STATE OF TEXAS §

August 1, 2016

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 August 1, 2016.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR JASON SOFEY. COUNCIL MEMBERS COUCH, DAVIS, HOWETH, JOHNSON, STEELE.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Tammy Johnson.

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of June 20, 2016, the Regular City Council Meeting of July 18, 2016, and the Called City Council Meeting of July 19, 2016. Council Member Steele moved to approve the Minutes as presented; Second by Council Member Couch. All present voted AYE.
MOTION CARRIED.

INTRODUCTION OF NEW STAFF MEMBER — **INTRODUCTION OF NEW STAFF MEMBER**

Clay Barnett, Director of Public Works and Engineering, introduced Jonathan Kirksey, the City's new Assistant Director of Public Works. Mr. Kirksey will supervise the Street Department, Solid Waste Department, Fleet Maintenance, and Environmental Code Department.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 5957 and called for a public hearing: — **ORD 5957 ESTABLISH POLICE DEPT & CHIEF OF POLICE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, IN ACCORDANCE WITH STANDARDS SET FORTH BY THE TEXAS POLICE CHIEFS ASSOCIATION'S LAW ENFORCEMENT BEST BUSINESS PRACTICES RECOGNITION PROGRAM FOR "RECOGNIZED STATUS", SPECIFICALLY ESTABLISHING A POLICE DEPARTMENT; REQUIRING ALL POLICE OFFICERS TO BE LICENSED; CREATING THE POSITION OF CHIEF OF POLICE; OUTLINING THE DUTIES AND RESPONSIBILITIES OF THE CHIEF OF POLICE; AND ESTABLISHING THE AUTHORITY, DUTIES AND RESPONSIBILITIES OF POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Otis Henry, Police Chief, said in 1858 the Sherman Police Department was established. Any new Police Department that is created today must be created by ordinance, as set

forth by the Texas Commission on Law Enforcement. About a year ago, the Police Department began working towards "Recognized Status" by the Texas Police Chiefs Association. To do that, the Department must meet about 150 of their 166 standards.

One requirement is that the Police Department has an ordinance in place that authorizes the Department, the Police Chief, and the officers. He said approval of this ordinance would be the first step in a lengthy process, to become a Recognized Agency.

No citizens appeared before the City Council to discuss Ordinance No. 5957.

Mayor Plyler introduced Ordinance No. 5963 and called for a public hearing:

ORD 5963 LEASH REQUIREMENT FOR DOGS ON OWNER'S PROPERTY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL", AT ARTICLE 2.01, ENTITLED "GENERAL PROVISIONS", SECTIONS 2.01.004, 2.01.008 AND 2.01.018; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

Robby Hefton, City Manager, said the next five ordinances deal with changes for large lots and were presented to the City Council at the last meeting. There are still some other changes that will be presented at a later date after additional work is done on them.

The ones presented today were "tweaked" a little, based on comments received from the City Council at the last meeting. He added that a law can't possibly cover every scenario and these may need to be modified again in the future.

No citizens appeared before the City Council to discuss Ordinance No. 5963.

Mayor Plyler introduced Ordinance No. 5964 and called for a public hearing:

ORD 5964 OPEN BURNING STANDING PERMIT REQUIREMENTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", AT ARTICLE 3.02, ENTITLED "BUILDING, LIFE SAFETY AND RESIDENTIAL CODES", SECTION 3.02.002(C), ENTITLED "FIRE PREVENTION CODE", AT PARAGRAPH (5) AND PROVIDING FOR NEW PARAGRAPHS (4) AND (5); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

No citizens appeared before the City Council to discuss Ordinance No. 5964.

ORD 5965 TRAILER PARKING ON LARGE LOTS

Mayor Plyler introduced Ordinance No. 5965 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", AT ARTICLE 3.08, ENTITLED "TRAILER STORAGE", SECTION 3.08.004, ENTITLED "DEAD STORAGE PARKING OF TRAILERS"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

No citizens appeared before the City Council to discuss Ordinance No. 5965.

