

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 17, 2013
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER DAVID PLYLER**
- A. 3. INVOCATION BY COUNCIL MEMBER DAVID PLYLER**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 3, 2013**

Public Hearing

- B. 1. PUBLIC HEARING**
Final Statement/Action Plan for Program Year 2013 Community Development Block Grant
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5777 (UNDER APPEAL FROM P&Z)**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 927 and 929 W. Birge Street (Landmark Bank, Owners; Mirza Baig, Prospective Buyer; and Gary Lowell, Representative)
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5778**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales, Service, Tire Sales and Service and Light Mechanical Work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North Highway 75, being Lot 1, Block 1, James Plaza Addition (Steve Starnes, Owner; Drew Burk, Representative; Red River Auto Group, Tenant; and Sartin & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5779**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 901 East Pecan Street, being the South 68' of Lots 1-4, Block 17, Chaffin's 1st Addition (L&DB Partnership, Owners and Darren K. Puls, Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Close Public Hearing and Consider Adoption of Ordinances

B. 5. ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5777, 5778 and 5779

B. 6. CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

C. 1. * RESOLUTION NO. 5774

Authorizing Execution of a Contract with Sharon A. Malone, MD as Licensed Medical Director for Emergency Medical Services; Providing for a Statement of Medical Direction; Providing for Automatic Renewal

C. 2. * RESOLUTION NO. 5775

Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Fiscal Year 2013; 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 2013

C. 3. * RESOLUTION NO. 5776

Authorizing Submission of a Joint Grant Application with Grayson County for, and the Acceptance of, a Grant Awarded under the 2013 Justice Assistance Grant Program - CFDA #16.738

C. 4. * RESOLUTION NO. 5777

Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2013 Justice Assistance Grant Program - CFDA #16.738

C. 5. * RESOLUTION NO. 5778

Approving the Greater Texoma Utility Authority's Intention to Contract with Vulcan Industries, Inc. for Replacement of the East Bar Screen at the City of Sherman Wastewater Treatment Plant

C. 6. * RESOLUTION NO. 5779

Authorizing Execution of an Easement and Right-of-Way to GTE Southwest Incorporated d/b/a Verizon Southwest for Communication Facilities at the Blalock Fire Station

Other Business

D. 1. OTHER BUSINESS

Receive Presentations from Several Members of Community Arts Groups Supported by Hotel/Motel Tax Funds

E. CITIZEN REQUESTS

F. MEDIA QUESTIONS

Consider Board/Commission Appointments

G. 1. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Keep Sherman Beautiful Commission (7)

H. COUNCIL COMMENTS

I. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on June 13, 2013 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 13th day of June, 2013
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of “Citizens Requests”, “Media Questions”, and “Council Concerns” may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

Carolyn S. Wacker

Deputy Mayor

Pamela L. Howeth

Council Members

Ryan Johnson, Council-At-Large, PL #1

Jason Sofey, Council-At-Large, PL #2

Joe N. Smith, Council – District #1

Robert G. Softly, Council – District #2

Pamela L. Howeth, Council – District #3

David Plyler, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 06/17/2013

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 3, 2013

Attachments

June 3, 2013 Minutes

Taylor Street Complex

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COUNCIL MINUTES – JUNE 3, 2013

Mayor Wacker verified that the signs were already in place and everything was running smoothly.

ACTION TAKEN.

Motion by Council Member Softly to approve Ordinance No. 5776, as presented. Second by Council Member Johnson.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Howeth moved to approve the Consent Agenda, as presented. Second by Council Member Plyler. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5771 – AUTHORIZING THE RELOCATION OF THE MARCY’S CALIFORNIA AND BUTTERFIELD TRAIL MARKER

**RES 5771
MOVE HISTORICAL
MARKER**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE RELOCATION OF THE MARCY’S CALIFORNIA AND BUTTERFIELD TRAIL MARKER.

