

STATE OF TEXAS

§

June 20, 2011

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, 2011.

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

MEMBERS ABSENT: COUNCIL MEMBER HOWETH.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 6, 2011. Council Member Wacker moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

RECOGNIZING CHARLES H. BROWN, SR. FOR HIS SERVICE ON THE CIVIL SERVICE COMMISSION

Mayor Magers presented a plaque and proclamation to Charles H. Brown, Sr. recognizing him for his service on the Civil Service Commission from May 29, 2002 through May 29, 2011.

CHARLES H.
BROWN, SR.
CIVIL SERVICE
COMMISSION

PUBLIC HEARING

FINAL STATEMENT / ACTION PLAN FOR PROGRAM YEAR 2011 COMMUNITY DEVELOPMENT BLOCK GRANT

Mayor Magers said the Public Hearing was for discussion on the proposed Final Statement / Action Plan for the 2011 Program Year Community Development Block Grant.

CDBG PUBLIC
HEARING

No citizens appeared before the City Council to discuss the Final Statement / Action Plan for Program Year 2011 Community Development Block Grant.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5701 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.09, ENTITLED "EMERGENCY MANAGEMENT", TO PROVIDE FOR A NEW DIVISION 3 TO BE ENTITLED "EMERGENCY SERVICE FEE" PROVIDING FOR THE EXECUTION OF CONTRACTS WITH SERVICE PROVIDERS; PROVIDING FOR INCLUSION IN THE CODE OF

ORD 5701
EMERGENCY
SERVICE FEE

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ORDINANCES; PROVIDING FOR SEVERABILITY;
PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5701.

Mayor Magers introduced Ordinance 5702 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", AT ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026 TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER.

ORD 5702
FIREFIGHTER
POSITIONS

No citizens appeared before the City Council to discuss Ordinance 5702.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5701

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.09, ENTITLED "EMERGENCY MANAGEMENT", TO PROVIDE FOR A NEW DIVISION 3 TO BE ENTITLED "EMERGENCY SERVICE FEE" PROVIDING FOR THE EXECUTION OF CONTRACTS WITH SERVICE PROVIDERS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5701
EMERGENCY
SERVICE FEE

Council Member Wacker asked if this money would be paid to the State and then be reimbursed to the City. Ken Francis, Sherman Police Captain, explained that 911 cell phone fees are gathered by the State and reapportioned to the cities based on population. These fees would be for land lines only.

Ordinance 5702

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", AT ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026 TO AMEND THE NUMBER OF AUTHORIZED POSITIONS IN THE FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER.

ORD 5702
FIREFIGHTER
POSITIONS

Council Member Adami verified that the change was at the request of Jeff Jones, Fire Chief.

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ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance Nos. 5701 and 5702, as presented. Second by Council Member Wacker.

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

VOTING NAY: None.

MOTION CARRIED.

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.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5580 – AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT / ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2011; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2011

**RES 5580
COMMUNITY
DEVELOPMENT
BLOCK GRANT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT / ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2011; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2011.

CONSENT AGENDA.

Council Member Wacker verified that \$171,000 of the CDBG funding was for housing rehabilitation to help home owners. George Olson, City Manager, said that allocation was reduced by \$58,000 this year.

RESOLUTION NO. 5581 – AUTHORIZING THE EXPENDITURE OF THREE THOUSAND DOLLARS (\$3,000.00) IN MATCHING FUNDS TO THE TEXOMA COUNCIL OF GOVERNMENTS FOR TRANSPORTATION PLANNING

**RES 5581
TCOG MATCHING
FUNDS 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 ACOUNCIL OF GOVERNMENTS FOR TRANSPORTATION PLANNING.

CONSENT AGENDA.

Mayor Magers verified that this was for matching funds for the Metropolitan Planning Organization (MPO).

CITIZENS REQUESTS

There were no citizens requests.

