

STATE OF TEXAS

§

June 21, 2010

COUNTY OF GRAYSON

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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 June 21, 2010.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS ADAMI, HOWETH, SMITH, SOFTLY,
WACKER.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Magers called the meeting to order at 5:01 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Cary Wacker.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 7, 2010. Council Member Wacker moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5655 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CREATING A CHARTER REVIEW COMMISSION IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5655
CHARTER REVIEW
COMMISSION

Brandon Shelby, City Attorney, explained the procedure for amending the City Charter and why it is necessary to review the Charter and adapt it to the City's evolving needs. The Council is allowed to review the Charter once every two years and the last review was completed in May 2007.

Under State law there are two ways to amend the Charter. One is initiated by petition and in Sherman that requires the signature of 10% of the registered voters. The Charter can also be amended by order of the City Council, or Council initiated.

Later in this meeting the Mayor will be asked to designate a Charter Review Commission and their recommendations will be presented to the Council on August 2, 2010. The Election must be called at least 70 days prior to the Election, which would mean the Ordinance calling the Election must be on the August 16, 2010 Agenda. Election Day will be November 2, 2010.

COUNCIL MINUTES – JUNE 21, 2010

Mr. Shelby said a proposed Amendment is adopted if approved by a majority of qualified voters at the Election and would be effective at the next Council Meeting when an order would be approved declaring the Amendments effective.

No citizens appeared before the City Council to discuss Ordinance 5655.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5655

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CREATING A CHARTER REVIEW COMMISSION IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5655
CHARTER REVIEW
COMMISSION

Mayor Magers said there are housekeeping items that must be changed in a Charter and sometimes State law changes and the Charter must be updated. The Charter Review Commission will allow three Council Members to meet without a quorum and review possible changes to the Charter.

Mayor Magers also recognized Council Member Cary Wacker who was recently elected President of the Texoma Council of Governments Governing Board.

He added that in the Charter Amendment process the Council will consider moving the City's Election Day to November. An Election in Sherman currently costs approximately \$30,000 and he felt it was important to expand the number of citizens that vote in an Election. One way to do this is to include the City Election on the November ballot.

Mayor Magers said he would like to ask Council Member Adami and Council Member Howeth to serve with him on the Charter Review Commission. He added that there would also be interaction with the Council. Mr. Shelby said the Commission is scheduled to bring their findings to the Council on August 2, 2010, but it can also be presented at meetings prior to that time.

Mayor Magers wanted the procedure to be open and transparent.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5655, as presented. Second by Council Member Wacker.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Steele asked to remove Item D-1, entitled “Request to Advertise – Reconstruction of Travis Street from Washington Street to Jones Street” from the Consent Agenda for consideration in its regular order of business.

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

RESOLUTIONS

RESOLUTION NO. 5497 – AUTHORIZING THE EXPENDITURE OF THREE THOUSAND DOLLARS (\$3,000.00) IN MATCHING FUNDS TO THE TEXOMA COUNCIL OF GOVERNMENTS FOR TRANSPORTATION PLANNING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXPENDITURE OF THREE THOUSAND DOLLARS (\$3,000.00) IN MATCHING FUNDS TO THE TEXOMA COUNCIL OF GOVERNMENTS FOR TRANSPORTATION PLANNING.

CONSENT AGENDA.

RESOLUTION NO. 5498 – AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR AND THE ACCEPTANCE OF THE GRANT AWARDED UNDER THE 2010 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – CFDA #16.738

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR AND THE ACCEPTANCE OF THE GRANT AWARDED UNDER THE 2010 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – CFDA #16.738.

Council Member Adami verified that the grant would be used for the new vehicle. George Olson, City Manager, said the grant was for \$14,000 and the City would make up the other \$6,000 to purchase the new vehicle.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5498, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5499 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2010 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – CFDA #16.738

CONSENT AGENDA

**RES 5497
TRANSPORTATION
PLANNING**

**RES 5498
JAG GRANT**

**RES 5499
JAG GRANT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2010 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM – CFDA #16.738.

RESOLUTION NO. 5500 – AUTHORIZING THE PURCHASE OF TWO AUTOMATIC LICENSE PLATE READER (ALPR) SYSTEMS FOR THE SHERMAN POLICE DEPARTMENT FROM PIPS TECHNOLOGY USING FUNDS AWARDED UNDER THE RECOVERY ACT: JUSTICE ASSISTANCE GRANT (JAG) PROGRAM DISTRIBUTED BY THE U.S. DEPARTMENT OF JUSTICE (PASS-THROUGH FROM STATE) AND THE 2009 DIRECT JAG PROGRAM DISTRIBUTED BY THE U.S. DEPARTMENT OF JUSTICE

RES 5500
JAG GRANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF TWO AUTOMATIC LICENSE PLATE READER (ALPR) SYSTEMS FOR THE SHERMAN POLICE DEPARTMENT FROM PIPS TECHNOLOGY USING FUNDS AWARDED UNDER THE RECOVERY ACT: JUSTICE ASSISTANCE GRANT (JAG) PROGRAM DISTRIBUTED BY THE U.S. DEPARTMENT OF JUSTICE (PASS-THROUGH FROM STATE) AND THE 2009 DIRECT JAG PROGRAM DISTRIBUTED BY THE U.S. DEPARTMENT OF JUSTICE.