Don Keene, Director of Public Works, explained that he met with members of the Martha Jefferson Randolph Chapter of the Daughters of the American Revolution and the Grayson County Historical Society, who are requesting permission to relocate the Marcy’s California and Butterfield Trail Marker from its current location at Washington Street and Rusk Street to a more secure, accessible, and safer location on the Grayson County Courthouse Grounds.

He added that in 1936 the Council approved a resolution to allow that the marker be moved from the south side of Washington Street to the north side of the street, near the Youth Center.

Mr. Keene added that, at this time, there are no plans for the City to assist with the relocation, which will be handled by the two requesting organizations.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5771, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5772 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT STATE HIGHWAY 289 SEWER PHASE “A” (NORTH BRANCH SAND CREEK

**RES 5772
S.H. 289 SEWER
PHASE “A”**

SEWER); APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT STATE HIGHWAY 289 SEWER PHASE "A" (NORTH BRANCH SAND CREEK SEWER); APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 5772, as presented. Second by Council Member Softly.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5773 – AUTHORIZING EXECUTION OF AN EASEMENT AND RIGHT-OF-WAY TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION FACILITIES AT THE CITY WATER TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EASEMENT AND RIGHT-OF-WAY TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION FACILITIES AT THE CITY WATER TREATMENT PLANT.

CONSENT AGENDA.

RES 5773
ONCOR EASEMENT
AT WATER
TREATMENT PLANT

REQUEST TO ADVERTISE
SERVICES TO PERFORM THE ANNUAL AUDIT FOR PERIOD
ENDING SEPTEMBER 30, 2013

The City Council approved the request to advertise for services to perform the Annual Audit of the City for the period ending September 30, 2013.

ANNUAL AUDIT

By Charter, the City Council is required to annually appoint an independent auditor to perform a financial audit for the City and a compliance audit for the federal grant programs. Six years ago, Pattillo, Brown and Hill, LLP was awarded the audit based on proposals submitted by various audit firms. The renewals have ended and the service must be bid again.
CONSENT AGENDA.

ANNUAL CONTRACT FOR GASOLINE AND DIESEL SUPPLY

The City Council approved the request to advertise for the annual contract for gasoline and diesel supplies. In the past, bids for these supplies have been let annually for gasoline and diesel fuel for the City's fleet. The last annual contract, including four renewals, ends at the end of the 2013 fiscal year.

CONSENT AGENDA.

GAS & DIESEL FUEL

OTHER BUSINESS

RECEIVE PRESENTATION FROM PARKS AND COMMUNITY SERVICE DIRECTOR KEVIN WINKLER ON "THE TAYLOR STREET COMPLEX"

Kevin Winkler, Parks and Community Service Director, updated the City Council on the status of the Taylor Street Complex, which was a Capital Improvement Project for last year.

TAYLOR STREET
COMPLEX

In November 1975, there was a public vote to sell three acres to the "Sherman Girls Club Clubhouse." In 1976 the property was conveyed to the Girls Club of Sherman, Inc., where it remained in operation for over 30 years. In October 2011, the organization closed and the property reverted back to the City of Sherman in May 2012. The City Council approved a \$200,000 project to rehabilitate the building in the FY 2012-2013 Budget.

The staff wanted to make the facility look good and make it beneficial to the citizens, and they are proud of the results. Initially an asbestos survey was performed and it was determined that the building did contain asbestos. An extensive removal was required and cost approximately \$20,000. There were leaks in the building and the flooring was damaged and aged.

Once the asbestos was removed, two ADA compliant restrooms were constructed. The existing office and entryway were maintained and additional storage areas were built above them.

The existing "wall of carpet" was replaced and new goals were added. The existing goals were very close to one side of the gym, which created safety issues. The new goals were relocated to allow safer play and a new walking path around the playing floor. They also painted the beams and added a fourth row of lighting.

The existing shingle roof was removed and the outside columns were "wrapped." The floor was replaced with a multi-sport surface floor and it was stripped for play. A four-row bleacher was also added. A double net set-up has been added for volleyball and there is a lot of flexibility in usage of the facility. Mr. Winkler said the new facility has changed tremendously.