ORD 5966 LIVESTOCK EXEMPTION FOR BARBED WIRE FENCES

Mayor Plyler introduced Ordinance No. 5966 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", AT ARTICLE 8.02, ENTITLED "OFFENSES INVOLVING PUBLIC SAFETY", SECTION 8.02.003, ENTITLED "BARBED WIRE FENCES"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

No citizens appeared before the City Council to discuss Ordinance No. 5966.

ORD 5968 SEPTIC SYSTEMS IN CITY LIMITS

Mayor Plyler introduced Ordinance No. 5968 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 13.07, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL", DIVISION 3, ENTITLED "SEWERS AND SEWAGE DISPOSAL", PART I, ENTITLED "IN GENERAL", SECTION 13.07.146, ENTITLED "REQUIRED SEWER CONNECTIONS", TO PROVIDE FOR A NEW PARAGRAPH (C); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

No citizens appeared before the City Council to discuss Ordinance No. 5968.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

ORD 5957 ESTABLISH POLICE DEPT & CHIEF OF POLICE

Ordinance 5957
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, IN ACCORDANCE WITH STANDARDS SET FORTH BY THE TEXAS POLICE CHIEFS ASSOCIATION'S LAW ENFORCEMENT BEST BUSINESS PRACTICES RECOGNITION PROGRAM FOR "RECOGNIZED STATUS", SPECIFICALLY ESTABLISHING A POLICE DEPARTMENT; REQUIRING ALL POLICE OFFICERS TO BE

LICENSED; CREATING THE POSITION OF CHIEF OF POLICE; OUTLINING THE DUTIES AND RESPONSIBILITIES OF THE CHIEF OF POLICE; AND ESTABLISHING THE AUTHORITY, DUTIES AND RESPONSIBILITIES OF POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 5963 — **ORD 5963 LEASH REQUIREMENT FOR DOGS ON OWNER'S PROPERTY**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL", AT ARTICLE 2.01, ENTITLED "GENERAL PROVISIONS", SECTIONS 2.01.004, 2.01.008 AND 2.01.018; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

Ordinance 5964 — **ORD 5964 OPEN BURNING STANDING PERMIT REQUIREMENTS**

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Ordinance 5965 — **ORD 5965 TRAILER PARKING ON LARGE LOTS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", AT ARTICLE 3.08, ENTITLED "TRAILER STORAGE", SECTION 3.08.004, ENTITLED "DEAD STORAGE PARKING OF TRAILERS"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

Ordinance 5966 — **ORD 5966 LIVESTOCK EXEMPTION FOR BARBED WIRE FENCES**

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Ordinance 5968 — **ORD 5968 SEPTIC SYSTEMS IN CITY LIMITS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.07, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL", DIVISION 3, ENTITLED "SEWERS AND

SEWAGE DISPOSAL", PART I, ENTITLED "IN GENERAL", SECTION 13.07.146, ENTITLED "REQUIRED SEWER CONNECTIONS", TO PROVIDE FOR A NEW PARAGRAPH (C); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ACTION TAKEN.

Motion by Council Member Couch to adopt Ordinance Nos. 5957, 5963, 5964, 5965, 5966, and 5968, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA **CONSENT AGENDA**

Mayor Plyler asked Mr. Barnett to give an explanation of Resolution Nos. 6105, 6106, 6107, 6108, 6109, 6110, and 6111, which are all on the Consent Agenda and are Special Warranty Deeds for the same project.

Mr. Barnett explained that the Special Warranty Deeds are all located on Kessler Boulevard and are adjacent to the slope failure that occurred last year during the heavy flooding of Post Oak Creek.

A contract was approved in March 2016 to repair the erosion damage from the flooding. Since that time, several additional slope failures have occurred, causing additional damage, and started to affect an existing sanitary sewer line. Construction was suspended and due to the unpredictability of the creek, the staff decided to close Kessler Boulevard and begin to purchase the nine adjacent homes.