Council Member Adami said during the Budget Work Session, the Council decided to make the City's assets last longer with repairs and maintenance. He asked if there was a City match to this grant.

Tom Watt, Police Chief, said there was no match required for the grant. Council Member Adami asked about maintenance and operating money that might be required. Chief Watt said the price paid would include the first year's maintenance agreement and any information technology problems that might occur could probably be taken care of in-house.

He added that the Council was briefed on this grant six months ago, but a portion of the funds were being held at the State level. Council Member Smith verified that the grant is Federal money for cities to use. Council Member Adami felt it was good to use Federal government money when it is available, but the Council must also consider the on-going maintenance and operation cost.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution Nos. 5499 and 5500, as presented. Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5501 – APPROVING THE GREATER
TEXOMA UTILITY AUTHORITY’S INTENTION TO CONTRACT
WITH J.R. SHELDON & COMPANY, INC. FOR WASTEWATER
TREATMENT PLANT PRIMARY CLARIFIER NO. 2
IMPROVEMENTS

RES 5501
WWTP
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA
UTILITY AUTHORITY’S INTENTION TO CONTRACT WITH J.R.
SHELDON & COMPANY, INC. FOR WASTEWATER
TREATMENT PLANT PRIMARY CLARIFIER NO. 2
IMPROVEMENTS.
CONSENT AGENDA.

RESOLUTION NO. 5502 – AUTHORIZING EXECUTION OF AN
ENCROACHMENT EASEMENT TO FAIRVIEW BAPTIST
CHURCH FOR THE CONSTRUCTION OF AN ENCLOSED
WALKWAY IN THE SEWER EASEMENT AT 220 WEST
TAYLOR STREET

RES 5502
ENCROACHMENT
EASEMENT
(220 W. TAYLOR)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN
ENCROACHMENT EASEMENT TO FAIRVIEW BAPTIST
CHURCH FOR THE CONSTRUCTION OF AN ENCLOSED
WALKWAY IN THE SEWER EASEMENT AT 220 WEST
TAYLOR STREET.
CONSENT AGENDA.

REQUEST TO ADVERTISE
RECONSTRUCTION OF TRAVIS STREET FROM
WASHINGTON STREET TO JONES STREET

REQ TO ADVERTISE
RECONSTRUCTION
OF TRAVIS STREET

Deputy Mayor Steele asked to remove Item D-1 from the
Consent Agenda for consideration in its regular order of
business. The Council considered the request to advertise
for bids to reconstruct Travis Street from Washington Street
to Jones Street.

Deputy Mayor Steele verified that the mill and overlay project
for Travis Street will be included in the streetscape project
around the Court House square. Don Keene, Executive
Director – Planning and Public Works, said there was a
project to mill and overlay Travis Street from Washington
Street to Jones Street. The water lines have been replaced
for that project.

At about the same time, along came the Tax Increment
Financing (TIF) Downtown Streetscape Project which
includes Travis Street and around the Court House Square.
Houston and Lamar Street will be included in the project
financed by the Texas Department of Transportation grant, if
the City receives the grant funding.

The staff felt the two projects could be combined and the
City would get a better final project in a more timely manner
and at a better cost. Deputy Mayor Steele confirmed that the
proposed island cut-outs and the curb will all be completed
at the same time.

COUNCIL MINUTES – JUNE 21, 2010

Mayor Magers reiterated that the Travis Street Mill and Overlay Project was funded from the sales tax initiative for street improvements. The Streetscape Project will be funded by the TIF.

Council Member Howeth asked when the project would begin. Mr. Keene said the staff plans to advertise for bids in early July, begin construction later in the summer, and complete the project by winter.

Mr. Keene said the project will be better off and it will be a better use of taxpayer dollars to complete the two projects together.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve the request to advertise for the reconstruction of Travis Street from Washington Street to Jones Street, as presented.

Second by Council Member Wacker.

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

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

MAYOR'S APPOINTMENTS TO CHARTER REVIEW COMMISSION

Mayor Magers asked Council Member Adami and Council Member Howeth to serve with him on the Charter Review Commission.

CHARTER REVIEW COMMISSION

Council Member Adami asked for input from the other Council Members on issues for proposed Charter Amendments. Mayor Magers asked Council Members to send all correspondence to Mr. Shelby and he will send it to the Commission. He felt this would make for more efficient government.

CITIZENS REQUESTS

There were no citizens requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

UPCOMING RIBBON CUTTINGS

Council Member Softly said he was looking forward to the upcoming ribbon cuttings on the Brockett Street Project and on Pecan Grove Park.

UPCOMING RIBBON CUTTINGS

UPCOMING RIBBON CUTTINGS

Mayor Magers reminded citizens that the dedication of Brockett Street would be held on July 1, 2010, at 9 a.m. at the intersection of Brockett and Porter Streets.

UPCOMING RIBBON CUTTINGS

COUNCIL MINUTES – JUNE 21, 2010

The dedication of Pecan Grove Park will be held on July 3, 2010 during the “Lights on the Lake” event, which will include a live band and fireworks.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:23 p.m.

ADJOURNMENT

MAYOR

CITY CLERK