STATE OF TEXAS §

June 20, 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 June 20, 2016.

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

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.

PUBLIC HEARING

APPEAL FOR A VARIANCE TO ALLOW BEER AND WINE SALES WITHIN 300 FEET OF A SCHOOL (CRUTCHFIELD ELEMENTARY); MANJINDER SINGH, OWNER, SIDAK PETRO #2, LOCATED AT 415 SOUTH DEWEY AVENUE — **VARIANCE TO ALLOW BEER & WINE SALES WITHIN 300 FEET OF CRUTCHFIELD ELEMENTARY SCHOOL**

Mayor Plyler called for a public hearing on the appeal for a variance to allow beer and wine sales within 300 feet of Crutchfield Elementary School, located at 415 S. Dewey Avenue.

Manjinder Singh, owner of Sidak Petro #2, the convenience store located at 415 S. Dewey, addressed the Council noting his business has been operation since 2011. He stated with other businesses selling beer and wine, he feels in order to remain in business, he must do the same. His store currently sells cigarettes and has had no issues with regards to violations of selling to minors. Mr. Singh has submitted an appeal for a variance to allow his business to sell beer and wine within 300 feet of a school (Crutchfield Elementary) and requested the City Council's consideration in granting his request.

No other citizens appeared before the City Council to discuss the appeal for a variance to allow beer and wine sales within 300 feet of Crutchfield Elementary School.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 5956 and called for a public hearing: — **ORD 5956 CLOSE & VACATE EASEMENT AT PECAN GROVE VILLAGE (1719 MORELAND DR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND VACATING A CERTAIN EASEMENT LOCATED WITHIN LOTS SEVEN (7) AND EIGHT (8) IN BLOCK "H" OF PECAN GROVE VILLAGE, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, ALSO BEING KNOWN AS 1719 MORELAND DRIVE, SHERMAN, TEXAS; PROVIDING FOR THE REVERSION OF INTEREST TO THE OWNERS OF SAID PROPERTY.

No citizens appeared before the City Council to discuss Ordinance No. 5956.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5956

ORD 5956 CLOSE & VACATE EASEMENT AT PECAN GROVE VILLAGE (1719 MORELAND DR)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND VACATING A CERTAIN EASEMENT LOCATED WITHIN LOTS SEVEN (7) AND EIGHT (8) IN BLOCK "H" OF PECAN GROVE VILLAGE, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, ALSO BEING KNOWN AS 1719 MORELAND DRIVE, SHERMAN, TEXAS; PROVIDING FOR THE REVERSION OF INTEREST TO THE OWNERS OF SAID PROPERTY.

ACTION TAKEN.

Motion by Deputy Mayor Sofey to adopt Ordinance No. 5956, as presented. Second by Council Member Couch.

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

OTHER BUSINESS

CONSIDER THE APPEAL FOR A VARIANCE TO ALLOW BEER AND WINE SALES WITHIN 300 FEET OF A SCHOOL (CRUTCHFIELD ELEMENTARY); MANJINDER SINGH, OWNER, SIDAK PETRO #2, LOCATED AT 415 SOUTH DEWEY AVENUE

VARIANCE TO ALLOW BEER & WINE SALES WITHIN 300 FEET OF CRUTCHFIELD ELEMENTARY SCHOOL

Mayor Plyler advised this topic would be moved up in the agenda in order to discuss at this time.

Brandon Shelby, City Attorney, explained that Mr. Singh is appealing the City's distance requirements as adopted from TABC, for the sale of beer and wine within 300 feet of an elementary school, which is measured property line to property line. He noted Mr. Singh's property line is 70 feet from Crutchfield Elementary School's property line. He also noted TABC will likely deny Mr. Singh's permit if the City does not grant this variance, however, there are additional rights Mr. Singh will have if denied by TABC.

Mr. Shelby reported it is his understanding that the City has never granted a variance of this type. Council Member Steele recalled from prior service on the City Council, beer and wine sales were not permitted at this location because of not only the elementary school, but the North Texas Youth Connection is just around the corner. Council Member Davis recalls previous problems with alcohol sales by the Piggly Wiggly on the West side of town as well, due to Wakefield Elementary School, but they were eventually allowed to sell beer and wine.

Scott Shadden stated they replatted their lots and were able to move their property lines. Council Member Davis asked how far Mr. Singh's front door was from the property line

and it was stated it is 434 feet. It was also noted from his building to the school's property line, it is 240 feet.

