

STATE OF TEXAS

§

July 6, 2009

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 July 6, 2009.

MEMBERS PRESENT:

MAYOR BILL MAGERS; DEPUTY MAYOR JOE SMITH.
COUNCIL MEMBERS ADAMI, HOWETH, SOFTLY, 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 the Invocation were given by Deputy Mayor Joe Smith.

CALL TO ORDER

Mayor Magers said City Manager George Olson would not be attending the meeting because his son was playing in a baseball tournament.

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 15, 2009 and the Called City Council Meeting (Budget Workshop) of June 18, 2009. Council Member Steele moved to approve the Minutes as presented; Second by Council Member Wacker. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5608 and called for a public hearing:

AN ORDINANCE BY THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.02, ENTITLED "ADMINISTRATION", TO PROVIDE FOR SECTION 1.02.004 TO ESTABLISH A CONVENIENCE FEE OF \$1.25 FOR ONLINE AND TELEPHONE CREDIT CARD PAYMENTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5608
CREDIT CARD
CONVENIENCE FEE

No citizens appeared before the City Council to discuss Ordinance 5608.

Mayor Magers introduced Ordinance 5609 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE EAST SIDE OF RICKETTS STREET FOR A DISTANCE OF APPROXIMATELY 100 FEET SOUTH OF PELTON STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN.

ORD 5609
NO PARKING SIGNS

COUNCIL MINUTES – JULY 6, 2009

No citizens appeared before the City Council to discuss Ordinance 5609.

Mayor Magers introduced Ordinance 5610 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 ALLOW LIVING QUARTERS IN A C-1 (RETAIL BUSINESS) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT AT 8111 U.S. HIGHWAY 75 SOUTH, SUITES 100 AND 200, BEING LOT 1, BLOCK 1, CEDAR LAKE ADDITION (JACK HOPPER, OWNER; AND AIR EVAC, HELICOPTER AMBULANCE SERVICE, TENANT); 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 5610
SUP FOR
LIVING QUARTERS
FOR HELICOPTER
AMBULANCE

No citizens appeared before the City Council to discuss Ordinance 5610.

The Ordinances were introduced and the Public Hearing was closed.

CLOSE PUBLIC
HEARING

ADOPTION OF ORDINANCES

Ordinance 5608

AN ORDINANCE BY THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.02, ENTITLED "ADMINISTRATION", TO PROVIDE FOR SECTION 1.02.004 TO ESTABLISH A CONVENIENCE FEE OF \$1.25 FOR ONLINE AND TELEPHONE CREDIT CARD PAYMENTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5608
CREDIT CARD
CONVENIENCE FEE

Mayor Magers asked for clarification on Ordinance 5608. Robby Hefton, Assistant City Manager/CFO, explained that the staff is making changes to the Incode System which will allow the City to process credit cards through that system.

The changes will not affect citizens paying in person or by mail or those non-recurring paying options, whether it is for utility billing or traffic tickets. Only citizens paying online or by telephone on a non-recurring basis will be affected. The City will be recouping only a small portion of the actual cost to process these payments.

Mayor Magers reiterated that the City would be passing through a courtesy fee, charged by the processor, if citizens want to wait until the last minute to pay their bills. It will not impact those citizens paying in person or by mail.

Ordinance 5609

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

ORD 5609
NO PARKING SIGNS

SHERMAN, TEXAS, PROVIDING FOR PERMANENT “NO PARKING” SIGNS RESTRICTING PARKING ALONG THE EAST SIDE OF RICKETTS STREET FOR A DISTANCE OF APPROXIMATELY 100 FEET SOUTH OF PELTON STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN.

Ordinance 5610

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 9, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW LIVING QUARTERS IN A C-1 (RETAIL BUSINESS) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT AT 8111 U.S. HIGHWAY 75 SOUTH, SUITES 100 AND 200, BEING LOT 1, BLOCK 1, CEDAR LAKE ADDITION (JACK HOPPER, OWNER; AND AIR EVAC, HELICOPTER AMBULANCE SERVICE, TENANT); 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 5610

**SUP FOR
LIVING QUARTERS
FOR HELICOPTER
AMBULANCE**

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance Nos. 5608, 5609, and 5610, as presented. Second by Council Member Steele.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Adami asked for clarification on Item D-2 entitled “Final Plat of the Kings Ridge Addition in the City of Sherman’s Extra Territorial Jurisdiction, located at 200 to 600 Blocks of Norwood Drive.”

