

STATE OF TEXAS §
 September 4, 2007
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 August 20, 2007.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR CHIP ADAMI.
 COUNCIL MEMBERS HUGHES, SMITH, T. STEELE, W.
 STEELE, WACKER.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Bill Magers called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Willie Steele.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council (Budget Workshop) Meetings of July 12 and 13, 2007, and the Regular Meeting of August 20, 2007. Council Member Hughes moved to approve the Minutes as presented; Second by Council Member Terrence Steele. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"GERMAN – AMERICAN PARTNERSHIP BETWEEN WOLNZACH GYMNASIUM AND SHERMAN HIGH SCHOOL"

Mayor Magers presented a proclamation to German visitors and participants in the German-American Partnership between Wolnzach Gymnasium and Sherman High School. Sherman High School teacher Suzy Robinson coordinated the partnership and accepted the proclamation on behalf of the visitors.

**GERMAN – AMERICAN
PARTNERSHIP
BETWEEN WOLNZACH
GYMNASIUM & SHS**

PUBLIC HEARING

CAPITAL IMPROVEMENT PROGRAM (CIP) 2007-2012

The City is required by law to hold a public hearing on the City's Capital Improvement Program prior to its adoption. The program covers the period from October 1, 2007 through September 30, 2012. Funding for the CIP is \$27,994,040 for the General Fund and \$26,460,000 for the Utility Fund. Total funding for the CIP for 2007 through 2012 is \$54,454,040.

**CAPITAL
IMPROVEMENT
PROGRAM**

No citizens appeared before the City Council to discuss the Capital Improvement Program 2007-2012.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5476 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DENYING THE REQUEST OF ATMOS ENERGY CORP., MID-TEX DIVISION, FOR AN ANNUAL GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) RATE

**ORD 5476
ATMOS ENERGY
GRIP RATE**

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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.

No citizens appeared before the City Council to discuss Ordinance 5476.

Mayor Magers introduced Ordinance 5477 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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 FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.

**ORD 5477
SUP FOR AUTO
SALES & REPAIR
(4509 TEXOMA PKWY)**

No citizens appeared before the City Council to discuss Ordinance 5477.

Mayor Magers introduced Ordinance 5478 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 R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 2100 BLOCK OF EAST LAMAR STREET; PROVIDING FOR A REPEALER.

**ORD 5478
ZONE CHANGE
(2100 BLOCK
EAST LAMAR)**

No citizens appeared before the City Council to discuss Ordinance 5478.

Mayor Magers introduced Ordinance 5479 and called for a second public hearing:

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 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. PROVIDING FOR A REPEALER.

**ORD 5479
AD VALOREM
TAX RATE**

No citizens appeared before the City Council to discuss Ordinance 5479.

Mayor Magers introduced Ordinance 5480 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE; PROVIDING FOR A REPEALER.

ORD 5480
PROPERTY
TAX INCREASE

George Olson, City Manager, explained that the ordinance is a requirement mandated by the State and he confirmed that the City's property tax rate will remain at \$0.40 per \$100 valuation.

No citizens appeared before the City Council to discuss Ordinance 5480.

Mayor Magers introduced Ordinance 5481 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 5481
SALES TAX
ELECTION FOR
STREET MAINT.

Mayor Magers felt it was important to give the citizens information on the proposed Election prior to the public hearing. He asked Jeff Miller, Director of Public Works, to explain the proposal.

Mr. Miller explained a plan for streets. Sherman owns and maintains approximately 220 miles of streets, which is a major part of Sherman's infrastructure. In January the staff began analyzing streets based on their condition, use, current development, and what needs to happen to grow development.

He presented a four year plan that included a series of projects that can be done with current resources over the next four years through both Capital Improvement Projects and bonded projects. He said the projects would be good, but they have no connectivity throughout the City.

Mr. Miller said a better plan is needed to include a transportation network which would compliment growth in the four quadrants of the City and provide a connection outside the City. A more elaborate plan would cost more than what current resources would allow.