Council Member Couch inquired why after being in business at that location for five (5) years, Mr. Singh is just approaching the Council for approval to sell beer and wine and has stated if not approved, will have to close his business. Mr. Singh explained the past two (2) years have been very tough financially and sales have become less and less every day, with other nearby stores selling beer and wine. He noted this appeal is his last chance to keep his business open.

The Council discussed and clarified that from Mr. Singh's property line to the elementary school's property line, it is only 70 feet. A map illustrating the property lines was reviewed by Council Members.

Council Member Watt inquired if there are any other elementary schools with liquor sales less than 300 feet, to which Mr. Shadden replied, there is not. Council Member Couch asked when the Ordinance regarding distance requirements was approved. Linda Ashby, City Clerk, stated the election to approve the Ordinance was in 2005.

Robby Hefton, City Manager, spoke with the SISD Superintendent and noted he is neutral on the issue and states he would follow whatever lead the Sherman City Council gives on the issue. Mr. Singh noted he too, has spoken with SISD, along with TABC and both have stated it is up to the Sherman City Council to approve his request.

Council Member Davis asked if this requirement is TABC's regulation and Mr. Shelby noted, it is TABC's suggested requirement. He also noted schools can petition for a 1,000 feet restriction instead of 300 feet, but SISD has not. Mr. Singh stated in Dallas, there are convenience stores selling beer and wine next door to schools. He also noted his store here in Sherman is next to an elementary school and not a high school, in which students could potentially attempt to purchase beer and wine. Mr. Singh stated he is current with all property and personal taxes, paying approximately $35,000 per year. Council Members determined they would discuss this issue further in Executive Session.

CONSENT AGENDA **CONSENT AGENDA**

The Council reviewed the Consent Agenda. Mayor Plyler removed Item F-3 entitled "Consider Request of Downtown Sherman Preservation & Revitalization to Temporarily Close Certain Streets for "Christmas in July" on Saturday, July 9, 2016" and Council Member Couch removed Item C-3 entitled "Resolution No. 6096 – Approving a contract with Principle Industrial Services, LLC for the Repair and Repainting of the Harrison Elevated Storage Tank" from the Consent Agenda, for consider in their regular order of business.

Council Member Davis moved to approve the Consent Agenda, with the exception of Item C-3 and Item F-3, which will be considered in their regular order of business. Second by Council Member Watt. All present voted AYE.

RESOLUTIONS

RES 6094 PURCHASE OF CARRIAGE ESTATES WATER SYSTEM

RESOLUTION NO. 6094 – AUTHORIZING EXECUTION OF A CONTRACT WITH LASS WATER SUPPLY OF MAGNOLIA, TEXAS, FOR THE SALE AND PURCHASE OF A WATER SYSTEM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH LASS WATER SUPPLY OF MAGNOLIA, TEXAS, FOR THE SALE AND PURCHASE OF A WATER SYSTEM. FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mr. Hefton, proudly announced after months of working with the State of Texas, we finally have a signed contract for the purchase and turnover of the Carriage Estates Water System. This contract is being presented before the City Council tonight for review and approval. Mark Gibson, Director of Utilities, will be developing a plan for the installation of the new water lines and meters.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6094, as presented. Second by Deputy Mayor Sofey.

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

Mayor Plyler thanked Mr. Hefton and the City Staff for their hard work with this contract and project.

RES 6095 FM 1417 WIDENING PROJECT FROM WASHINGTON ST. TO SOUTH OF HWY 82

RESOLUTION NO. 6095 – AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH H.W. LOCHNER, INC. FOR THE SCHEMATIC DESIGN LAYOUT AND ENVIRONMENTAL STUDIES FOR THE WIDENING OF F.M. 1417 (HERITAGE PARKWAY) FROM WASHINGTON STREET TO JUST SOUTH OF U.S. HIGHWAY 82 PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH H.W. LOCHNER, INC. FOR THE SCHEMATIC DESIGN LAYOUT AND ENVIRONMENTAL STUDIES FOR THE WIDENING OF F.M. 1417 (HERITAGE PARKWAY) FROM WASHINGTON STREET TO JUST SOUTH OF U.S. HIGHWAY 82 PROJECT. FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Clay Barnett, Director of Public Works and Engineering, noted this was first discussed during the Transportation Summit back in January. He stated one of the ways to

partner with our State and use more resources in the City of Sherman is by leveraging local funds. This is the first project presented regarding local funds and was chosen due to the number of recent traffic accidents, as well as the growth and development along the Highway 1417 Corridor. He stated this the schematic design and environmental studies are presented and noted this will be right-of-way we will need, so that when TxDOT is ready to proceed with the roadway, we will already have the alignment and right-of-way in hand. The contract is for $376,000. Mr. Barnett then introduced consultants with Lochner, that were present at the meeting.