CONSENT AGENDA

Council Member Wacker moved to approve the Consent Agenda, as presented. Second by Deputy Mayor Smith. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 5378 – AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A DIRECT FORMULA GRANT FROM THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM UNDER THE RECOVERY ACT: U.S. DEPARTMENT OF ENERGY – CFDA #81.128 TO DEVELOP AND IMPLEMENT AN ENERGY EFFICIENCY AND CONSERVATION STRATEGY FOR THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A DIRECT FORMULA GRANT FROM THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM UNDER THE RECOVERY ACT: U.S. DEPARTMENT OF ENERGY – CFDA #81.128 TO DEVELOP AND IMPLEMENT AN ENERGY EFFICIENCY AND CONSERVATION STRATEGY FOR THE CITY OF SHERMAN.

RES 5378

**ENERGY EFFICIENCY
GRANT**

Mayor Magers said the City is applying for a Federal grant to lower some of the high-energy use lights throughout town. No dollars have been spent, only staff time. Assuming the grant is approved, the money should be reimbursed.

Mr. Hefton added that the grant is part of the stimulus money from the Federal government. The City will use a portion of the \$170,000 to develop a plan on how the money will be used. The remaining money will be used for energy efficient types of issues such as street lights and traffic signals. The plan must be submitted for approval within 120 days.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5378 as presented. Second by Council Member Softly.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5379 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO DANIEL-GRAY CHRISTIAN METHODIST EPISCOPAL (CME) CHURCH FOR CONSTRUCTION OF A SIGN IN THE STREET RIGHT-OF-WAY AT 2002 SOUTH EAST STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO DANIEL-GRAY CHRISTIAN METHODIST EPISCOPAL (CME) CHURCH FOR CONSTRUCTION OF A SIGN IN THE STREET RIGHT-OF-WAY AT 2002 SOUTH EAST STREET.

CONSENT AGENDA.

**RES 5379
ENCROACHMENT
FOR CHURCH
SIGN
(2002 S. EAST ST.)**

RESOLUTION NO. 5380 – AUTHORIZING EXECUTION OF AN OCCUPANCY LICENSE AGREEMENT WITH THE TEXAS NORTHEASTERN RAILROAD, A DIVISION OF MID-MICHIGAN RAILROAD, INC., FOR REPLACEMENT OF THE WILLOW STREET WATER MAIN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN OCCUPANCY LICENSE AGREEMENT WITH THE TEXAS NORTHEASTERN RAILROAD, A DIVISION OF MID-MICHIGAN RAILROAD, INC., FOR REPLACEMENT OF THE WILLOW STREET WATER MAIN.

CONSENT AGENDA.

**RES 5380
AGREEMENT WITH
RAILROAD FOR
WILLOW ST. WATER
MAIN REPLACEMENT**

RESOLUTION NO. 5381 – AUTHORIZING EXECUTION OF AN OCCUPANCY LICENSE AGREEMENT WITH THE TEXAS NORTHEASTERN RAILROAD, A DIVISION OF MID-MICHIGAN RAILROAD, INC., FOR THE CONSTRUCTION OF RELIEF SEWER “C”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN OCCUPANCY LICENSE AGREEMENT WITH THE TEXAS

**RES 5381
AGREEMENT WITH
RAILROAD FOR
RELIEF SEWER “C”
CONSTRUCTION**

NORTHEASTERN RAILROAD, A DIVISION OF MID-MICHIGAN RAILROAD, INC., FOR THE CONSTRUCTION OF RELIEF SEWER "C".

CONSENT AGENDA.

RESOLUTION NO. 5382 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1221 NORTH BROUGHTON STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1221 NORTH BROUGHTON STREET.

CONSENT AGENDA.

RESIDENTIAL TAX
ABATMENT
(1221 N. BROUGHTON)

OTHER BUSINESS

FINAL PLAT APPROVAL OF TRAVIS STREET PATIO HOMES, A REPLAT OF LOT 18R OF THE M.B. MOORE'S ADDITION; 1002 SOUTH TRAVIS, LP, OWNER; TEAGUE, NALL & PERKINS, ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS (1002 SOUTH TRAVIS STREET)

The City Council approved the Final Plat of Travis Street Patio Homes, a Replat of Lot 18R of the M.B. Moore's Addition, located at 1002 South Travis, between Spring and Lark Streets.

