

**CITY OF SHERMAN
CITY COUNCIL CALLED MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
TUESDAY, SEPTEMBER 4, 2007
5:00 P.M.**

- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2 PLEDGE OF ALLEGIANCE**
- A.3 INVOCATION BY THE HONORABLE COUNCIL MEMBER WILLIE STEELE**
- A.4 APPROVE MINUTES OF THE CALLED CITY COUNCIL (BUDGET WORKSHOP) MEETINGS OF JULY 12 AND 13, 2007, AND THE REGULAR CITY COUNCIL MEETING OF AUGUST 20, 2007**

Proclamation

- A.5 PROCLAMATION**
German-American Partnership between Wolnzach Gymnasium and Sherman High School

Public Hearing

- B.1 PUBLIC HEARING**
Capital Improvement Program (CIP) 2007-2012

Introduction and Public Hearing of Ordinances

- B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5476**
Denying the Request of Atmos Energy Corp., Mid-Tex Division, for an Annual Gas Reliability Infrastructure Program (GRIP) Rate Increase in this Municipality, as a Part of the Company's Statewide Gas Utility Distribution System; Supporting Statutory Reform of the Texas GRIP Statute; Providing for Notice of this Ordinance to Atmos Energy Corp., Mid-Tex Division and the City's Legislative Delegation
- B.3 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5477**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Ray Childress Denison Realty, LP (Owner), Barry Fontaine (Prospective Buyer), Dixie Edwards (Agent), and Sartin and Associates, Inc. (Surveyor) to Allow Automobile Sales and Repair in a C-1 (Retail Business) District at 4509 Texoma Parkway; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000
- B.4 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5478**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One and Two Family Residential) District and the C-1 (Retail Business) District in the 2100 Block of East Lamar Street (TPCR, LLC, Owner)

B.5 INTRODUCTION AND SECOND PUBLIC HEARING OF ORDINANCE NO. 5479

Providing for the Levy of Ad Valorem Taxes for the City of Sherman, Texas, for the Tax Year 2007; 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

B.6 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5480

Providing for the Ratification of the Property Tax Increase

B.7 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5481

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 6th day of November, 2007, for the Purpose of Adopting a Local Sales and Use Tax to Provide Revenue for Maintenance and Repair of Municipal Streets; Providing that Said Election be Held Jointly with the County of Grayson, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for Use of Direct Recording Electronic (DRE) Equipment; Providing for Early Voting

B.8 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5482

Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 6th day of November, 2007, for the Purpose of Adopting an Additional Local Sales and Use Tax; Providing that Said Election be Held Jointly with the County of Grayson, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for Use of Direct Recording Electronic (DRE) Equipment; Providing for Early Voting

Close Public Hearing and Consider November 6, 2007 Election Issues

C.1 RESOLUTION NO. 5073

Pledging to Reduce Sherman's Property Tax Rate by 20%, from \$0.40/\$100 Valuation to \$0.32/\$100 Valuation, on or Before September 30, 2008, Provided that Both Propositions on the November 6, 2007 Election Ballot are Adopted by the Voters

C.2 RESOLUTION NO. 5074

Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 6, 2007

Consider Adoption of Ordinances

D.1 ADOPTION OF ORDINANCE NO. 5475

Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year Beginning October 1, 2007, and Ending September 30, 2008

D.2 ADOPTION OF ORDINANCE NO. 5480

Providing for the Ratification of the Property Tax Increase

D.3 ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers:

- a) 5476
- b) 5477
- c) 5478
- d) 5481
- e) 5482

D.4 CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

E.1 RESOLUTION NO. 5064

Approving and Adopting a Five-Year Capital Improvement Program for the City of Sherman, Texas

E.2 * RESOLUTION NO. 5075

Authorizing the Use of Homeland Security Grant Funds and Law Enforcement Terrorism Prevention Grant Funds through the Homeland Security Advisory Committee of the Texoma Council of Governments

E.3 * RESOLUTION NO. 5076

Authorizing Execution of an Interlocal Agreement between the City of Sherman and the City of Fort Worth for Household Hazardous Waste Services

E.4 * RESOLUTION NO. 5077

Awarding a Bid to and Authorizing Execution of a Contract with Lynn Vessels Construction, LLC. for the Oak Hill Drive Water Main Replacement

E.5 * RESOLUTION NO. 5078

Awarding a Bid to and Authorizing Execution of a Contract with Lynn Vessels Construction, LLC. for the Belden Street Water Main Replacement

E.6 * RESOLUTION NO. 5079

Awarding a Bid to and Authorizing Execution of a Contract with Rushing Paving Company, Ltd. for the Street Mill and Overlay Project

Change Order

F.1 * CHANGE ORDER NO. 1

Rushing Paving Company, Ltd.; Street Mill and Overlay Project; \$16,648.20, Decrease

Other Business

F.2 * OTHER BUSINESS

Consider Request of the Sherman Arts Festival Committee to Temporarily Close Certain Streets, Suspend Parking Time Limits, and Use Certain City Facilities and Services for the 25th Annual Sherman Arts Festival on Saturday, September 15, 2007

F.3 * OTHER BUSINESS

Consider Request of the Sherman Independent School District and the Sherman High School Student Council to Temporarily Close Certain Streets for the 2007 Sherman High School Homecoming Parade on Monday, September 17, 2007

F.4 * OTHER BUSINESS

Consider Bid Rejection for Replacement of the King Street Culvert Project

F.5 * OTHER BUSINESS

Final Plat Approval of the Odie Addition, being 7.07 acres in the M. Hambright Survey, Abstract No. 538; Danny Odegaard, Owner (100-200 Blocks of Reynolds Lane in the ETJ)

F.6 * OTHER BUSINESS

Final Plat Approval of the Texoma Center Addition, being 5.69 acres in the John Hendrix Survey, Abstract No. 503, the W.F. Patterson Survey, Abstract No. 969, and Lots 1-8 of the J.W. Lindley Subdivision; Ray Childress Denison Realty, LP, Owner (4509 Texoma Parkway)

F.7 CITIZEN REQUESTS

F.8 MEDIA QUESTIONS

Consider Board/Commission Appointments

F.9 APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

Parks and Recreation Advisory Board (3)

F.10 COUNCIL COMMENTS

F.11 ADJOURNMENT

COUNCIL CALENDAR

Certification

I, the undersigned authority, do hereby certify that the above Notice of Called Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on August 31, 2007 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 31st day of August, 2007
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agendaed items under the headings of “Citizens Requests”, “Media Questions”, and “Council Concerns” may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor
Bill Magers

Deputy Mayor
Chip Adami

Council Members
Willie Steele, Council-At-Large, PL #1
Carolyn S. Wacker, Council-At-Large, PL #2
Joe N. Smith, Council – District #1

Terrence R. Steele, Council – District #2
Curt Hughes, Council – District #3
Chip Adami, Council – District #4