ACTION TAKEN.
Motion by Council Member Steele to approve Resolution No. 6095, as presented. Second by Council Member Johnson.
VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 6096
HARRISON ELEVATED STORAGE TANK REPAIR/REPAINTING

RESOLUTION NO. 6096 – APPROVING A CONTRACT WITH PRINCIPLE INDUSTRIAL SERVICES, LLC FOR THE REPAIR AND REPAINTING OF THE HARRISON ELEVATED STORAGE TANK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A CONTRACT WITH PRINCIPLE INDUSTRIAL SERVICES, LLC FOR THE REPAIR AND REPAINTING OF THE HARRISON ELEVATED STORAGE TANK. FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Council Member Couch removed Item C-3 from the Consent Agenda for consideration in its regular order of business.
Council Member Couch asked if the City logo would be placed on the storage tank, to which Mark Gibson, Director of Utilities replied, Yes.

ACTION TAKEN.
Motion by Council Member Couch to approve Resolution No. 6096, as presented. Second by Council Member Davis.
VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 6097
WWTP BIOSOLIDS DEWATERING FACILITY

RESOLUTION NO. 6097 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH WE BUILD, INC. DBA HWH INDUSTRIAL FOR CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT BIOSOLIDS DEWATERING FACILITY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH WE BUILD, INC. DBA HWH INDUSTRIAL FOR CONSTRCTION OF

THE WASTEWATER TREATMENT PLANT BIOSOLIDS DEWATERING FACILITY. FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.
CONSENT AGENDA.

RES 6098
WTP EAST SLUDGE BASIN CLEANING

RESOLUTION NO. 6098 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WATER TREATMENT PLANT EAST SLUDGE BASIN CLEANING
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WATER TREATMENT PLANT EAST SLUDGE BASIN CLEANING. FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.
CONSENT AGENDA.

REQ TO ADVERTISE DOWNTOWN SIDEWALK PANEL REPLACEMENTS, GRAND AVE PEDESTRIAN CROSSING, MEADOWS CIRCLE PAVING

REQUEST TO ADVERTISE MISCELLANEOUS SIDEWALK PANEL-REPLACEMENTS IN DOWNTOWN, GRAND AVENUE PEDESTRIAN CROSSING, AND MEADOWS CIRCLE PAVING PROJECTS
The City Council approved the request to advertise for Miscellaneous Sidewalk Panel Replacements in Downtown, Grand Avenue Pedestrian Crossings, and Meadows Circle Paving Projects.

The project will replace sidewalk panels in the downtown area, provide improved crossing safety at locations on Grand Avenue, and repair the cul-de-sac on Meadows Circle. The project is funded in the City's Capital Improvement Program.
CONSENT AGENDA.

SOLID WASTE SITE IMPROVEMENTS

SOLID WASTE SITE IMPROVEMENTS PROJECT INCLUDING THE CONSTRUCTION AND INSTALLATION OF A CART BARN, TRUCK SHED AND CONCRETE EMPLOYEE PARKING LOT
The City Council approved the request to advertise for Solid Waste Site Improvements Project, including the construction and installation of a cart barn, truck shed and concrete employee parking lot. The project was approved for $300,000 in the FY 2016 Budget and will be funded from the Solid Waste Fund.

The project includes construction of a larger-capacity cart barn, to address the increasing demand for solid waste curbside services for both residential and commercial customers. It will also provide covered parking for the Solid Waste truck fleet, and will provide a concrete parking area for employees and citizens in front of the Solid Waste office.
CONSENT AGENDA.

CHANGE ORDER NO. 1
APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO EXECUTE CHANGE ORDER NO. 1 FOR CONSTRUCTION OF THE SHERMAN WASTEWATER TREATMENT PLANT BIOSOLIDS DEWATERING PROJECT

CHANGE ORDER WWTP BIOSOLIDS DEWATERING PROJECT

The City Council approved the Greater Texoma Utility Authority's intention to execute Change Order No. 1 to We Build, Inc., dba HWH Industrial, for construction of the Wastewater Treatment Plant Biosolids Dewatering Project.
Dewatering press equipment bids were also taken at the same time as the bids were receive for construction. These bids included screw presses, sludge pumping equipment, and polymer system equipment.