All homes have been appraised and these property owners have volunteered to sell their property to the City. All properties, except one, are rental properties.

The Council reviewed the Consent Agenda. Council Member Davis moved to approve the Consent Agenda, as presented. Second by Council Member Steele. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 6105 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM LARRY COX D/B/A BENT CREEK INVESTMENTS FOR THE CONVEYANCE OF PROPERTY LOCATED AT 200 KESSLER BOULEVARD, BEING LOT FOUR (4) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS **RES 6105 WARRANTY DEED FOR 200 KESSLER BLVD**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM LARRY COX D/B/A BENT CREEK INVESTMENTS FOR THE CONVEYANCE OF

PROPERTY LOCATED AT 200 KESSLER BOULEVARD, BEING LOT FOUR (4) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6106 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM RUBEN ALVAREZ AND ADRIANA ALVAREZ FOR THE CONVEYANCE OF PROPERTY LOCATED AT 204 KESSLER BOULEVARD, BEING LOT FIVE (5) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 5106 WARRANTY DEED FOR 204 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM RUBEN ALVAREZ AND ADRIANA ALVAREZ FOR THE CONVEYANCE OF PROPERTY LOCATED AT 204 KESSLER BOULEVARD, BEING LOT FIVE (5) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6107 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM BOBBY L. RITCHIE AND LISA D. RITCHIE FOR THE CONVEYANCE OF PROPERTY LOCATED AT 208 KESSLER BOULEVARD, BEING LOT SIX (6) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 5107 WARRANTY DEED FOR 208 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM BOBBY L. RITCHIE AND LISA D. RITCHIE FOR THE CONVEYANCE OF PROPERTY LOCATED AT 208 KESSLER BOULEVARD, BEING LOT SIX (6) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6108 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM ROBERT L. RITCHIE, JR. AND LISA DARLENE RITCHIE FOR THE CONVEYANCE OF PROPERTY LOCATED AT 212 KESSLER BOULEVARD, BEING LOT SEVEN (7) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 6108 WARRANTY DEED FOR 212 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM ROBERT L. RITCHIE, JR.

AND LISA DARLENE RITCHIE FOR THE CONVEYANCE OF PROPERTY LOCATED AT 212 KESSLER BOULEVARD, BEING LOT SEVEN (7) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6109 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM SANDRA ELLEN RUSSELL AND RONNYE JOE RUSSELL FOR THE CONVEYANCE OF PROPERTY LOCATED AT 216 KESSLER BOULEVARD, BEING LOT EIGHT (8) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 6109 WARRANTY DEED FOR 216 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM SANDRA ELLEN RUSSELL AND RONNYE JOE RUSSELL FOR THE CONVEYANCE OF PROPERTY LOCATED AT 216 KESSLER BOULEVARD, BEING LOT EIGHT (8) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6110 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM RUBEN ALVAREZ AND ADRIANA ALVAREZ FOR THE CONVEYANCE OF PROPERTY LOCATED AT 220 KESSLER BOULEVARD, BEING LOT NINE (9) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORDS IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 6110 WARRANTY DEED FOR 220 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM RUBEN ALVAREZ AND ADRIANA ALVAREZ FOR THE CONVEYANCE OF PROPERTY LOCATED AT 220 KESSLER BOULEVARD, BEING LOT NINE (9) OF PARKVEIW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6111 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM STEVE GREEN AND MARYBETH GREEN FOR THE CONVEYANCE OF PROPERTY LOCATED AT 224 KESSLER BOULEVARD, BEING LOT TEN (10), LESS AND EXCEPT THE NORTH FOUR FEET (4 FT.), OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUMN 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS

RES 6111 WARRANTY DEED FOR 224 KESSLER BLVD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM STEVE GREEN AND MARYBETH GREEN FOR THE CONVEYANCE OF PROPERTY LOCATED AT 224 KESSLER BOULEVARD, BEING LOT TEN (10), LESS AND EXCEPT THE NORTH FOUR FEET (4 FT.), OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6112 – AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HUITT-ZOLLARS, INC. FOR THE PRELIMINARY ENGINEERING AND RIGHT-OF-WAY/EASEMENT DOCUMENTS FOR THE LAMBERTH ROAD FROM S.H. 289 TO SHADY OAKS LANE EXTENSION PROJECT

RES 6112 LAMBERTH ROAD EXTENSION, FROM SH 289 TO SHADY OAKS LANE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HUITT-ZOLLARS, INC. FOR THE PRELIMINARY ENGINEERING AND RIGHT-OF-WAY/EASEMENT DOCUMENTS FOR THE LAMBERTH ROAD FROM S.H. 289 TO SHADY OAKS LANE EXTENSION PROJECT.

Mr. Barnett said this contract is for the preliminary design of Lamberth Road from Shady Oaks Lane, to SH 289. It does include a section of Meadowlake Road that will be incorporated into the roadway. The two will be tied together.

This project is for the preliminary engineering and will also allow the staff to compile the right-of-way document, which is necessary to acquire the right-of-way.

Mr. Hefton verified that it should take about six to seven months to complete this contract for the preliminary engineering work.

ACTION TAKEN.
Motion by Council Member Steele to adopt Resolution No. 6112, as presented. Second by Council Member Johnson.
VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6113 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT AND CHANGE ORDER WITH LYNN VESSELS CONSTRUCTION BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF MISCELLANEOUS SIDEWALK PANEL REPLACEMENTS, GRAND AVENUE PEDESTRIAN CROSSING, AND MEADOWS CIRCLE PAVING

RES 6113 SIDEWALK PANEL REPLACEMENTS, GRAND AVE PEDESTRIAN CROSSING, & MEADOWS CIRCLE PAVING

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

AUTHORIZING EXECUTION OF A CONTRACT AND CHANGE ORDER WITH LYNN VESSELS CONSTRUCTION BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF MISCELLANEOUS SIDEWALK PANEL REPLACEMENTS, GRAND AVENUE PEDESTRIAN CROSSING, AND MEADOWS CIRCLE PAVING.

Mr. Barnett said this was originally three separate projects that were bid together in the hope that a larger contractor would bid all three at a cost savings to the City. Invitations to bid were sent to about 20 contractors and only one bid was received, from Lynn Vessels Construction.

Mr. Vessels did not bid the downtown sidewalk panels or the Grand Avenue pedestrian crossing. The bid only included the Meadows Circle paving project. The staff plans to write performance specifications and get three quotes for the sidewalk job, since it is under $60,000. The Grand Avenue improvements would be rebid at a later date.

Council Member Steele said originally, flashing lights were discussed for Grand Avenue and he asked what else the "pedestrian crossing" included. Mr. Barnett said there were four separate intersections that were included in the bid. Each intersection had the flashing "yield to pedestrian" signs and some pedestrian refuge areas, similar to the downtown crossings. Mr. Hefton added that there was also concrete work. No bids were received on this project.

Council Member Steele said there are currently pedestrian walkways there and he thought the only addition would be the flashing signs. Mr. Hefton said the idea was to decrease the amount of space between one side of the street and the other.

Council Member Steele said he originally requested the flashing lights about one and a half years ago and he would like to see the lights added now to increase safer crossings. Mr. Hefton said the staff would look at separating the concrete work for the project from the safety aspect of the project.

Council Member Davis confirmed that growth in the North Texas area seemed to be the reason contractors didn't bid on the job.

ACTION TAKEN.
Motion by Council Member Johnson to adopt Resolution No. 6113, as presented. Second by Deputy Mayor Sofey.
VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6114 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BRINSON **RES 6114 EMPLOYEE BENEFIT**

CONSULTING

BENEFITS, INC. FOR EMPLOYEE BENEFIT CONSULTING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BRINSON BENEFITS, INC. FOR EMPLOYEE BENEFIT CONSULTING SERVICES.

