STATE OF TEXAS §

December 21, 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 December 21, 2009.

MEMBERS PRESENT:	**DEPUTY MAYOR JOE SMITH.** **COUNCIL MEMBERS HOWETH, SOFTLY, STEELE, WACKER.**
MEMBERS ABSENT:	**MAYOR BILL MAGERS.** **COUNCIL MEMBER ADAMI.**

CALL TO ORDER

CALL TO ORDER

Deputy Mayor Smith called the meeting to order at 5:01 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Robert Softly.

Deputy Mayor Smith announced that Mayor Magers is away on a family vacation.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 7, 2009. Council Member Wacker moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5634
DESIGNATING AN ENTERPRISE ZONE

Deputy Mayor Smith introduced Ordinance 5634 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; PROVIDING TAX INCENTIVES; AND DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES.

No citizens appeared before the City Council to discuss Ordinance 5634.

ORD 5635
NO PARKING SIGNS
(S. VADEN STREET)

Deputy Mayor Smith introduced Ordinance 5635 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 2792 TO PROVIDE FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE WEST SIDE OF SOUTH VADEN STREET, FROM LAMAR STREET TO THOMAS STREET, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

No citizens appeared before the City Council to discuss Ordinance 5635.

The Public Hearing was closed.

CLOSE PUBLIC HEARING

ADOPTION OF ORDINANCES

Ordinance 5634

ORD 5634 DESIGNATING AN ENTERPRISE ZONE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; PROVIDING TAX INCENTIVES; AND DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES.

Robby Hefton, Assistant City Manager/CFO, explained that the ordinance "memorializes" the list of incentives available at the local level for businesses that qualify for the Enterprise Zone Program through the State of Texas. It lists all incentives that the City of Sherman could provide at the City Council's discretion.

This originated from an application for Folgers Coffee Company to be designated as a qualified business through the Enterprise Zone Act.

In the future, this ordinance will cover all Enterprise Zone Projects and any specific applications to establish a company's eligibility would be considered by resolution.

The incentives would include State help in obtaining sales tax rebates for projects for reinvestment in the City.

Ordinance 5635

ORD 5635 NO PARKING SIGNS (S. VADEN STREET)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 2792 TO PROVIDE FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE WEST SIDE OF SOUTH VADEN STREET, FROM LAMAR STREET TO THOMAS STREET, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

Council Member Steele asked if the proposed sign change was for safety or from a citizen request.

Jeff Miller, Director of Public Works, explained that an ordinance was passed in 1970 restricting parking on Vaden Street, from Lamar Street to Thomas Street, and one section of that area restricted parking on both sides of the street. Signs have been disappearing from that area and there is a lot of illegal parking.

On a trial basis, over the past seven months, the signs have restricted parking only on one side of the street. There have

been no citizen's complaints during that time and the staff proposes to allow parking on one side of that narrow portion of Vaden Street.

ACTION TAKEN.

Motion by Council Member Steele to approve Ordinance Nos. 5634 and 5635, as presented. Second by Council Member Wacker.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

<u>CONSENT AGENDA</u> **CONSENT AGENDA**

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

<u>RESOLUTIONS</u>

RES 5446 FOLGER COFFEE CO. AS ENTERPRISE PROJECT

<u>RESOLUTION NO. 5446 – RECOGNIZING THAT THE FOLGER COFFEE COMPANY IS A "QUALIFIED BUSINESS" AS DEFINED IN SECTION 2303.402 OF THE TEXAS ENTERPRISE ZONE ACT AND MEETS THE CRITERIA FOR DESIGNATION AS AN ENTERPRISE PROJECT, AS SET FORTH IN SECTION 2303, SUBCHAPTER F OF THE ACT; AND NOMINATING THE FOLGER COFFEE COMPANY TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RECOGNIZING THAT THE FOLGER COFFEE COMPANY IS A "QUALIFIED BUSINESS" AS DEFINED IN SECTION 2303.402 OF THE TEXAS ENTERPRISE ZONE ACT AND MEETS THE CRITERIA FOR DESIGNATION AS AN ENTERPRISE PROJECT, AS SET FORTH IN SECTION 2303, SUBCHAPTER F OF THE ACT; AND NOMINATING THE FOLGER COFFEE COMPANY TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT.