Andritz Separation Inc. submitted the low bid for he dewatering equipment in the amount t of $508,640. The estimated allowance for this equipment in the project bid process was $775,000. The difference between the actual equipment low bid and the estimate allowance included in the general contract bid is $266,360.

This Change Order results in a decrease of $266,360 in the original project price, with a revised contract amount of $1,832,019.
CONSENT AGENDA.

CONSIDER THE ABATEMENT OF SUBSTANDARD STRUCTURES AT THE FOLLOWING LOCATIONS:

- **1323 EAST CHERRY (EAST SIDE ADDN, BLOCK 2, LOT PT 2), LIVIA RICKETTS DOUGLAS, OWNER**
- **817 EAST LAMAR (CHAFFINS 1ST ADDN, BLOCK 11, LOT 9 & 10), MARSHALL D. FULMER, OWNER**
- **1525 NORTH SHANNON (SHANNON R E 1ST ADDN, BLOCK 3, LOT PT 1), CECIL R. CROCKETT, OWNER**

SUBSTANDARD STRUCTURES ABATEMENT

Don Keene, Assistant City Manager, stated there were seven (7) substandard structures discussed at the City Council meeting two weeks ago, with owners from three (3) of these properties addressing the Council and requesting additional time to possibly bring their structures up to code. He noted since that time, a signed release has been obtained from Mr. Crockett (1525 North Shannon) to demolish the structure. Mr. Crockett will be provided three (3) weeks to remove all items prior to demolition. We currently have a bid of $5,500 to perform the necessary work after three weeks.

Mr. Keene also reported with regards to the 817 East Lamar property, Mr. Fulmer has made some progress and is present tonight to provide an update. With regards to the property at 1323 East Cherry, the City has heard nothing from Mr. Ricketts on any progress.

ACTION TAKEN.

Motion by Council Member Couch to remove consideration of the abatement of Substandard Structures at 1323 E. Cherry Street, 817 E. Lamar Street, and 1525 N. Shannon Street, from table for consideration by the City Council. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED TO REMOVE FROM TABLE.

Mr. Fulmer, owner of the property located at 817 E. Lamar, then addressed the Council and thanked them for working with him and providing time for him to make the necessary repairs to his property. He reported progress with his property is moving along great. He stated one of the major areas of concern, the front porch, is now sound at a cost of just under $1,000, the back porch is two days away from completion and all other structural work should be completed by this Friday. The roof is being handled by a local roofer and window panes are being removed and reglazed within the next two days. He noted he has allotted three (3) days for repairing the floor damage and cleaning the inside of the house to prepare for painting. The plan for painting the exterior is planned for three (3) days in the following week, including scrapping, power washing and painting the entire exterior. He noted, these repairs will not only bring the house up to code, but his house will stand out as one of the best looking houses on East Lamar. He discussed his budget of $10,000 and how that was being spent and noted his intention is to move back into his house no later than August 1st.

Mr. Ricketts, representative for the property located at 1323 E. Cherry, addressed the Council, noting he was in the process of getting the property legally changed to his name. He stated the cars will be removed this weekend, the painter, who was scheduled last Saturday, but due to health issues, was delayed, will also be there this Saturday. Mr. Ricketts stated he needs additional time for repairs.

Council Member Davis asked if Mr. Ricketts had a chance to get quotes from contractors to determine the cost to bring the property up to code. Mr. Ricketts stated he has had three different contractors take a look at the property with bids received from $1,500 to $2,500 and he has decided to go with the $2,500 bid.

Robby Hefton noted he felt the cost would be three times that amount in just materials and he feels the $2,500 bid is very low.

Mayor Plyler stated he recommends both Mr. Ricketts and Mr. Fulmer be provided an additional twenty (20) days and then City Staff can review the progress at that time.

Council Member Davis noted both property owners would need to acquire all the necessary building permits.

Mr. Fulmer stated since he was not remodeling, but only repairing, he was unaware he needed permits.

Scott Shadden, Director of Development Services, stated if there are changes to anything structurally, such as adding walls, moving windows or doors, bringing the roof, electric, plumbing or HVAC up to code, a permit is required.

Robby Hefton directed Mr. Fulmer and Mr. Ricketts to come in with their entire plans and work with Scott Shadden and

his department on the necessary permits, ensuring not only are the properties up to code, but safe.