Mary Lawrence, Director of Finance, said the increase in the employee health fund was discussed during the Budget Work Session and the staff said they would bring back a plan to address the increase in cost. This contract is the first step to take some reasonable steps to address financial pressures in the fund.

Brinson Benefits, Inc. was recommended by another City and the staff has been pleased with their recommendations and references. Representatives from Brinson Benefits were in attendance to answer any questions.

Council Member Steele recognized the staff for looking at ways to serve the employees and to save money for the taxpayers.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6114, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

RES 6115
ANNUAL AUDIT

RESOLUTION NO. 6115 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2016 AUDIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2016 AUDIT.
CONSENT AGENDA.

CHANGE ORDER
LAKE TEXOMA
PUMP STATION
REPAIRS

CHANGE ORDER NO. 1
LAKE TEXOMA PUMP STATION; PUMP NUMBER TWO REPAIRS; WEISINGER INCORPORATED; $7,440.00 DECREASE

The City Council approved Change Order No. 1 for a $7,440 decrease, to Weisinger Incorporated, for the Lake Texoma Pump Station, Pump Number Two Repairs.

The change order is a final reconciliatory change order to adjust the final project quantities for the project. The final contract price was $83,545.
CONSENT AGENDA.

OTHER BUSINESS

REVIEW 2016-2017 DRAFT BUDGET — **DRAFT BUDGET**

Ms. Lawrence said the Draft Budget is essentially the same as what was presented at the Budget Work Session. The staff was able to lower the originally proposed tax rate by one-half cent.

Originally the interest rate on the debt was estimated at 3.75%, but due to favorable market conditions, the actual interest rate was 2.15%. The staff also conservatively estimated the tax value, but once the certified tax roll was received it included about $30 million more.

Ms. Lawrence said the request was to set the required public hearing prior to adoption of the budget.

ACTION TAKEN.

Motion by Council Member Steele to set a Public Hearing on the proposed Budget for Monday, August 15, 2016, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

DISCUSSION OF THE PROPOSED TAX RATE FOR FISCAL YEAR 2016-2017 AND SCHEDULING PUBLIC HEARINGS FOR THE BUDGET AND PROPOSED TAX RATE — **PROPOSED TAX RATE & SET PUBLIC HEARINGS**

Ms. Lawrence said, by law, the City is required to hold public hearings if the proposed tax rate exceeds the lower of the effective tax rate or the rollback rate. The City is also required to have a vote on the tax rate, if the budget this year raises more money, even without a tax rate increase.

Council action on the budget and tax rate will be as follows:

August 15	**Public Hearing and Adoption of Budget Ordinance and Ratification of Property Tax Revenue Increase**
August 15	**Introduction and First Public Hearing on Tax Revenue Increase**
September 6	**Second Public Hearing on Tax Revenue Increase**
September 19	**Adoption of the Tax Rate Ordinance**

ACTION TAKEN.

Motion by Council Member Davis to propose a tax rate of thirty-nine point forty-three cents per hundred dollars of valuation for the upcoming budget year and to set public hearings on this proposal, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

DRAFT CIP

REVIEW DRAFT CAPITAL IMPROVEMENT PROGRAM (CIP) 2016-2021 AND SET PUBLIC HEARING FOR MONDAY, AUGUST 15, 2016

There were no questions about the Draft Capital Improvement Program.

ACTION TAKEN.

Motion by Council Member Couch to set a Public Hearing on the Capital Improvement Program for Monday, August 15, 2016, as presented. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

SET CALLED COUNCIL MEETING (AUG. 29, 2016)

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR MONDAY, AUGUST 29, 2016, FOR THE PURPOSE OF CONSIDERING A REAL ESTATE PURCHASE

Mr. Hefton said this relates to an option on property in the southwest part of Sherman. The current contract has several option periods and the second option period will begin about this date.

