

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, AUGUST 15, 2011
5:00 P.M.**

- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2 PLEDGE OF ALLEGIANCE**
- A.3 INVOCATION BY DEPUTY MAYOR WILLIE STEELE**
- A.4 APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 1, 2011**

Public Hearing

- B.1 SECOND PUBLIC HEARING OF ORDINANCE NO. 5705**
Providing for the Appropriation of Funds for Operating and Capital Expenditures for the Fiscal Year beginning October 1, 2011, and ending September 30, 2012
- B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5709**
Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 8th day of November 2011, for the Purpose of Electing Two (2) District City Council Members for Said City; Providing that Said Election Shall be Held Jointly with the County of Grayson, Texas; Designating Election Precincts; Appointing Election Officials; Providing for Notice of Said Election; Providing for the Use of Direct Recording Electronic Voting Equipment; Providing for Early Voting
- B.3 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5710**
Ordering an Election of the Qualified Voters of the City of Sherman, Texas, on the 8th day of November, 2011, for the Purpose of the Reauthorization of the Local Sales and Use Tax at the Rate of One-Eighth of One Percent (1/8%) to Continue Providing 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 Voting Equipment; Providing for Early Voting
- B.4 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5711**
Providing for a Permanent “Stop” Sign at the Intersection of Richards Street and Bledsoe Street within the City Limits of the City of Sherman; Providing for a Penalty Provision
- B.5 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5712**
Amending Chapter 5 of the Code of Ordinances, entitled “Fire Prevention and Protection”, at Article 5.03, entitled “Fire Prevention Code”, to Delete Sections 5.03.002 and 5.03.003 in Their Entirety

B.6 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5713

Amending Chapter 3 of the Code of Ordinances, entitled “Building Regulations”, at Article 3.02, entitled “Building, Life Safety and Residential Codes”, Article 3.03, entitled “Electrical Code”, Article 3.04, entitled “Gas Code”, Article 3.05, entitled “Heating and Air-Conditioning Code”, and Article 3.07, entitled “Plumbing Code”, to Adopt New Building and Building Regulations and Provide for Local Amendments to the Building Codes; Adding “Fire Prevention Code” at Section 3.02.002(c) to Adopt the 2009 Edition of the International Fire Code and Local Amendments

B.7 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5714

Amending Chapter 14, Exhibit A of the Code of Ordinances, entitled “General Zoning Ordinance”, at Section 7, entitled “Supplemental District Regulations”, Subsection 14 (m), entitled “Billboards”

**B.8 TABLED AT THE JULY 18, 2011 CITY COUNCIL MEETING:
INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5704**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District at 5833 U.S. Highway 75 North, being 0.31 acres in the A.C. Smith Survey, Abstract No. 1561 (Tony and Sally Thomason, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; and Underwood Drafting and Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B.9 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5715

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District at 5520 U.S. Highway 75 North, being 0.19 acres in the G.W. Hobson Survey, Abstract No. 588 (Lester Terrell, Owner; Sartin & Associates, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B.10 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5716

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District at 5930 U.S. Highway 75 North, being 0.19 acres in the A.C. Smith Survey, Abstract No. 1561 (Lester Terrell, Owner; Sartin & Associates, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B.11 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5717

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 1109 East Lamar Street (Bob Settle and Patricia Witt Settle, Owners; Nathan Gray, NBS Drafting and Design, Architect)

Close Public Hearing and Consider Adoption of Ordinances

B.12 ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers:

(a)	5705	(g)	5714
(b)	5709	(h)	5704
(c)	5710	(i)	5715
(d)	5711	(j)	5716
(e)	5712	(k)	5717
(f)	5713		

B.13 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

C.1 RESOLUTION NO. 5598

Authorizing Execution of a Joint Election Agreement with Grayson County, Texas, to Hold a Joint Election on November 8, 2011

C.2 * RESOLUTION NO. 5599

Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County, Texas, Establishing an Inter-Jurisdictional Emergency Management Program

C.3 * RESOLUTION NO. 5600

Appointing and Authorizing the Execution of an Agreement with Pattillo, Brown & Hill, L.L.P. to Perform the Fiscal Year 2011 Audit