Council Member Couch asked Mr. Ricketts what has been completed at the property, to which Mr. Ricketts stated the cars are being removed, but he hasn't been able to complete much as his sister has been ill. Council Member Couch reminded Mr. Ricketts that the Council wanted to see progress, including him putting the house in his name so he could speak on behalf of the property and progress has not happened at this point.

Council Member Davis clarified with Scott Shadden, that a plan can merely be written on a piece of paper, to which Mr. Shadden stated it does not require an architect, but it needs to be clear and to scale.

Council Member Steele asked if the building permits provide a deadline. Mr. Shadden stated the permits are in effect for twelve (12) months, unless otherwise specified by the Council.

Council Member Steele reiterated that with Mayor Plyler's recommendation, if an additional twenty (20) days is granted to provide time to pull permits and show progress is being made, at that end of that time, the City Staff can review the progress and make a decision without having to return to the Council for approval of their decision.

Council Member Couch stated the Council previously discussed providing 120 days for the owners to bring their properties to code, to which he feels is ample time. However, he did voice is disagreement in providing any additional time to Mr. Ricketts, as no progress has occurred since the last meeting in which additional time was provided.

Robby Hefton reminded the Council and those present that the City's goal is not to automatically tear down the homes, but provide notice and time for the owners to either bring them up to code or they would then be demolished. He recognized that Mr. Fulmer is working diligently and the staff

is willing to work with any owners to assist in moving forward with progress. However, he stated unless the Council makes the decision tonight to demolish the structures unless the properties are brought up to code, "a standing order for demolition in 120 days (4 months) if not completed", the staff will still need to return to the Council for approval to demolish.

Mr. Hefton also advised that during the last Council meeting, there were three structures that were provided additional time, but one of the owners determined after looking at the necessary costs to bring his structure up to code, that he would sign the release for demolition.

Council Member Davis clarified if the Council made a motion to give the property owners twenty (20) days to pull the necessary permits and finish the repairs in 120 days and there would be no demolish. However, if not completed in 120 days, the Council could then give staff the authority to proceed with demolition at the end of this time, if the structures were not brought up to code.

Council Member Couch stated he would recommend the owners be provided ten (10) business days to pull permits versus twenty (20). Council Member Sofey stated it is sometimes difficult to find a contractor and obtain a bid within ten (10) days.

Robby Hefton stated if the property owners are making progress, such as the noted progress Mr. Fulmer has already made, the staff is willing to work with them. However, if there is no progress, the staff will have the standing order for demolition.

Council Member Couch stated he feels there must be a sense of urgency and owners must be held accountable.

ACTION TAKEN.

> **Motion by Council Member Steele to issue a standard demolition order, contingent upon these properties having permits pulled within twenty (20) days and give staff the authority to follow through as necessary to determine if the structures need to be demolished or are brought to code within 120 days. Second by Council Member Davis.**

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

Robby Hefton noted if property owners are making great progress at 120 days, for example 90% complete, the staff is willing to work with them.

Mr. Hefton encouraged the owners to prepare their plan, get with Development Services and work with Scott Shadden and his staff on pulling the necessary permits.

CLOSE STREETS "CHRISTMAN IN JULY" (JULY 9, 2016)

CONSIDER REQUEST OF DOWNTOWN SHERMAN PRESERVATION & REVITALIZATION TO TEMPORARILY CLOSE CERTAIN STREETS FOR "CHRISTMAS IN JULY" ON SATURDAY, JULY 9, 2016

Mayor Plyler removed Item F-3 from the Consent Agenda for consideration in its regular order of business.

Karen Tooley addressed the City Council, noting this is the fourth (4th) year for the Christmas in July event, in which the downtown merchants participate. She noted they are expecting 1,000 children this year, which is twice the number of children that participated last year. Ms. Tooley noted with the increased number of children, DSP&R is requesting closure of Travis Street, between Lamar and Houston Streets, and Crockett Street, between Lamar and Houston Streets from 7:00 a.m. until 2:00 p.m.

It was noted, if the request is approved, barricades and cones would be provided by the Street Department and trash receptacles would be provided by the Solid Waste Department. DSP&R will work with the Police Department for security officers and they have been instructed that emergency vehicle accessibility must be maintained throughout the closed streets at all times.

ACTION TAKEN.

Motion by Council Member Johnson to approve the request of Downtown Sherman Preservation & Revitalization to temporarily close certain streets for "Christmas in July" on July 9, 2016, as presented. Second by Council Member Watt.