Mr. Hefton explained that this specific item is a follow up of Ordinance 5634, however the resolution relates to a request by Folgers Coffee Company for the purchase of additional equipment for their Sherman operation. They are not requesting any local incentives, but this is a requirement to qualify for the State's Enterprise Zone Program.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5446, as presented. Second by Council Member Steele.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

RES 5447
K-4, PHASE II
SEWER

<u>RESOLUTION NO. 5447 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO AN AGREEMENT WITH VESCOR INC. DBA VESSELS CONSTRUCTION FOR THE CONSTRUCTION OF THE K-4 PHASE II SEWER BETWEEN TURTLE CREEK WEST AND LAMBERTH ROAD</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO AN AGREEMENT WITH VESCOR INC. DBA VESSELS CONSTRUCTION FOR THE CONSTRUCTION OF THE K-4 PHASE II SEWER BETWEEN TURTLE CREEK WEST AND LAMBERTH ROAD.
CONSENT AGENDA.

RES 5448
WASTEWATER TREATMENT PLANT FINE SCREEN IMPROVEMENTS

<u>RESOLUTION NO. 5448 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO A CONTRACT WITH JR SHELDON CO., INC. FOR THE CONSTRUCTION OF FINE SCREEN IMPROVEMENTS AT THE SHERMAN WASTEWATER TREATMENT PLANT</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ENTER INTO AN AGREEMENT WITH JR SHELDON CO., INC. FOR THE CONSTRUCTION OF FINE SCREEN IMPROVEMENTS AT THE SHERMAN WASTEWATER TREATMENT PLANT.
CONSENT AGENDA.

RES 5449
CARRUS MEDICAL PLAZA DEVELOPMENT AGREEMENT

<u>RESOLUTION NO. 5449 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH SDB PARTNERS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN THE CARRUS MEDICAL PLAZA ADDITION TO THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH SDB PARTNERS, LLC. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN THE CARRUS MEDICAL PLAZA ADDITION TO THE CITY OF SHERMAN.
CONSENT AGENDA.

RES 5450
EASEMENT FOR POWER LINE AT PECAN GROVE PARK

<u>RESOLUTION NO. 5450 – AUTHORIZING EXECUTION OF AN EASEMENT TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE PLACEMENT OF A SINGLE PHASE OVERHEAD POWER LINE IN A 15' ELECTRIC UTILITY AND RIGHT-OF-WAY EASEMENT AT PECAN GROVE PARK</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EASEMENT TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE PLACEMENT OF A SINGLE PHASE OVERHEAD POWER LINE IN A 15' ELECTRIC UTILITY AND RIGHT-OF-WAY EASEMENT AT PECAN GROVE PARK.
CONSENT AGENDA.

RES 5451
FIRE DEPT.
BUNKER GEAR

RESOLUTION NO. 5451 – AUTHORIZING THE PURCHASE OF BUNKER GEAR FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF BUNKER GEAR FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES.
CONSENT AGENDA.

RES 5452
RESALE OF PROPERTY FOR DELINQUENT TAXES (706 & 707 E. JONES)

RESOLUTION NO. 5452 – AUTHORIZING EXECUTION OF DEEDS FOR THE RESALE OF TWO TRACTS OF LAND AT 706 EAST JONES STREET AND 707 EAST JONES STREET, SEIZED FOR DELINQUENT TAXES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF DEEDS FOR THE RESALE OF TWO TRACTS OF LAND AT 706 EAST JONES STREET AND 707 EAST JONES STREET, SEIZED FOR DELINQUENT TAXES.
CONSENT AGENDA.

