CONSENT AGENDA.

DISCUSS FINANCE ISSUES RELATED TO GROUP HEALTH INSURANCE AND APPROVE GROUP HEALTH INSURANCE RENEWAL

EMPLOYEE HEALTH INSURANCE

Robby Hefton, Assistant City Manager/CFO, said at the Budget Workshop it was decided that the City would again go out to see what the alternatives were for the group health plan. With the claims experience the City has there are not many other alternatives. Therefore the City will be continuing with the third party administrator to help with the claims.

He said the City is changing how the claims will be processed. There will be no changes to the employees, but these changes should help manage the costs.

Mr. Hefton also said this is the first year that a new governmental accounting pronouncement will be applicable to the City. Governmental Accounting Standards Board 45 or GASB 45 will require that an actuary study is done to project the costs that would be incurred to provide post retirement benefits to retirees. It will also require that the City "book" any liabilities associated with those costs.

With this change, the City is trying to help manage the cost for today and reduce or minimize the liability that would have to be included on the financials.

The City will be contracting with an actuary that specializes in the GASB 45 accounting later this month. Mr. Hefton added that the study will be an actuarial calculation on retirees covered by the City's health plan. Mayor Magers confirmed that there will be a liability that must be added to the books from the required study.

Mayor Magers confirmed that the liability will be an unfunded liability. Mr. Hefton said, for the first year, the staff is not recommending that any money "be put back" for the liability. The only way to reduce the liability on the books is to set up an irrevocable trust and deposit funds into the trust. This would reduce the liability on the books.

Mr. Hefton said he is not recommending that now because this is the first year of implementation and the staff doesn't know what the liability will be. Also, there could be steps taken in the future to help reduce that liability.

Mayor Magers asked about a time line on the liabilities. Mr. Hefton said there are two factors that will affect the liability. First, there is a group of retirees that, by agreement, are going to have City provided health care costs when they retire. That coverage will run out when those employees reach age 65.

Second, the design all along, is to as closely as possible, design the rates so that the revenues from the participating retirees pay for the cost of providing that care. If costs are being covered in that manner, there would be no liability.

Council Member Adami confirmed that the City must record the liability but they still have the flexibility to determine how it will be paid, if it must ultimately be paid. He added that it might also include a cost-sharing mechanism with employees or retirees.

Mr. Hefton said this calculation must be "revisited" at least every two years. Council Member Adami added that the City has had the liability, but now it has to be recorded. He asked if there would be a cost savings with using the same actuary that the Texas Municipal League uses for their studies. Mr. Hefton said the quote for the actuary services is less than $25,000.

Mr. Hefton said there is a similar liability for the unfunded portion of the retirement plan. That liability is being funded over the next 30 years and at the end of that period there will be no more unfunded liability.

Any recommendations to fund any portion of the unfunded liability would not be made until the 2011 Budget.

CITIZENS REQUESTS **CITIZENS REQUESTS**

There were no citizens requests.

MEDIA QUESTIONS

RESOLUTION SUPPORTING STATE HIGHWAY 289

HIGHWAY 289 SUPPORT

Kathy Williams, Herald Democrat Reporter, asked if Resolution 5416, approved earlier in the meeting, was specifically for the pass-through tollway where the State refunds the County money that was expended for the construction of that road. She asked if there would need to be a similar resolution if the road is constructed as a private toll road.

Noel Paramanantham, Texas Department of Transportation Interim Area Engineer, said the resolution is just for the signing of State Highway 289 and has nothing to do with the pass-through toll agreement.

Mrs. Williams confirmed that no resolution would be required if Highway 289 becomes a private for-profit toll road.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (2)

PARKS & RECREATION ADVISORY BOARD

ACTION TAKEN.

> **Motion by Council Member Adami to reappoint Casey Peacock to the Parks and Recreation Advisory Board for a term from October 1, 2009 to October 1, 2011 and to appoint John Murphy for a term from October 6, 2009 to October 6, 2011. Second by Council Member Wacker.**

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

COUNCIL COMMENTS

FIRE PREVENTION MONTH AND NATIONAL NIGHT OUT

FIRE PREVENTION MONTH & NATIONAL NIGHT OUT

Council Member Adami wished the Fire Department the best of luck with Fire Prevention Month and asked Tom Watt, Police Chief, if he would like to remind citizens about National Night Out.

Chief Watt said National Night Out will be held tomorrow night, with six locations in Sherman. He invited Council Members, staff, and citizens to attend.

BULK TRASH PICK-UP

BULK TRASH PICK-UP

Council Member Howeth said since she lives in southeast Sherman she had her bulk trash picked up curbside for the first time under the new monthly service. She thanked the staff and Solid Waste employees for the effort.

RECENT FIRE AND POLICE PRESENTATION

FIRE & POLICE PRESENTATION

Mayor Magers recognized Chief Jones and Chief Watt for their presentation several weeks ago about the reorganization. He added that Sherman's safety professionals do a great job.

FLU SHOT RUMORS

Mayor Magers said his family recently attended the flu shot clinic at Walgreens. They had 100 shots and 85 people in line 15 minutes prior to opening. He thanked Chief Jones for staying on top of all the rumors about the upcoming flu season.

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 551.072	**DELIBERATION REGARDING REAL PROPERTY DELIBERATE REGARDING THE POTENTIAL PURCHASE, EXCHANGE, LEASE, OR VALUE OF A PIECE OF REAL PROPERTY: BLALOCK FIRE STATION IN THE 100 BLOCK OF HIGHWAY 1417 EAST**
SECTION 551.074	**PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT OR REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: SHERMAN ECONOMIC DEVELOPENT CORPORATION BOARD OF DIRECTORS (3)** **GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS (1)**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:33 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:04 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS (3)

ACTION TAKEN.

Motion by Council Member Steele to reappoint Rad Richardson to the Sherman Economic Development

FLU SHOT RUMORS

EXECUTIVE SESSION

OPEN MEETING

SEDCO

> **Corporation Board of Directors for a term from October 1, 2009 to October 1, 2011 and to appoint Juston Dobbs and Jeffrey Todd Thompson for a term from October 6, 2009 to October 1, 2011. Second by Council Member Adami.**

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

RES 5426
APPRAISAL DISTRICT
APPOINTMENT
(NOT APPROVED)

<u>RESOLUTION NO. 5426 – NOMINATING A CANDIDATE TO THE GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, NOMINATING A CANDIDATE TO THE GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

Mayor Magers explained that the City has worked in the past to get Board Members appointed to the Grayson Central Appraisal District Board of Directors. He added that this is an organization in which an entity is penalized for being a fiscal conservative.

Sherman doesn't have enough votes to have their nominee elected to the Board and when they reduced property taxes even more, they received even fewer votes through the Appraisal District. He asked for a motion to abstain from a nomination.

ACTION TAKEN.

> **Motion by Council Member Wacker to abstain from nominating any representative to the Grayson Central Appraisal District Board of Directors. Second by Council Member Adami.**

VOTING AYE: Magers, Adami, Howeth, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED TO ABSTAIN.

ADJOURNMENT

<u>ADJOURNMENT</u>
On Motion duly made and carried, the meeting adjourned at 6:08 p.m.

____
MAYOR

____
CITY CLERK