COUNCIL MINUTES – SEPTEMBER 4, 2007

Mr. Miller showed a map with additional street projects that would be a true transportation network and would provide connectivity throughout the City and compliment growth. He outlined the additional projects that were proposed.

Mr. Miller said the plan must have the support of both the City Council and the citizens and would require a small sales tax increase later in the Fall. Currently the City does not have the financial resources to enact the plan.

Mayor Magers asked how these streets were selected for projects. Mr. Miller said the staff reviewed existing thoroughfares and began projecting future growth both in Sherman and outside the City and tried to determine what would be needed to move traffic north, south, east and west through the City.

Council Member Smith asked how long it would take to complete the proposed projects without the increase in sales tax. Mr. Miller said under the City's current financial capability, the plan could never be implemented.

Mayor Magers asked if implementing the plan now would allow the City, in five years, to concentrate on Capital Improvement Projects in high growth areas rather than maintenance on existing major thoroughfares. Mr. Miller said it would allow the City to look at future projects and plan for the future needs.

Deputy Mayor Adami asked what the average per mile rate of maintenance was that the City could accomplish annually without the sales tax increase. Mr. Miller said the cost to construct one mile of concrete street is \$1 million but the City normally provides the mill and overlay of one mile of street annually at a cost of \$225,000.

Deputy Mayor Adami confirmed that with the additional sales tax the City could maintain 16 miles of streets in four years rather than four miles in four years. Council Member Wacker added that the City would still have the normally budgeted amount for routine maintenance during that four year period. Mr. Miller added that the annual sealcoat program resurfaces about 30 miles of streets annually and would continue.

Eugene Lund, 1815 Sandra

Mr. Lund asked how much the additional sales tax rate would be and would it go away in four years. Mayor Magers said the additional rate would be 1/8% and it would have a statutory four year "sunset" provision. It must be voted on by the citizens and must be used for road maintenance. After the four year period, the citizens could approve the additional sales tax again through an Election, if they wanted.

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Mr. Lund asked if there was a possibility that a future City Council could revoke the sales tax. Council Members discussed whether or not a future Council could call an Election to repeal the sales tax.

No other citizens appeared before the City Council to discuss Ordinance 5481.

Mayor Magers introduced Ordinance 5482 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 5482
SALES TAX
ELECTION FOR
PROPERTY TAX
REDUCTION

Mayor Magers read a portion of Resolution 5073, which will be considered later in the Meeting. The resolution outlines the City Council's commitment to reduce Sherman's property tax rate by 20% from \$0.40 per \$100 valuation to \$0.32 per \$100 valuation, on or before September 30, 2008, providing that both propositions on the November 6, 2007 Election ballot are adopted by the voters.

He reiterated that the Council is proposing a "package" which includes a property tax decrease of 20% should a 1/8% sales tax in lieu of property tax passes and a 1/8% sales tax for a four year program to address street maintenance passes.

Rad Richardson, 2401 Turtle Creek

Mr. Richardson is serving as the Campaign Treasurer for "Sherman Households and Industries for Tax Relief and Streets" (SHIFTRS), a specific purpose committee that is supporting the sales tax measures. He thanked the Council for taking a leadership position on the two measures.

Mr. Richardson felt the measure would shift a more equitable tax base from the property owners to a faster growing area of sales tax. In 2005, the senior citizens were offered a reduction in property taxes and the proposed measure would give some property tax relief to all property owners.

The proposition would also prepare Sherman for better transportation and infrastructure for the growth that is coming. Approximately 53% of the sales tax comes from citizens that don't live in Sherman but do shop here. This

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gives them a chance to help maintain the thoroughfares that they use to visit the community. Also, sales tax is not applicable to food, medicine, property, or transportation.

Mr. Richardson said Sherman is ahead of the coming growth and is in excellent financial shape and by moving from property tax to sales tax, it helps prepare for the growth. He encouraged all voters to support the measures and vote positively on November 6, 2007.