The meeting would be for the City Council to discuss whether or not they want to execute the second option.

ACTION TAKEN.

Motion by Deputy Mayor Sofey to set a Special City Council Meeting for Monday, August 29, 2016 at 12:00 noon, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

SET CALLED COUNCIL MEETING (SEPT. 6, 2016)

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, SEPTEMBER 6, 2016, DUE TO CONFLICT WITH A FEDERAL HOLIDAY

The City Council called a Special Meeting for Tuesday, September 6, 2016, due to the conflict with a Federal holiday. Labor Day is Monday, September 5, 2016.
CONSENT AGENDA.

SET JOINT MEETING WITH SEDCO (SEPT. 15, 2016)

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 15, 2016, TO REVIEW AND APPROVE SEDCO'S ANNUAL BUDGET AND WORK PLAN

ACTION TAKEN.

Motion by Deputy Mayor Sofey to schedule a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors for Thursday, September 15, 2016 at 12:00 noon, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

CLOSE STREETS FOR SHS "BAND ON THE RUN" EVENT (MARCH 4, 2017)

CONSIDER REQUEST OF THE SHERMAN HIGH SCHOOL'S BAND PROGRAM TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "BAND ON THE RUN" 5K AND 1 MILE FUN RUN ON SATURDAY, MARCH 4, 2017, WITH A RAIN DATE OF SATURDAY, MARCH 11, 2017

The City Council approved the request from the Sherman High School Band Program to temporarily close certain streets for the "Band on the Run" 5K and 1 Mile Fun Run on March 4, 2017, with a rain date of March 11, 2017. They are also requesting the closure of Rusk Street, in front of Piner Middle School.

The event will require traffic control assistance, barricades, and cones from the City. Even though Rusk Street will be closed with barricades, accessibility by emergency and fire vehicles must be maintained at all times throughout the event.
CONSENT AGENDA.

HOMELESSNESS IN GRAYSON COUNTY

CITIZENS REQUESTS

HOMELESSNESS IN GRAYSON COUNTY

Ashley Davis, 301 S. FM 1417, Apt 114, Sherman
Tasha Burkard, 394 PR 217, Ivanhoe
Gwendolyn Simpson, 13637 Hwy 5, Van Alstyne

Ms. Davis said they were graduate social work students from Texas A&M in Commerce. They wanted to present a petition to the City Council to bring attention to homelessness in Grayson County. She said they would like to see something done to provide assistance to those in need and their goal was for Grayson County to see the need for another shelter in the area.

Ms. Davis said other solutions to the problem might be affordable housing, boarding homes, group homes, or transitional homes.

Ms. Burkard said in Texas alone, there were 19,177 individuals that were considered homeless. Seventeen percent of these individuals are "chronically homeless" with mental illnesses.

Ms. Simpson said the estimated cost to run a group home that houses eight people is $150,00 to $200,000 annually. She felt this was not much considering it cost $1,900 per day

for an average person to spend one day in a mental health hospital.

Council Member Steele confirmed that they had not met with any local groups that are trying to address those same issues. The school project was to find a community problem and to present it to the City Council. Council Member Steele said there are actually groups that are meeting to address those same issues.

MEDIA QUESTIONS — **MEDIA QUESTIONS**

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

INVESTMENT COMMITTEE (1) — **INVESTMENT COMMITTEE**

ACTION TAKEN.

Motion by Council Member Steele to appoint Council Member Pam Howeth to the City's Investment Committee to fill the unexpired term of Council Member Tom Watt, until November 2016. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Howeth, Johnson, Sofey, Steele.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

LARGE LOT ORDINANCES — **LARGE LOT ORDINANCES**

Council Member Couch said he was pleased with the large lot ordinances and it was always nice to restore the private property rights to owners and provide more freedoms for the citizens.