COUNCIL MINUTES – JUNE 3, 2013

He added that the Taylor Street Complex is more than a gym and there is a lot of opportunity for different types of usage. The staff is planning for family nights with basketball, volleyball, dodgeball, and pickleball. They also hope to provide some youth volleyball leagues.

Currently the Parks and Recreation Department offers “rec nights” with activities for fifth through eighth graders. Approximately 150 kids participated in the last one held at the current facility, which has limited resources. They would also like to offer a walking club and youth physical education classes.

The new complex could also be used for youth basketball three on three tournaments, pee wee soccer for three and four year olds, youth volleyball and basketball instructional camps and as a “rain out” location for various activities. Mr. Winkler said the staff would like to expand the offerings based on feedback and as the budget allows.

He added that they would initially like to staff a part-time employee to help cover the new complex. In the future he would like a full-time person at the facility to provide a satellite sign-up location for citizens and more opportunities for daytime activities.

Council Member Smith asked when the facility would open. Mr. Winkler said it will be a “rain-out” location for an upcoming event, but the grand opening will be held the second or third week of July 2013.

He added that the staff is excited about the new opportunities. The project cost \$190,000 and was under budget. There are a few more things that need to be purchased to complete the project.

Council Member Smith verified that the upstairs classrooms had been removed. Deputy Mayor Howeth asked about signage and Mr. Winkler said new signs are being completed this week. A proposed fee structure for the complex will also be presented to Council Members at a later date. Mr. Winkler said the City will need to recover some of the costs for the new programs.

Mayor Wacker thanked Mr. Winkler and his staff for their work on the project and for the allocation of resources to “repurpose” the facility for the citizens. She said the entire Fairview Park area was a wonderful recreational complex for the citizens.

CITIZENS REQUESTS

There were no citizen’s requests.

CITIZEN’S REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

RECENT OKLAHOMA WEATHER EVENTS

Deputy Mayor Howeth asked citizens to keep the residents of Oklahoma in their prayers as they deal with recent weather events. Sherman citizens should feel very fortunate that they have not experienced the tornados that have recently plagued Oklahoma.

**RECENT OKLAHOMA
WEATHER EVENTS**

SCHOOL FIELD TRIPS

Council Member Smith thanked Assistant Police Chief Ken Francis and Fire Chief Jeff Jones for recently participating in field trips for his son's school. The Fire Department did get a fire call during their visit, however the children have been invited back to complete the field trip. He said the children learned a lot from the visits.

SCHOOL FIELD TRIPS

THANKS TO PARKS AND RECREATION STAFF

Council Member Plyler thanked Mr. Winkler and his staff for their work on the Taylor Street Complex. He said it is a great repurposing of a building and will serve the citizens well. He was also excited to see the activities scheduled for the facility.

**THANKS TO PARKS
& REC STAFF**

THANKS TO PARKS AND RECREATION STAFF

Council Member Johnson agreed and thanked everyone that worked on the Taylor Street Complex. He said that changes in the facility were "transformational." He added that amenities such as this will continue to "put Sherman on the map."

**THANKS TO PARKS
& REC STAFF**

ANNOUNCEMENTS

Mayor Wacker announced the following:

- Beginning Wednesday evening, June 5, 2013, Austin College will be closing East Richards Street, from North Maxey to North Bledsoe to conduct repairs to several intersections. Repairs should be complete and the street should reopen on Monday, June 10, 2013.
- Hot Summer Nights will begin Thursday, June 6, 2013, and will launch the Summer Concert Season on the Municipal Building lawn. The first event will be Gus Samuelson and the Swampadelics.

ANNOUNCEMENTS

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 (2)
CIVIL SERVICE COMMISSION (1)

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 5:29 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

CIVIL SERVICE COMMISSION (1)

ACTION TAKEN.