APPROVE FINAL PLAT
TRAVIS ST.
PATIO HOMES
(1002 S. TRAVIS)

The owners were approved for a zone change from an R-2 (Multi-Family Residential) District to an R-1 (One Family Residential) District and a Specific Use Permit to allow patio homes in November 2008, subject to a more detailed site plan being submitted and the property being replatted into lots.

They were also approved for a variance to allow lots with no public street frontage and an exception to allow a six foot privacy fence in the front yard of a front line street with a 17' setback. They would like to replat the property into eleven lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

FINAL PLAT APPROVAL OF THE KINGS RIDGE ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 21.19 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120 AND THE WILLIAM THOMPSON SURVEY, ABSTRACT NO. 1209; CLAIR REHMENT, OWNER; AND SARTIN AND ASSOCIATES, INC., SURVEYORS (200-600 BLOCKS OF NORWOOD DRIVE)

The City Council approved the Final Plat of the Kings Ridge Addition, a 21.19 acre addition in the City's extra territorial jurisdiction. The property is located on the east side of the 200 to 600 Blocks of Norwood Drive, off of West Lamberth Road, across from the Carriage Estates subdivision. The

APPROVE FINAL PLAT
KINGS RIDGE
ADDITION
(200-600 BLOCKS
NORWOOD DR.)

owner would like to plat the property into 20 lots for residential development.

Council Member Adami asked for clarification on approval of the Final Plat of the Kings Ridge Addition.

Mr. Hefton explained that the Final Plat was located in the City's extra territorial jurisdiction and was recommended by the Planning and Zoning Commission. Since no exception or variance was requested, there is no basis to deny the approval. Scott Shadden, Director of Developmental Services, added that it was a plat to make one acre lots located in the City's ETJ. No exceptions or variances were requested.

CONSENT AGENDA.

REPLAT APPROVAL OF LOTS 2 AND 3, BLOCK 1, TEXOMA CENTER ADDITION, BEING 4.15 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503; WWF MOTORS, INC., BARRY FONTAINE, OWNER; AND SARTIN AND ASSOCIATES, INC., SURVEYORS (4505 AND 4509 TEXOMA PARKWAY)

The City Council approved the Replat of Lots 2 and 3, Block 1, Texoma Center Addition, containing 4.15 acres in the John Hendrix Survey, Abstract No. 503. The property is located at 4505 and 4509 Texoma Parkway. Credit Choice Motors is the tenant and would like to replat the property into two lots for commercial development. The Planning and Zoning Commission recommended approval of the Replat.

CONSENT AGENDA.

APPROVE REPLAT
TEXOMA CENTER
ADDITION
(4505 & 4509
TEXOMA PKWY)

REPLAT APPROVAL LOTS 6 AND 7, BLOCK 1, HERITAGE PARK ADDITION, PHASE TWO, BEING 6.50 ACRES IN THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639; GRAYSON COUNTY PHYSICIANS PROPERTY, LLC, OWNERS; AND SARTIN AND ASSOCIATES, INC., SURVEYORS (3603 CALAIS DRIVE)

The City Council approved the Replat of Lots 6 and 7, Block 1, Heritage Park Addition, Phase Two, containing 6.5 acres in the Hillard Jennings Survey, Abstract No. 639. The property is located at 3603 Calais Drive. The Ambulatory Surgery Center is the tenant and they would like to replat the property into one lot for commercial development. The Planning and Zoning Commission recommended approval of the Replat.

CONSENT AGENDA.

APPROVE REPLAT
HERITAGE PARK
ADDITION, PHASE 2
(3603 CALAIS DR.)

CITIZENS REQUESTS

LAMBERTH ROAD EXTENSION

Dewey Osteen, 2020 Monte Cristo Way, appeared regarding the median on the proposed Lamberth Road Extension project and the effect it will have on properties along the road. He said the median will look good in a residential area, but it isn't good for a commercial area because large trucks can't effectively be operated on a large thoroughfare.

LAMBERTH ROAD
EXTENSION

There is commercial property on both sides of the road and taking the additional land will have a great impact on the value of the property.