James DeLoach, 316 Steadman

Mr. DeLoach questioned the ability to reduce taxes 20% with a 1/8% sales tax. He said the State tried to reduce property taxes ¼% and it wasn't enough to make a significant difference. Mayor Magers verified that the numbers did support this measure.

No other citizens appeared before the City Council to discuss Ordinance 5482.

The Ordinances were introduced and the Public Hearing was closed.

CLOSE PUBLIC
HEARING

NOVEMBER 6, 2007 ELECTION ISSUES

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

RES 5073
PLEDGE TO
REDUCE PROPERTY
TAX RATE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Deputy Mayor Adami reiterated that any additional property tax reduction would correspond with the Election results.

Mayor Magers added that the Council needs to assure that Sherman's sales tax rates are competitive. With the proposal, the City's rates will still be lower in four years than other cities in the area.

Robby Hefton, Assistant City Manager/CFO, explained that, if approved, the sales tax for streets would become effective on April 1, 2008 and the sales tax in lieu of property tax would be effective on October 1, 2008.

ACTION TAKEN.

Motion by Deputy Mayor Adami to approve Resolution No. 5073, as presented. Second by Council Member Smith.

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VOTING AYE: Magers, Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

RESOLUTION NO. 5074 – AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 6, 2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 6, 2007.

RES 5074
JOINT ELECTION
WITH GRAYSON
COUNTY

Mayor Magers thanked the Grayson County Commissioners for allowing the City of Sherman to be included on the same ballot. This is a great cost savings to Sherman citizens, who are also Grayson County citizens and pay County taxes.

ACTION TAKEN.

Motion by Council Member Hughes to approve Resolution No. 5074, as presented. Second by Council Member Terrence Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

ADOPTION OF ORDINANCES

Ordinance 5475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008. PROVIDING FOR A REPEALER.

ORD 5475
ANNUAL BUDGET

ACTION TAKEN.

Motion by Council Member Wacker to approve Ordinance No. 5475, as presented. Second by Deputy Mayor Adami.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

Ordinance 5480

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE; PROVIDING FOR A REPEALER.

ORD 5480
PROPERTY TAX
INCREASE

ACTION TAKEN.

Motion by Council Member Terrence Steele to approve Ordinance No. 5480, as presented. Second by Council Member Hughes.

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VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

Ordinance No. 5476

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 5476

**ATMOS ENERGY
GRIP RATE**

Ordinance No. 5477

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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 FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.

ORD 5477

**SUP FOR AUTO
SALES & REPAIR
(4509 TEXOMA PKWY)**

Ordinance No. 5478

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 R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 2100 BLOCK OF EAST LAMAR STREET; PROVIDING FOR A REPEALER.

ORD 5478

**ZONE CHANGE
(2100 BLOCK
EAST LAMAR)**

Ordinance No. 5481

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 5481

**SALES TAX
ELECTION FOR
STREET MAINT.**

Ordinance No. 5482

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

**ORD 5482
SALES TAX
ELECTION FOR
PROPERTY TAX
REDUCTION**

ACTION TAKEN.

Motion by Council Member Hughes to approve Ordinance Nos. 5476, 5477, 5478, 5481, and 5482, as presented. Second by Deputy Mayor Adami.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Adami asked to remove Item F-1 entitled "Change Order No. 1 – Rushing Paving Company, Ltd.; Street Mill and Overlay Project; \$16,648.20, Decrease" from the Consent Agenda for consideration in its regular order of business.

CONSENT AGENDA

Deputy Mayor Adami moved to approve the Consent Agenda, with the exception of Item F-1, which will be discussed in its regular order of business. Second by Council Member Wacker. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 5064 – 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.

**RES 5064
CAPITAL
IMPROVEMENT
PROGRAM**

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5064, as presented. Second by Council Member Smith.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

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
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.
CONSENT AGENDA.

