

STATE OF TEXAS

§

September 20, 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 September 20, 2010.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS ADAMI, HOWETH, SMITH, 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 Mayor Bill Magers.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of September 7, 2010. Council Member Smith moved to approve the Minutes as presented; Second by Council Member Adami. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

GERMAN – AMERICAN PARTNERSHIP BETWEEN
WOLNZACH GYMNASIUM AND SHERMAN HIGH SCHOOL

Council Member Wacker read a proclamation recognizing the German – American Partnership between Wolnzach Gymnasium and Sherman High School and the students that are currently in Sherman participating in the exchange program.

GERMAN-AMERICAN
PARTNERSHIP WITH
SHERMAN HIGH

NATIONAL NIGHT OUT – TEXAS – OCTOBER 5, 2010

Council Member Adami presented a proclamation to Captain Ken Francis, Police Department, recognizing October 5, 2010 as “National Night Out – Texas.” Captain Francis thanked the Council for the proclamation.

NATIONAL NIGHT
OUT – TEXAS
(OCT. 5, 2010)

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5671 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED “UTILITIES”, AT ARTICLE 13.06, ENTITLED “SOLID WASTE”, AT SECTIONS 13.06.005, 13.06.086, 13.06.087, AND 13.06.088 TO INCREASE CERTAIN SOLID WASTE FEES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5671
SOLID WASTE FEES

No citizens appeared before the City Council to discuss Ordinance 5671.

Mayor Magers introduced Ordinance 5672 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.08, ENTITLED "UTILITY BILLING", AT SECTIONS 13.08.005 AND 13.08.006, REVISING RATES FOR WATER AND SEWER FOR FISCAL YEAR 2010-2011; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5672
WATER & SEWER
RATES

No citizens appeared before the City Council to discuss Ordinance 5672.

The Public Hearing was closed.

CLOSE PUBLIC
HEARING

ADOPTION OF ORDINANCES

Ordinance 5671

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.06, ENTITLED "SOLID WASTE", AT SECTIONS 13.06.005, 13.06.086, 13.06.087, AND 13.06.088 TO INCREASE CERTAIN SOLID WASTE FEES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5671
SOLID WASTE FEES

Ordinance 5672

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.08, ENTITLED "UTILITY BILLING", AT SECTIONS 13.08.005 AND 13.08.006, REVISING RATES FOR WATER AND SEWER FOR FISCAL YEAR 2010-2011; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5672
WATER & SEWER
RATES

Mayor Magers explained that both ordinances contain minimum rate increases for two "fixed cost businesses." For example, it costs about the same amount of money to process 1,000 tons of trash or 10,000 tons of trash, and it costs about the same to purify 1,000 gallons of water or 10,000 gallons of water.

With the economic downturn of the past couple of years, especially on the solid waste side, the amount of waste going to the Texoma Area Solid Waste Authority Landfill has been severely lessened.

At TASWA, Sherman hauls 50% of the trash, put up 1/3 of the money, and has 20% of the vote. Previously the TASWA Board was financing for 20 years, cells that would only last three to five years. The debt would help keep rates low, but cause problems "down the road." The Board has now moved to "paying as you go" which will be good for Sherman in the long term.

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As for the rate increase for water, Sherman is losing two industries, Folgers and MEMC. The rate increases only recoup 50% of the revenue that will be lost by these closings.

The Council considered many alternatives and were able to maintain the property tax rate.

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance Nos. 5671 and 5672, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5666

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 2010; DISTRIBUTING THE SAME 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.

**ORD 5666
AD VALOREM
TAX LEVY**

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance No. 5666, as presented. Second by Council Member Wacker.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Adami asked to remove Item C-3 entitled "Resolution 5525 – Awarding a Bid to and Authorizing the Execution of a Contract with IESI TX Corporation for Residential Commingled Recycling Processing Services" and Item C-4 entitled "Resolution 5526 – Awarding a Bid to and Authorizing the Execution of a Contract with Pratt Industries, Inc. for Cardboard Recycling Processing Services" from the Consent Agenda for discussion in their regular order of business.

CONSENT AGENDA

Council Member Wacker moved to approve the Consent Agenda, with the exception of Item C-3 and Item C-4, which will be discussed in their regular order of business. Second by Council Member Softly. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 5523 – SUPPORTING LOCALLY GOVERNED COMMUNITY CENTER MHMR SERVICES OF TEXOMA AS THE MOST EFFECTIVE AND COST EFFICIENT MEANS TO MANAGE AND DELIVER SERVICES FOR TEXANS

**RES 5523
MHMR COMMUNITY
CENTER**

**WITH INTELLECUTAL AND DEVELOPMENTAL DISABILITIES
AND SERIOUS MENTAL ILLNESS IN COOKE, FANNIN AND
GRAYSON COUNTIES**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, SUPPORTING LOCALLY GOVERNED COMMUNITY CENTER MHMR SERVICES OF TEXOMA AS THE MOST EFFECTIVE AND COST EFFICIENT MEANS TO MANAGE AND DELIVER SERVICES FOR TEXANS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND SERIOUS MENTAL ILLNESS IN COOKE, FANNIN AND GRAYSON COUNTIES.

Mayor Magers recognized MHMR Services for the cost savings to the institutions and penal systems. He added that it is a tremendous program and Grayson County is fortunate to have their services.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5523, as presented. Second by Deputy Mayor Steele.