KESSLER BOULEVARD PROJECT — **KESSLER BLVD PROJECT**

Council Member Couch also recognized the staff for changing directions and "thinking outside the box" when needed on the Kessler Boulevard Project. This saves $250,000 for the City.

POLICE DEPARTMENT — **POLICE DEPT**

Council Member Steele recognized the Police Department saying they were one of the best in North Texas. He recognized Chief Henry and all the officers for the work they do every day.

ANNUAL BUDGET — **ANNUAL BUDGET**

Council Member Davis said Sherman is about to grow and there was a 3% growth in the population last year and 350 additional water hook-ups.

He said there are developments ready for water, sewer, and streets, such as the Crossroads Development and others west of town that are waiting on the infrastructure. The new Wal-Mart Market has also "amped up" interest in that area.

PURCHASE OF RIGHT-OF-WAY

PURCHASE OF R-O-W

Council Member Davis said as Sherman develops to the west, if the City doesn't secure the right-of-way, developers will build homes and the roadways won't go where they need to go. He said the City needs to purchase the right-of-way now, for the future.

He said there is also more State money available for building roads and the City can borrow money to pay for right-of-way and engineering work to move the projects up on the Texas Department of Transportation list.

The Council plans to widen Travis Street from US Hwy 75 to past US Hwy 82 and widen FM 1417 from SH 56 to US Hwy 82. If Sherman spends a little money right now, they can have these major improvements for the community.

Council Member Davis said there are also some water and utility construction plans that are ongoing. Sherman has water and is doubling the size of the Water Treatment Plant. Communities to the south are almost always under rationing and need water. Sherman is in a position to be able to treat water and sell it to them. Those projects will pay for themselves in a few years.

Those are the reasons that the City Council decided to borrow some money, raise taxes a small amount to pay for those loans, and get these infrastructure projects completed to be ahead of the growth.

Ronald Aycock, 1808 Robin Drive, wanted to ask a question. Brandon Shelby, City Attorney, advised him that the City Council could only respond if the question was about an item on the agenda. The "Citizen's Comments" section has already been closed. Mr. Aycock did not ask his question.

BUDGET AND TAX RATE

BUDGET & TAX RATE

Deputy Mayor Sofey said he was proud about what the City has done with the tax base and the low tax rate. Even with the small increase in property taxes, Sherman will still be in the bottom 25% of property tax rates of our peer cities in Texas.

HOT SUMMER NIGHTS

HOT SUMMER NIGHTS

Council Member Johnson thanked Sarah McRae, Tourism/ Main Street Manager, Kevin Winkler, Parks and Recreation Director, and everyone that participated in Hot Summer Nights. She said it was an incredible year for the event and is looking forward to next year.

LUNCH AND PRAYER MEETING

LUNCH & PRAYER MEETING

Council Member Johnson said she recently attended a lunch and prayer meeting at Western Heights Church of Christ and it was an excellent event to pray over the law enforcement officers.

WELCOME TO COUNCIL MEMBER PAM HOWETH — **WELCOME TO COUNCIL MEMBER PAM HOWETH**

Council Member Johnson welcomed Council Member Pam Howeth to the City Council.

THANKS TO MAYOR AND CITY COUNCIL — **THANKS TO MAYOR & CITY COUNCIL**

Council Member Howeth thanked the Mayor and City Council for appointing her to fill former Council Member Tom Watt's unexpired term. She looked forward to becoming familiar with the current issues before the Council.

WELCOME TO NEW EMPLOYEE — **WELCOME TO NEW EMPLOYEE**

Mayor Plyler welcomed Mr. Kirksey as a new employee of the City of Sherman.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW) — **EXECUTIVE SESSION**

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 551.074	**PERSONNEL MATTERS: DELIBERATE THE EVALUATION OF THE CITY MANAGER**
SECTION 551.087	**DELIBERATE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:38 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:07 p.m. and reconvened in Open Meeting.

OPEN MEETING — **OPEN MEETING**

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

ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:08 p.m.

MAYOR

CITY CLERK