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

CLOSE STREETS CRISIS CENTER "SEEDS OF HOPE MOONLIGHT 5K & FUN RUN" (SEPT. 24, 2016)

CONSIDER REQUEST OF THE CRISIS CENTER OF GRAYSON COUNTY TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "SEEDS OF HOPE MOONLIGHT 5K & FUN RUN" ON SATURDAY, SEPTEMBER 24, 2016

The City Council approved the request of the Crisis Center of Grayson County to temporarily close certain streets for the "Seeds of Hope Moonlight 5K & Fun Run" on September 24, 2016.

The event is a night run and will begin at 7:00 p.m. on City streets. It will include a live band, concession stand, and other activities around the Grayson County Court House. The Crisis Center plans to apply for an alcohol permit from the Texas Alcoholic Beverage Commission to provide free beer to participants after the race.

The run will require traffic control assistance, barricades, and cones from the City.
CONSENT AGENDA.

CITIZENS REQUESTS

CREEK TREE TRIMMING

CREEK TREE TRIMMING

J. J. McGrath, a Sherman resident and local business owner, addressed the Council and noted he has been contracted by Hoyte Dodge to create a network link between two of their buildings, which are their car dealership along Highway 75 and their new engine shop on Travis Street. Mr. McGrath noted there has been problems with tree coverage between the two properties, as well as the creek that runs behind them. He asked the Council for approval of tree trimming, to be paid by Hoyte Dodge or permission to erect a fifty (50) foot tower to get above the trees.

Robby Hefton, Don Keene, Council Members and Scott Shadden discussed property lines with regards to creeks and it was noted, the City does not own creeks. With regards to specific property lines, Don Keene requested Scott Shadden and Clay Barnett determine and this information would be provided to Mr. McGrath and Hoyte Dodge.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

COUNCIL COMMENTS

Council Member Davis asked how the recent blood drive (Sherman Police vs. Sherman Firefighters) went. Fire Chief Danny Jones reported over 100 pints were collected and Chief Otis Henry stated Sherman Police won.

Council Member Jason Sofey provided an update on development projects, noting getting water to that end of the City, building our tax base and progress on Highway 1417. He noted there is forward thinking progress for plan development.

Council Member Tom Watt thanked the City Staff for their contributions to the Juneteenth celebration this past weekend, making for a well organized, good time. He also noted the Sherman Police Department won the blood drive by six pints, as he brought six people with him, all casting their votes for the "good guys".

Council Member Johnson congratulated Old Iron Post on their one year anniversary this past Saturday, noted she was looking forward to Lights on the Lake and requested prayer for the Council as they enter Budget Session all day tomorrow.

ANNOUNCEMENTS **ANNOUNCEMENTS**

Mayor Plyler thanked everyone involved in Juneteenth, noting it was a great Saturday. He also reminded everyone of the upcoming Hot Summer Nights concert this Thursday with Mike McClure performing.

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 551.071	**CONSULTATION WITH CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER: CONSULT WITH THE CITY ATTORNEY REGARDING LEGAL ISSUES**
SECTION 551.074	**PERSONNEL MATTERS: CONSIDER THE QUALIFICATION, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: SHERMAN HOUSING AUTHORITY BOARD (2)** **DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE**
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 5:48 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:15 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.

CONSIDER THE APPEAL FOR A VARIANCE TO ALLOW BEER AND WINE SALES WITHIN 300 FEET OF A SCHOOL (CRUTCHFIELD ELEMENTARY); MANJINDER SINGH, OWNER, SIDAK PETRO #2, LOCATED AT 415 SOUTH DEWEY AVENUE

VARIANCE TO ALLOW BEER & WINE SALES WITHIN 300 FEET OF CRUTCHFIELD ELEMENTARY SCHOOL (APPEAL DENIED)

ACTION TAKEN.

Motion by Council Member Couch to deny the appeal for a variance to allow beer and wine sales within 300 feet of Crutchfield Elementary School, at Sidak Petro #2, located at 415 S. Dewey Avenue. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED TO DENY THE APPEAL.

HOUSING AUTHORITY BOARD (2)

HOUSING AUTHORITY BOARD

ACTION TAKEN.

Motion by Council Member Davis to reappoint Craig Anthony Davis, Sr. to the Housing Authority Board for a term from July 8, 2016 to June 1, 2018. and to appoint David Michael Ditto to fill an unexpired term from June 21, 2016 to June 1, 2017. Second by Council Member Couch.

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

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:19 p.m.

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MAYOR

_____
CITY CLERK