Mr. Osteen said his property is located on the corner and the City is proposing to take some of his property on the front and the side. They aren't taking any from the side of the adjoining property owners. He felt this was unfair and discriminatory.

He had also previously asked the staff who would maintain the landscaped median. He was told the City would maintain that area, but in his past experience, he did not feel that they would do so. He said the City did maintain the right-of-way on Washington Street between Grant Drive and FM 1417. He said the right-of-way is not being maintained on Lamberth Road. Mr. Osteen said he had no faith in what the City promised him 41 years ago about maintenance of the right-of-way.

Mayor Magers said there are reasons behind the proposed design of Lamberth Road. It is a major arterial road and the plan has been "on the books" since 1988. There have been concerns about the median being 16 feet, but typically there is a 12 foot turn lane with a four foot divider. The City is building the road to specifications.

He asked Mr. Osteen to meet with the City staff or the engineer on the project to ask specific questions about the design of the project. If he doesn't get satisfaction, the item can be put on the City Council Agenda for discussion.

Mayor Magers said the current Council is steadfast in standing behind the thoroughfare extension plan west of FM 1417, because they made a promise to voters. He added that the City of Sherman has done a good job of maintaining property around town.

LAMBERTH ROAD EXTENSION

John Dixon, 2338 W. Lamberth Road, said he has received help in the past from Mark Gibson, Director of Utilities and Engineering; Jeff Miller, Director of Public Works; Brandon Shelby, City Attorney; and Chris Schmitt, Teague, Nall and Perkins. He said he is against the proposed 16 foot median on the Lamberth Road Extension.

He said years ago, West Sherman was described as anything between Texoma Parkway and FM 1417. Now it appears that West Sherman will be anything west of FM 1417.

On May 20, 2009, Mr. Dixon received a letter from the City asking him to dedicate 3,790 square feet of his front yard to the City for \$1. He refused to do so 9 years ago after a similar request, and refuses to do so today. He said the plans were never explained to him until recently.

LAMBERTH ROAD EXTENSION

If this project is completed as planned, Mr. Dixon said his neighbors between FM 1417 and Little Lane will not be able to reach their property as they do today because there will be a solid median, which is a waste of space.

Mr. Dixon said he did not understand why a curbed, guttered side walked, two-way, four-lane boulevard with a 16 foot curbed grass median was needed. He felt this would be setting a precedent and said he understood only one road would be going all the way to Highway 289.

He felt the City was trying to expand and the “new Sherman” would be anything between FM 1417 and Highway 289. He has been told that Sherman has plans to annex all the property to Highway 289, but he did not feel there was a need for this gigantic parkway. He said the median on Grand Avenue, in front of Austin College is only 11 foot wide.

He added that the City limits currently ends at Shady Oaks Lane which is only one-half mile west of FM 1417, and is where the proposed road is planned to end. Therefore the City is planning to build this huge road for one-half mile from FM 1417 to Shady Oaks Lane at a cost of \$1 million.

Mr. Dixon said he also will loose some old trees in the neighborhood and there will be additional traffic, noise, and pollution in that area. He felt the vision of the Comprehensive Master Plan did not match the destruction of things for the road.

Mr. Dixon added that Craig Estes, the State Senator for District 30, is a major champion of eminent domain reform and Senate Bill 18, even though it failed to pass this past session, will eventually pass. He said he would hate for the City to be embarrassed in the future if they can't get their way with eminent domain and the building of this “lame duck” going west towards Highway 289.

Mr. Dixon proposed that the Lamberth Road extension should be a four lane road with no passing lane and no 16 foot median. He said Kevin Harris, Area Engineer with the Texas Department of Transportation, said the proposed road was based on TxDOT standards, but this would not be required, even after FM 1417 is widened.

Mr. Dixon added that the proposed project would lessen the value of the property and he did not feel that a 16 foot median and an 85 foot right-of-way for one-half mile would help the City of Sherman.

Mayor Magers said the City has engineering studies and have presented this plan for many months. The details to the plan are being worked out but progress doesn't come without a price. The City will respect the private property rights and property owners will be treated fairly and equitably as the plan moves forward. The engineering staff

is available to talk with citizens, and if they don't get satisfaction, it can be put on a future City Council Agenda for discussion.

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (1)

ACTION TAKEN.