MEDIA QUESTIONS

KATHY WILLIAMS LEAVING THE SHERMAN HERALD DEMOCRAT

Kathy Williams, Reporter with the Herald Democrat, said this would be her last Regular City Council Meeting. She thanked the staff and City Council for being so wonderful about their coverage and for being so open and conducting their business in such a business-like manner. She added that it had been a pleasure covering the City Council.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS:

RED RIVER GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS (1)

ACTION TAKEN.

Motion by Council Member Smith to reappoint George Olson to the Red River Groundwater Conservation District Board of Directors for a term from August 31, 2011 to August 31, 2015. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

Mayor Magers added that there are still a few hurdles to cross for the Groundwater District. He said Mr. Olson has been singled out numerous times for his professionalism and the way he handles himself. He added that the City Council appreciates his leadership.

COUNCIL COMMENTS

HERALD DEMOCRAT REPORTER

Council Member Adami told Herald Democrat Reporter Kathy Williams that the City Council appreciates her coverage. He added that she is "fair and balanced" and he felt she always accurately presented the facts and what transpired during Council Meetings. Council Member Adami said he appreciated all her work over the years.

YOUTH CENTER AND SHERMAN ECONOMIC DEVELOPMENT CORPORATION MOVING

Council Member Adami said recent coverage in the newspaper indicated that the City of Sherman and Sherman Economic Development Corporation were able to come to an agreement on the leasing of the Youth Center by SEDCO.

He felt that the City Council should have been able to review the lease proposal prior to the agreement and asked that in the future similar situations be reviewed by the City Council for their input.

CITIZENS REQUESTS

KATHY WILLIAMS
LEAVING THE
HERALD DEMOCRAT

RED RIVER
GROUNDWATER
CONSERVATION
DISTRICT BOARD
OF DIRECTORS

HERALD DEMOCRAT
REPORTER

YOUTH CENTER &
SEDCO MOVING

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Council Member Adami said he would like to see a breakdown of SEDCO's plans for the property and the plans and budget for the Glennie O. Ham Center. He also wanted to know what happens to the services that are currently being performed at the Youth Center and where those will go, as well as the transition period.

He added that those decisions are things that probably should be "run through" the Sherman City Council to get their input and feedback.

HERALD DEMOCRAT REPORTER

Council Member Wacker thanked Mrs. Williams for her service to the City and the citizens through her reporting.

HERALD DEMOCRAT
REPORTER

COUNCIL COMMENTS

Council Member Softly said he would like to "ditto" Council Member Adami and what he just said.

COUNCIL COMMENTS

CONGRATULATIONS TO CHARLES BROWN, SR.

Council Member Softly recognized the long-time service of Charles Brown, Sr. to the Civil Service Commission.

CONGRATULATIONS
TO CHARLES
BROWN, SR.

HERALD DEMOCRAT REPORTER

Mayor Magers said he had known Mrs. Williams for nearly 30 years, but it didn't stop her from reporting him for what she felt was a violation of the Open Meetings Act (erroneously he added). He said that Mrs. Williams tells the facts but he also recognized that when the Council makes light-hearted remarks, they didn't come back, taken out of context, to "bite them."

HERALD DEMOCRAT
REPORTER

Mayor Magers said he really appreciated her reporting and the professional journalism with which she handled her job. He said the Council and staff will certainly miss her and he wished her the best of luck in her new endeavors.

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 551.074

PERSONNEL MATTERS
CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
PLANNING AND ZONING
COMMISSION (3)

Council Members decided that no Executive Session was needed to discuss the Board appointments.

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APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS:

PLANNING AND ZONING COMMISSION (3)

ACTION TAKEN.

Motion by Council Member Steele to reappoint Don Hicks to the Planning and Zoning Commission for a term from July 6, 2011 to July 6, 2014. Second by Council Member Wacker.

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

VOTING NAY: None.

MOTION CARRIED.

PLANNING &
ZONING
COMMISSION

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:15 p.m.

ADJOURNMENT

MAYOR

CITY CLERK