Motion by Council Member Smith to confirm the City Manager's reappointment of Lee Salinas to the Civil Service Commission for a term from June 8, 2013 until June 8, 2016. Second by Council Member Johnson.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

CIVIL SERVICE
COMMISSION

PLANNING AND ZONING COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Smith to appoint Andrew Olmstead to the Planning and Zoning Commission to fill an unexpired term from June 4 until June 10, 2014 and to appoint Dr. Alan Scheibmeir to fill an unexpired term from June 4 until November 8, 2014. Second by Council Member Sofey.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

PLANNING & ZONING
COMMISSION

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:32 p.m.

ADJOURNMENT

MAYOR

CITY CLERK

A photograph of an indoor basketball court. The foreground shows a wooden floor with a dark triangular court line. In the background, there are basketball hoops, wooden paneling on the walls and ceiling, and fluorescent lights. The text "Sherman Parks and Recreation" is overlaid in white.

Sherman Parks and Recreation

Taylor Street Complex

History

- November 1975, Sherman citizens approve the sale of 3 acres for “Sherman Girls Club Clubhouse”.
- May 1976, Property conveyed to Girls Club of Sherman, Inc.
- Oct 2011, Closed its doors and operations.
- May 2012, City of Sherman received property.
- City Council approved a \$200k Capital Improvement Project to make improvements to the facility as part of the 2012-2013 budget.













































Usage

- Family Nights – Basketball, Volleyball, Dodgeball, Pickleball.
- Youth Volleyball – Leagues.
- Rec Nights – Activities for 5th through 8th grade.
- Walking Club.
- Youth Physical Education Classes.
- Youth Basketball – 3 on 3 Tournaments.
- Pee Wee Soccer – Ages 3-4.
- Youth Volleyball and Basketball Instructional Camps.
- Rain Out Location for various activities.
- Expand offerings based on feedback and as budget allows.





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 06/17/2013

Prepared By: Don Keene, Director of Public Works

Approved By: George Olson, City Manager

Caption:

PUBLIC HEARING

Final Statement/Action Plan for Program Year 2013 Community Development Block Grant

Issue:

Approval of the Fiscal Year (FY) 2013 Community Development Block Grant Final Statement/Action Plan

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low to moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman.

Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows:

- FY 2008 - \$321,189
- FY 2009 - \$324,495
- FY 2010 - \$351,141
- FY 2011 - \$293,001
- FY 2012 - \$289,254

Origination:

Theresa Caudle, Neighborhood Services

Financial Consideration:

The City of Sherman has been allocated \$311,726 in Community Development Block Grant funds from HUD to address our various community development needs for low to moderate income citizens during FY 2013.

Staff Recommendation:

The staff recommends that the Sherman City Council approve the FY 2013 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Memorandum from Theresa Caudle, Community Development Coordinator
FY 2013 Community Development Block Grant Final Statement/Action Plan



memorandum

DATE: Friday, June 7, 2013
TO: George Olson, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2013 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2013 was published in the Herald Democrat on April 14, 2013. The required 30-day public comment period has concluded and there were no public comments received on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2013 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 17, 2013.

During the interim, should you have any questions or desire additional information or clarification, please let me know.

**CITY OF SHERMAN, TEXAS
FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2013**

GRANT NO: B-2013-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2013 is \$311,726.00. These funds will be received on October 1, 2013. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

The City of Sherman's Consolidated Plan is a document which is required by the U.S. Department of Housing and Urban Development, and includes the following subjects: (1) Housing and Homeless Needs Assessment - A description of the jurisdiction's estimated housing needs for the ensuing five-year period; (2) Housing Market Analysis - A description of the significant characteristics of the jurisdiction's housing market, including supply, demand, condition and cost of housing and the housing stock and services available {i.e., public and assisted housing, homeless, elderly, frail elderly, persons with disabilities (mental/physical/developmental), persons with alcohol and other drug addictions, and persons with HIV/AIDS and related diseases; (3) Strategic Plan - A description of the five-year strategy and plan to address affordable housing, homelessness, other special needs and non-housing community development plan; and, (4) Action Plan - A description of the jurisdiction's one-year plan of activities to be undertaken during the coming year.