Motion by Council Member Adami to reappoint Shane Best to the Parks and Recreation Advisory Board for a term from June 19, 2009 to June 19, 2011. Second by Deputy Mayor Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

WASHINGTON STREET AND LAMBERTH ROAD
EXTENSIONS

Council Member Adami said he understood that improvements can be sensitive, especially when they apply to acquiring someone's land, with payment. The City did hold an Election and the Council was very open and up front about streets that would be improved. The plan was publicized repeatedly and open meetings were held.

The details can be looked at, however he felt it was a progressive move by the Council to not be ill-prepared for growth as some cities to the south of Sherman have been. The Council was open with the plans and citizens overwhelmingly, by a 70 to 30 margin, passed those improvements.

Council Member Adami said they were glad to hear from citizens and would take everything into consideration, but he felt obligated to take the input from the Election and to go forward with it.

Deputy Mayor Smith agreed with Council Member Adami's comments.

NEW FIRE TRUCK

Deputy Mayor Smith urged citizens to look at the City's new fire truck that was on display in the parking lot outside the City Council Meeting. He said it was another example of things the City is trying to do to keep the citizens safe.

PECAN GROVE PARK AND CENTER STREET PARK

Council Member Wacker addressed the opening of Pecan Grove Park and the future opening of Center Street Park. She urged citizens to take advantage of the two new parks.

MEDIA QUESTIONS

PARKS &
RECREATION
ADVISORY BOARD

WASHINGTON ST.
& LAMBERTH RD.
EXTENSIONS

NEW FIRE TRUCK

PECAN GROVE PARK
& CENTER STREET
PARK

PECAN GROVE PARK AND CENTER STREET PARK

Council Member Softly said he has received very positive feedback on the new parks.

PECAN GROVE PARK
& CENTER STREET
PARK

PECAN GROVE PARK

Council Member Howeth said Sherman is fortunate to have a new park and she urged citizens to visit and enjoy Pecan Grove Park. She also looked forward to the opening of Phase 2 of the park next year, adding that it will hopefully draw a lot of tourism and business to Sherman with the new facilities.

PECAN GROVE PARK

**WASHINGTON STREET AND LAMBERTH ROAD
EXTENSIONS**

Mayor Magers said, regarding the growth of Sherman, no one expects everyone to agree and he appreciated the professionalism of the comments that had been made. He said Sherman will grow and the City Council is going to be proactive on the growth. They will respect the rights of property owners and will treat everyone as fairly and equitably as possible.

WASHINGTON ST.
& LAMBERTH RD.
EXTENSIONS

**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.

EXECUTIVE SESSION

SECTION 551.072

DELIBERATE RAGARDING REAL
PROPERTY
DELIBERATE REGARDING THE
POTENTIAL PURCHASE OF A
PIECE OF REAL PROPERTY:
WEST WASHINGTON STREET

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
THE BUSINESS PROSPECTS,
INCLUDING THE FOLLOWING:
PANDA SHERMAN POWER, LLC

CARRUS MEDICAL CENTER

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:33 p.m.

COUNCIL MINUTES – JULY 6, 2009

On Motion duly made and carried, the Executive Session recessed at 6:06 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

INTRODUCTION OF ORDINANCES AND SET PUBLIC HEARING

Mayor Magers introduced Ordinance 5611 and set the public hearing for July 20, 2009, at 5:00 p.m.:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS AN INDUSTRIAL REINVESTMENT ZONE, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 5611
INDUSTRIAL
REINVESTMENT
ZONE

Mayor Magers introduced Ordinance 5612 and set the public hearing for July 20, 2009, at 5:00 p.m.:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS AN INDUSTRIAL REINVESTMENT ZONE, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 5612
INDUSTRIAL
REINVESTMENT
ZONE

Mayor Magers said the proposed Industrial Reinvestment Zones are for Panda Power LLC and Carrus Medical Center. He said these are signs of progress in Sherman and he commended Deputy Mayor Smith and Council Member Adami for their work on the committee.

ACTION TAKEN.

Motion by Council Member Adami to introduce Ordinance Nos. 5611 and 5612 and to set a Public Hearing for Monday, July 20, 2009, at 5:00 p.m. Second by Deputy Mayor Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL MINUTES – JULY 6, 2009

ADJOURNMENT

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

ADJOURNMENT

MAYOR

CITY CLERK