

STATE OF TEXAS

§

September 15, 2014

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 15, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.

COUNCIL MEMBERS DAVIS, JOHNSON, SOFEY, WATT.

MEMBERS ABSENT:

COUNCIL MEMBER PLYLER.

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 Jason Sofey.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting of September 2, 2014. Council Member Davis moved to approve the Minutes as presented; Second by Council Member Johnson. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5828 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 3600 BLOCK OF LOY LAKE ROAD AND THE 900 BLOCK OF EAST PECAN GROVE ROAD; ABRAHIM ABU SARRIS FAMILY, LP, OWNERS; BRAD ANDRUS, PROSPECTIVE BUYER; HOMEYER ENGINEERING, INC. (ENGINEER); AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS); PROVIDING FOR A REPEALER.

ORD 5828

ZONE CHANGE

Robert Minshew, 206 W. Belden, asked the Council to approve the zone change to make this property zoned the same as the other properties surrounding it. He said all surrounding properties are currently zoned C-1 and they would like this property zoned accordingly.

No other citizens appeared before the City Council to discuss Ordinance 5828.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE

ORD 5828

ZONE CHANGE

NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 3600 BLOCK OF LOY LAKE ROAD AND THE 900 BLOCK OF EAST PECAN GROVE ROAD; ABRAHIM ABU SARRIS FAMILY, LP, OWNERS; BRAD ANDRUS, PROSPECTIVE BUYER; HOMEYER ENGINEERING, INC. (ENGINEER); AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS); PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance No. 5828, as presented. Second by Council Member Johnson.

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

VOTING NAY: None.

MOTION CARRIED.

ADOPTION OF ORDINANCE NO. 5823

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 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 5823
LEVY OF AD
VALOREM TAXES

Mayor Wacker said this is the final step in approving the proposed tax rate.

ACTION TAKEN.

Motion by Council Member Watt to approve Ordinance No. 5823, as presented. Second by Council Member Sofey.

VOTING AYE: Wacker, Johnson, Sofey, Softly, Watt.

VOTING NAY: Davis.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5879 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ALTERA HIGHLAND, LLC FOR THE PLACEMENT OF TWO LEASING SIGNS IN THE STREET RIGHT-OF-WAY AT 300 NORTH HIGHLAND AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ALTERA HIGHLAND, LLC FOR THE PLACEMENT OF TWO LEASING SIGNS IN THE

RES 5879
ENCROACHMENT
EASEMENT FOR
LEASING SIGNS
(300 N. HIGHLAND)

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STREET RIGHT-OF-WAY AT 300 NORTH HIGHLAND AVENUE.
CONSENT AGENDA.

RESOLUTION NO. 5880 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT WITH NATIONAL AUTO COLLISION REPAIR TO CONSTRUCT A SEWER SERVICE LINE WITHIN THE STREET RIGHT-OF-WAY OF SYCAMORE STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT WITH NATIONAL AUTO COLLISION REPAIR TO CONSTRUCT A SEWER SERVICE LINE WITHIN THE STREET RIGHT-OF-WAY OF SYCAMORE STREET.

CONSENT AGENDA.

RES 5880
ENCROACHMENT
EASEMENT FOR
SEWER SERVICE LINE
(SYCAMORE STREET)

RESOLUTION NO. 5881 – AUTHORIZING THE EXECUTION OF DEEDS FOR THE RESALE OF PROPERTIES WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF DEEDS FOR THE RESALE OF PROPERTIES WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES.

CONSENT AGENDA.

RES 5881
RESALE OF
PROPERTY SEIZED
FOR DELINQUENT
TAXES

RESOLUTION NO. 5882 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WEISINGER INCORPORATED FOR THE CHERRY PARK PUMP STATION WELL REPAIRS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WEISINGER INCORPORATED FOR THE CHERRY PARK PUMP STATION WELL REPAIRS.

CONSENT AGENDA.

RES 5882
CHERRY PARK
PUMP STATION
REPAIRS

RESOLUTION NO. 5883 – AMENDING THE 2013-2014 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2013, THROUGH SEPTEMBER 20, 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2013-2014 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014.

RES 5883
BUDGET
AMENDMENT

Robby Hefton, Assistant City Manager/CFO, explained that the budget amendment reconciles the expenditures and the budgeted expenditures at the end of each year to make sure that the actual expenditures are within the City's authority.

This year the majority of the budget amendment relates to additional monies needed in the group health fund to fund

COUNCIL MINUTES – SEPTEMBER 15, 2014

the claims that have occurred this year. There are some additional minor changes in the other funds.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution No. 5883, as presented. Second by Council Member Watt.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5884 – ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN.