RES 5075
HOMELAND
SECURITY GRANTS

RESOLUTION NO. 4076 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FORT WORTH FOR HOUSEHOLD HAZARDOUS WASTE SERVICES
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FORT WORTH FOR HOUSEHOLD HAZARDOUS WASTE SERVICES.
CONSENT AGENDA.

RES 4076
HOUSEHOLD
HAZARDOUS
WASTE SERVICES

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
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC. FOR THE OAK HILL DRIVE WATER MAIN REPLACEMENT.
CONSENT AGENDA.

RES 5077
OAK HILL DR.
WATER MAIN

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
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC. FOR THE BELDEN STREET WATER MAIN REPLACEMENT.
CONSENT AGENDA.

RES 5078
BELDEN ST.
WATER MAIN

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
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND

RES 5079
MILL & OVERLAY

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AUTHORIZING EXECUTION OF A CONTRACT WITH RUSHING PAVING COMPANY, LTD. FOR THE STREET MILL AND OVERLAY PROJECT.
CONSENT AGENDA.

CHANGE ORDER NO. 1
RUSHING PAVING COMPANY, LTD.; STREET MILL AND OVERLAY PROJECT; \$16,648.20, DECREASE

CHANGE ORDER
MILL & OVERLAY

Deputy Mayor Adami asked to remove Item F-1 from the Consent Agenda for consideration in its regular order of business.

He said in the past there had been some controversy regarding this vendor and he felt it was important to acknowledge the decrease in the project cost that was realized through the change order and in the overall construction.

Change Order No. 1 to Rushing Paving Company decreased the original contract for the FY 2006-2007 Street Mill and Overlay Project by \$16,648.20.

This decrease was realized through an alternate approach to milling on several street segments that resulted in an overall project savings. The final contract price is \$227,619.56.

ACTION TAKEN.

Motion by Council Member Adami to approve Change Order No. 1 to Rushing Paving Company, for a \$16,648.20 decrease in the Street Mill and Overlay Project, as presented. Second by Council Member Hughes.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

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

SHERMAN ARTS
FESTIVAL

The City Council approved the request of the Sherman Arts Festival Committee for the 25th Annual Sherman Arts Festival on Saturday, September 15, 2007. The request includes barricades and street closures, suspension of parking time limits, and the use of City facilities and services, including trash pickup, trash cans, dumpsters, and street sweepers.

CONSENT AGENDA.

CONSIDER REQUEST OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT AND THE SHERMAN HIGH STUDENT COUNCIL TO TEMPORARILY CLOSE CERTAIN STREETS

SHS HOMECOMING
PARADE

FOR THE 2007 SHERMAN HIGH SCHOOL HOMECOMING PARADE ON MONDAY, SEPTEMBER 17, 2007

The City Council approved the request of the Sherman Independent School District and the Sherman High Student Council to close certain streets in the downtown area for the 2007 Sherman High School Homecoming Parade on Monday, September 17, 2007. The event will require traffic control assistance, barricades, and emergency medical support from the City.

CONSENT AGENDA.

CONSIDER BID REJECTION FOR REPLACEMENT OF THE KING STREET CULVERT PROJECT

The City Council rejected the sole bid received to rebuild the failing culvert on King Street, at the Burlington Northern Santa Fe Railroad and First Street. The project is a CIP project for FY 2006-2007.

KING ST. CULVERT
PROJECT BID
REJECTION

One bid in the amount of \$77,361 was received from Vessels Construction. The staff recommended bid rejection in order to have the option to modify the scope of the project to complete it with the budgeted funds of \$60,000.

CONSENT AGENDA.

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)

The City Council approved the Final Plat of the Odie Addition, which is 7.07 acres in the M. Hambright Survey, Abstract No. 538, located in the 100 to 200 blocks of Reynolds Lane in the City of Sherman's extra territorial jurisdiction.