C.4 RESOLUTION NO. 5601

Finding and Determining a Public Purpose and Public Necessity Exists for Construction of City Project "Water Treatment Plant 2nd Feed"; 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

C.5 * RESOLUTION NO. 5602

Accepting the Contract with Associated Construction Partners, Ltd. as Complete for the Wastewater Treatment Plant Digester Improvements

C.6 * RESOLUTION NO. 5603

Authorizing Execution of an Agreement with Kight Family, LP #1 for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1325 East Jones Street

C.7 * RESOLUTION NO. 5604

Authorizing the Execution of an Encroachment License Agreement with The Quintin Little Company, Inc. for a Pipeline Crossing into a 20' Drainage and Utility Easement and within a 30' Private Drive Easement in the Crescent Oaks Plaza

Request to Advertise

D.1 * REQUEST TO ADVERTISE

Improvements to the Water Treatment Plant Basins and Piping

Other Business

D.2 OTHER BUSINESS

Consider Approval of the Annexation Scheduling Plan for the Annexation of Approximately One Thousand Feet (1,000') on Both Sides of U.S. Highway 82 and S.H. 289; and Directing the Department of Engineering Services to Develop a Service Plan for the Area to be Annexed upon Approval of the Annexation Scheduling Plan

D.3 OTHER BUSINESS

Receive Presentation from Fire Chief J. J. Jones on the Improvement to the City of Sherman's ISO Public Protection Classification

D.4 * OTHER BUSINESS

Consider Request of United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 27, 2011

D.5 * OTHER BUSINESS

Consider Request of the Hispanic Heritage Council of Sherman to Temporarily Close Certain Streets, Suspend Parking Time Limits, and Use Certain City Facilities and Services for the Annual Hispanic Heritage Festival on Saturday, September 10, 2011

D.6 * 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 29th Annual Sherman Arts Festival on Saturday, September 17, 2011

D.7 * OTHER BUSINESS

Consider Request of the Sherman Independent School District and the Sherman High School Student Council to Temporarily Close Certain Streets for the 2011 Sherman High School Homecoming Parade on Monday, September 19, 2011

D.8 OTHER BUSINESS

Consider Scheduling a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors for 12:00 noon on Thursday, September 22, 2011, to Review and Approve SEDCO's Annual Budget and Work Plan

D.9 * OTHER BUSINESS

Site Plan Approval for GK TRI-TEXAS, LLC, Owner; Consolidated Container, Tenant; Roy Ferguson, Eagle Group, LTD, Engineers; under Ordinance No. 2252, Article IV, Section 410(2)(j) for an Additional Silo for Product Storage in the Blalock Industrial Park District at 4201 U.S. Highway 75 South

D.10 * OTHER BUSINESS

Site Plan Approval for GlobiTech Inc., Owners; Jeff Watson, Representative; Chris Schmitt, Teague, Nall & Perkins, Engineers; and Pope Associates, Inc., Architects; under Ordinance No. 2252, Article IV, Section 410(2)(j) for Phase III, an Expansion to the Existing Building and Gas Room in the Blalock Industrial Park District at 200 F.M. 1417 West

D.11 * OTHER BUSINESS

Authorizing Emergency Repairs to the Dorchester 10 Trinity Water Well

D.12 CITIZEN REQUESTS

D.13 MEDIA QUESTIONS

D.14 COUNCIL COMMENTS

Executive Session

E.1 EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), “The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon’s Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections”

Section 551.074

Personnel Matters

- (a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:
 - (i) Sherman Economic Development Corporation Board of Directors (1)

The Council reconvenes into General Session

F.1 OPEN MEETING

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

F.2 ADJOURNMENT

COUNCIL CALENDAR

Certification

I, the undersigned authority, do hereby certify that the above Notice of Regular 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 11, 2011 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 11th day of August, 2011
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
Willie Steele

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

Robert G. Softly, Council – District #2
Pamela L. Howeth, Council – District #3
Chip Adami, Council – District #4