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

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 5524 – AUTHORIZING EXECUTION OF
AGREEMENTS WITH THE SHERMAN HOUSING AUTHORITY,
THE TEXOMA AREA PARATRANSIT SYSTEM, INC., THE
GRAYSON COUNTY CRISIS CENTER, THE BOYS & GIRLS
CLUB OF SHERMAN, INC., THE CHILD & FAMILY GUIDANCE
CENTER OF TEXOMA, AND THE CITY OF SHERMAN PARKS
& RECREATION DEPARTMENT FOR THE USE OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

RES 5524
CDBG FUNDING

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

**RESOLUTION NO. 5525 – AWARDING A BID TO AND
AUTHORIZING THE EXECUTION OF A CONTRACT WITH IESI
TX CORPORATION FOR RESIDENTIAL COMMINGLED
RECYCLING PROCESSING SERVICES**

RES 5525
RESIDENTIAL
RECYCLING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH IESI TX CORPORATION FOR RESIDENTIAL COMMINGLED RECYCLING PROCESSING SERVICES.

Council Member Adami asked to remove Item C-3 and Item C-4 from the Consent Agenda for discussion in their regular

order of business.

He verified that the single stream recycling bid for \$32 per ton was being recommended over the \$35 per ton bid because it was cheaper to transport to the closer facility. George Olson, City Manager, verified that one facility is located this side of McKinney and the other is past Denton.

RESOLUTION NO. 5526 – AWARDING A BID TO AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH PRATT INDUSTRIES, INC. FOR CARDBOARD RECYCLING PROCESSING SERVICES

RES 5526
CARDBOARD
RECYCLING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH PRATT INDUSTRIES, INC. FOR CARDBOARD RECYCLING PROCESSING SERVICES.

Council Member Adami verified that for the cardboard recycling services the cost savings for the transportation is not outweighed by the increase in price. Mr. Olson verified that these are the rates that they pay the City for delivering the cardboard recycling to them.

ACTION TAKEN.

Motion by Council Member Adami to approve Resolution Nos. 5525 and 5526, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5527 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH RENDA ENVIRONMENTAL, INC. FOR THE 2010-2013 BIOSOLIDS PROJECT AT THE SHERMAN WASTEWATER TREATMENT PLANT

RES 5527
BIOSOLIDS PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH RENDA ENVIRONMENTAL, INC. FOR THE 2010-2013 BIOSOLIDS PROJECT AT THE SHERMAN WASTEWATER TREATMENT PLANT.

CONSENT AGENDA.

CITIZENS REQUESTS
HAZARDOUS CARGO SPILL

HAZARDOUS
CARGO SPILL

Don Mathis, 1800 W. Washington, Apt. 206, said he just heard there was a hazardous cargo spill near Sherman High School today. He expressed concern and asked if there was a hazardous cargo route through Sherman.

Mayor Magers said there is a hazardous cargo route through Sherman. Fire Chief J.J. Jones said there was no spill, it was on the FM 1417 Spur, but there was no cargo leak.

COUNCIL MINUTES – SEPTEMBER 20, 2010

MEDIA QUESTIONS

ARTS FESTIVAL

Kathy Williams, Herald Democrat Reporter, said this weekend's Arts Festival was good.

ARTS FESTIVAL

COUNCIL COMMENTS

SOCCER FIELDS

Council Member Smith said soccer started this Saturday and the fields looked good and were in great condition. He thanked the staff for their hard work on the fields.

SOCCER FIELDS

ARTS FESTIVAL

Council Member Adami said Arts Festival was a big success as usual, even though it was hot.

ARTS FESTIVAL

WEEKEND ACTIVITIES IN SHERMAN

Council Member Wacker said it was a great weekend in Sherman with Arts Festival and the Community Series concert. She thanked the staff and volunteers that made Arts Festival happen this year.

WEEKEND ACTIVITIES
IN SHERMAN

SHERMAN BEARCATS

Council Member Howeth said the Sherman Bearcats had a great week with the Homecoming activities, culminating with a very nice win on Friday night.

SHERMAN BEARCATS

ARTS FESTIVAL

Mayor Magers said Arts Festival is a volunteer activity and the City helped out this year. He recognized April Patterson, Tourism Director, for her hard work for the event.

ARTS FESTIVAL

SHERMAN YOUTH SPORTS

Mayor Magers said if anyone missed the Sherman Youth Sports during Arts Festival, the fourth grade team won but the third grade team lost. There is one more game for the season and he invited everyone out to watch.

SHERMAN YOUTH
SPORTS

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
CONSIDER THE
QUALIFICATIONS, APPOINTMENT
OR REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
MEALS ON WHEELS OF TEXOMA
(1)

COUNCIL MINUTES – SEPTEMBER 20, 2010

Council Members decided the Executive Session was not needed to consider the reappointment to the Meals on Wheels of Texoma Board of Directors.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS:

MEALS ON WHEELS OF TEXOMA BOARD OF DIRECTORS

(1)

Mayor Magers personally thanked Phyllis Hicks for her service on the Meals on Wheels of Texoma Board of Directors and “highly recommended” that she be reappointed.

MEALS ON WHEELS
OF TEXOMA BOARD
OF DIRECTORS

ACTION TAKEN.

Motion by Council Member Wacker to reappoint Phyllis Hicks to the Meals on Wheels of Texoma Board of Directors for a term from September 30, 2010 to September 30, 2011. Second by Council Member Adami.

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

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:18 p.m.

ADJOURNMENT

MAYOR

CITY CLERK