APPROVE FINAL PLAT
ODIE ADDITION
(100-200 BLOCKS OF
REYNOLDS LANE)

The owners would like to plat the property into two lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

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)

The City Council approved the Final Plat of the Texoma Center Addition, which is 5.69 acres in the John Hendrix Survey, Abstract No. 503, the W.F. Patterson Survey, Abstract No. 969, and Lots 1 through 8 of the J.W. Lindley Subdivision, located at 4509 Texoma Parkway.

APPROVE FINAL PLAT
TEXOMA CENTER
ADDITION
(4509 TEXOMA PKWY)

The owner would like to plat the property into three lots for commercial development. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

Kathy Williams, Herald Democrat Reporter, thanked Pam Cloer, Assistant to the City Manager, for providing her with a flash drive that included the information for tonight's City Council Meeting.

FLASH DRIVE
PROVIDED

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (3)

ACTION TAKEN.

Motion by Deputy Mayor Adami to appoint Nat McClure, Joey Womble, and Jo Ann Osburn to the Parks and Recreation Advisory Board for a term from September 5, 2007 to September 5, 2009. Second by Council Member Wacker.

PARKS & RECREATION
ADVISORY BOARD

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED

COUNCIL COMMENTS

RETURN OF FLASH DRIVE

Council Member Smith apologized to Mrs. Cloer for his oversight in sometimes taking his flash drive with him and he promised to make a more diligent effort to leave it with her.

RETURN OF
FLASH DRIVE

SALES TAX FOR STREET MAINTENANCE

Council Member Smith thanked Mr. Miller for his presentation on the proposed street maintenance plan and he urged all citizens to support and put in place.

SALES TAX FOR
STREET MAINT.

SHERMAN BEARCATS

Council Member Hughes said the Sherman Bearcats will be playing their first home game this week and he wished them good luck.

SHERMAN
BEARCATS

SALES TAX FOR STREET MAINTENANCE

Deputy Mayor Adami also thanked Mr. Miller for his presentation adding that it was a real opportunity to enhance the City's streets. He added that using sales tax to help fund street maintenance was a good opportunity to share the cost with visitors that also use the streets. The proposal will also try to reduce the "hit" on property owners by reducing property taxes. He urged the citizens to support the sales tax measures at the November Election.

SALES TAX FOR
STREET MAINT.

COLLEGE AREA NEIGHBORS

Council Member Terrence Steele said he had previously had frustrations with his next door neighbor, but before the meeting the neighbor came over and apologized saying he

COLLEGE AREA
NEIGHBORS

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was no longer with the same fraternity and there would be no more problems with his roommates. Council Member Terrence Steele said you can't discredit young people.

THE SPLASH FIRST SEASON

Council Member Wacker thanked the Parks and Recreation Department for a great season at The Splash. She heard many compliments and felt it had been a great investment for the citizens.

THE SPLASH FIRST SEASON

ANNUAL BUDGET PROCESS

Council Member Wacker thanked all City staff for the great budget process that made everything go smoothly tonight for the adoption of the Annual Budget.

ANNUAL BUDGET PROCESS

25TH ANNUAL ARTS FESTIVAL

Council Member Wacker reminded citizens that the 25th Annual Arts Festival will be held September 15, 2007 and she encouraged everyone to participate.

25TH ANNUAL ARTS FESTIVAL

PROPOSED SALES TAXES

Mayor Magers thanked the City Council. He said change is never easy and it is easy to maintain the status quo. The latest Budget was balanced with zero increase in fees for water or solid waste. The tax rate remains consistent at \$0.40 per \$100 valuation.

PROPOSED SALES TAXES

The proposed tax shift is a shift in the right direction and is taking the highest, fastest growing revenue stream, sales tax, and leveraging that revenue stream.

Mayor Magers added that the Council also plans to decrease property tax rates by 20% if citizens will back the sales tax plans that are proposed. He asked voters to do their homework, but he felt they would all feel this is the right move for Sherman. He urged them to support the measure on November 6, 2007.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:50 p.m.

ADJOURNMENT

MAYOR

CITY CLERK