REQ TO ADVERTISE
TRINITY WELL EVALUATION

REQUEST TO ADVERTISE
STEPHENS #2 TRINITY WELL EVALUATION

The City Council approved the request to advertise to evaluate the condition of the Stephens #2 Trinity Well to determine the feasibility of repairs. The well is performing poorly and the staff needs to determine whether to repair or abandon the well. A separate contract will be needed if repairs are warranted.
CONSENT AGENDA.

OTHER BUSINESS

POLICE ONLINE CRIME MAPPING PROGRAM

RECEIVE POLICE DEPARTMENT'S PRESENTATION ON THE PURCHASE OF AN ONLINE CRIME MAPPING PROGRAM

Police Captain Otis Henry briefed the City Council on the Police Department's purchase of an online crime mapping program. The program is a web based software program, available at www.crimereports.com. The program will provide basic statistics and crime mapping for specific criminal activity.

He demonstrated use of the program and used Paris, Texas, as an example. Data can be sorted by crime type or by date. Current information is available for the past 3 days, the past 7 days, the past 14 days, or the past 30 days. Data can also be accessed for preceding years.

Captain Henry said the City's information contained in the Computer Aided Dispatch (CAD) System and the Records Management System would be electronically transferred to the company and they update the program every 24 hours. He added that one additional benefit is that police action in a certain area can easily be tracked. The City can select the specific categories they wish for the data to include.

Council Member Steele verified that the information would be available to any citizen over the Internet. Captain Henry said cost of the program is $1,200 per year. Deputy Mayor Smith verified that the first year of the program will be paid for by grant funding.

George Olson, City Manager, added that the program is a good benefit for the citizens, but the time it will save the City staff will be a big cost savings.

Captain Henry added that the program will also assist officers by allowing them to map crime in a specific "beat" area so they can see what's happening in their area. This will also assist them to determine if there is a pattern to the criminal behavior.

CITIZENS REQUESTS
WATER BILL INCREASE

WATER BILL INCREASE

Deloris Rockins, 510 N. Montgomery, said she previously lived at 533 E. Brockett Street and still pays a water bill at that location. She was concerned about the increase in her water bill during this past year from $32 per month to $44 per month. She originally requested her deposit back but now wants to ask the City Council to reduce the cost on the water bills.

Deputy Mayor Smith explained that the City's next Budget Work Session will be held in June or July 2010, and the issue will be discussed at that time.

MEDIA QUESTIONS
MERRY CHRISTMAS

MERRY CHRISTMAS

Kathy Williams, Herald Democrat Reporter, wished everyone a Merry Christmas.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
AIRPORT ADVISORY BOARD (2)

AIRPORT ADVISORY BOARD

ACTION TAKEN.

> Motion by Council Member Wacker to appoint Benjamin Bond to the Airport Advisory Board for a term from December 22, 2009 to December 22, 2011, as presented. Second by Council Member Steele.

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS
MERRY CHRISTMAS

MERRY CHRISTMAS

Council Members wished everyone a Merry Christmas and safe travel through the holidays. Deputy Mayor Smith urged everyone to remember "the reason for the season."

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: CONSIDER THE QUALIFICATIONS, APPOINTMENT OR REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: GREATER TEXOMA UTILITY AUTHORITY BOARD (2)**
SECTION 551.087	**DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM BUSINESS PROSPECTS AND DELIBERATE ANY OFFERS OF INCENTIVES TO THE BUSINESS PROSPECTS, INCLUDING THE FOLLOWING: PROJECT FRONTIER**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:25 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:46 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.

GTUA BOARD

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
GREATER TEXOMA UTILITY AUTHORITY BOARD (2)
ACTION TAKEN.

> **Motion by Council Member Wacker to reappoint George Rowland and Bill Johnson to the Greater Texoma Utility Authority Board of Directors for a term from December 31, 2009 to December 31, 2011, as presented. Second by Council Member Softly.**

VOTING AYE: Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:48 p.m.

DEPUTY MAYOR

CITY CLERK