CONSENT AGENDA.

RES 5884
INVESTMENT POLICY

REQUEST TO ADVERTISE

GALLAGHER WATER TOWER PAINTING AND REPAIR

The City Council approved a request to advertise for bids to repair and repaint the Gallagher Elevated Water Storage Tank. The project is in the FY 2014-2015 Capital Improvement Program as a Utility Services project.

CONSENT AGENDA.

REQ TO ADVERTISE
WATER TOWER
PAINTING & REPAIR

OTHER BUSINESS

CONSIDER REQUEST OF THE AUSTIN COLLEGE KAPPA GAMMA CHI TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE 2014 'ROO RUN ON SATURDAY, OCTOBER 18, 2014 WITH A RAIN DATE OF SATURDAY, NOVEMBER 1, 2014

Cathryn Yarborough, 900 N. Grand, Suite 61329, was available to answer any questions the Council might have.

CLOSE STREETS
FOR 'ROO RUN
(OCT. 18, 2014)

ACTION TAKEN.

Motion by Council Member Sofey to approve the request of the Austin College Kappa Gamma Chi to temporarily close certain streets for the 2014 'Roo Run on October 18, 2014, with a rain date of November 1, 2014, as presented. Second by Deputy Mayor Softly.

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

VOTING NAY: None.

ABSTAIN: Wacker.

MOTION CARRIED.

FINAL PLAT APPROVAL OF SHERMAN CARWASH ADDITION, BEING 3.127 ACRES IN THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639; IBRAHIM ABU SARRIS FAMILY, LP, OWNER; BRAD ANDRUS, PROSPECTIVE BUYER; HOMEYER ENGINEERING, INC., ENGINEERS; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS (3600 BLOCK OF LOY LAKE ROAD AND THE 900 BLOCK OF EAST PECAN GROVE ROAD)

The City Council approved the Final Plat for the Sherman Carwash Addition, located in the 3600 block of Loy Lake

APPROVE FINAL PLAT
SHERMAN CARWASH
ADDITION
(3600 BLOCK OF LOY
LAKE RD & 900 BLOCK
OF E. PECAN GROVE
RD)

COUNCIL MINUTES – SEPTEMBER 15, 2014

Road and the 900 block of East Pecan Grove Road, between Pecan Grove Road and Sara Swamy Drive.

The owners would like to plat the 3.127 acre tract into two lots for commercial development. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGNEDA.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (2)

ACTION TAKEN.

Motion by Council Member Sofey to reappoint Rhonda McCollum and Jencie Bolin to the Parks and Recreation Advisory Board for a term from October 2, 2014 to October 2, 2016. Second by Council Member Watt.

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

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

AUTUMN & ARTS FEST

Council Member Davis said Autumn & Arts Fest is scheduled for this weekend, and there will be lots of entertainment. The event begins with a Pancake Breakfast at the Methodist Church.

ANNUAL BUDGET

Council Member Johnson thanked the staff and the City Council for a great budget year. He said the process has been hard, but he was looking forward to positive signs in the future. He felt the City was moving in the right direction.

ANNUAL BUDGET

Council Member Sofey agreed with Council Member Johnson concerning the budget.

AUTUMN & ARTS FEST

Mayor Wacker reminded citizens that there were many activities scheduled for this weekend. The day will begin with the Pancake Breakfast and a run, and will end with a performance at the Finley Playhouse entitled "Wyatt Earp: Life on the Frontier."

PRESCRIPTION DRUG TAKE-BACK

Mayor Wacker said the Sherman Police Department will sponsor a prescription drug take-back day on Saturday, September 27, 2014, from 10:00 a.m. until 2:00 p.m. Drop-off sites will be the Police Station on Travis Street or at

CITIZENS REQUESTS

MEDIA QUESTIONS

PARKS &
RECREATION
BOARD

AUTUMN &
ARTS FEST

ANNUAL BUDGET

ANNUAL BUDGET

AUTUMN &
ARTS FEST

PRESCRIPTION
DRUG TAKE-BACK

Sherman Town Center, near Target. The Department will be working with the Drug Enforcement Administration of the United States Justice Department for the event, which allows the public to turn-in unused or expired medications for safe disposal.

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 551.071 CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION

SECTION 551.087 DELIBERATION REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM BUSINESS
PROSPECTS AND DELIBERATE
ANY OFFERS OR INCENTIVES TO
THOSE BUSINESS PROSPECTS

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:12 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:04 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:06 p.m.

EXECUTIVE SESSION

OPEN MEETING

ADJOURNMENT

MAYOR

CITY CLERK