The overall goal of this community development planning and development program is to develop viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities principally for low and moderate-income persons of the City of Sherman. Therefore, based on these objectives, the following use of funds is being proposed:

**COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN
PROGRAM YEAR 2013**

OWNER-OCCUPIED HOUSING REHABILITATION:..... \$176,396

A program of specific housing repairs will be provided to low and moderate income homeowners who reside within the city limits of Sherman, to bring their properties to code requirements. Expenditures will be limited to \$5,000 per housing unit under this activity. This activity will cause no displacement of low and moderate income persons.

DEMOLITION/CLEARANCE PROGRAM:..... \$35,000

A program to demolish vacant, substandard structures and clear property lots which pose a risk to health/safety of low-moderate income target neighborhoods.

PROGRAM ADMINISTRATION:..... \$62,300

The City proposes to use the Administration funds for personnel and support for all phases of the application process, environmental reviews, fair labor standard compliance, contract management, fair housing Grantee Performance Report, preparation of annual Action Plan and Performance Report associated with the City of Sherman Five-Year Consolidated Plan and Strategy.

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority:..... \$10,000

A program to address the problems of drug abuse and associated crime in public housing, Activities include increasing law enforcement services to stop the sell of illegal drugs in and around assisted housing, apprehend sellers of such drugs and an overall reduction of crime in the assisted housing area.

Texoma Area Paratransit System, Inc.:..... \$17,500

A program that will provide transportation assistance to low and moderate income individuals who reside within the city limits of Sherman including transportation to and from work, to and from school, and to doctor and grocery trips for the elderly.

Grayson County Crisis Center:..... \$3,000

A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.

Grayson County Shelter, Inc.:..... \$3,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.

Child & Family Guidance Center of Texoma:	\$2,000
A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.	
Boys & Girls Club of Sherman, Inc.:	\$1,530
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized sports activities that would not otherwise be able to participate.	
MasterKey Ministries of Grayson County, Inc.	\$1,000
A Program to provide scholarships for an academic summer camp to improve academic skills for Sherman youth from low-moderate income families with emphasis on Hispanic youth.	

TOTAL PROGRAM ALLOCATION:..... **\$311,726**

The City of Sherman seeks, through the following program objectives, to improve housing conditions, neighborhood appearance, employment opportunities, and the overall quality of life for low and moderate-income citizens. No activities will be undertaken which cause involuntary displacement of persons.

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

1. Encourage citizen participation and input to obtain maximum public involvement in program activities.
2. Promote the rehabilitation and repair of deteriorating housing through the City's rehabilitation program.
3. Promote homeownership opportunities for low-moderate income persons through the City's First-time Homeownership closing cost assistance program.
4. Eliminate slum and blight through the removal of structures that create unsafe, unsanitary and hazardous situations for the public.
5. Promote drug elimination programs for low and moderate income assisted housing families/households.
6. Provide support for transportation assistance to low and moderate income persons.
7. Provide support for provision of emergency shelter/assistance to the homeless.
8. Assist in providing counseling services to youth and adults from low and moderate income families.
9. Assist in providing youth activities for children from low and moderate income families.

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2013 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman, P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Tuesday, July 23, 2013. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 2.

Meeting Date: 06/17/2013

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5777 (UNDER APPEAL FROM P&Z)

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 927 and 929 W. Birge Street (Landmark Bank, Owners; Mirza Baig, Prospective Buyer; and Gary Lowell, Representative)

Issue:

To consider the appeal of the Planning and Zoning Commission's denial of a request from Landmark Bank (Owners), Mirza Baig (Prospective Buyer), and Gary Lowell (Representative) for a zone change and site plan approval from an R-1 (One Family Residential) District to a C-1 (Retail Business) District concerning the property at 927 and 929 West Birge Street

Background:

The property is located at 927 and 929 West Birge Street, the northeast corner of Birge and Ricketts Streets. The property has been used as a convenience store and laundrymat/cleaners in the past, but is zoned an R-1 (One Family Residential) District which is considered an existing non-conforming use. The prospective buyer would like to change the zoning to a C-1 Retail Business District to reopen the business as a convenience store on one end of the existing building and a laundrymat/cleaners on the other end.

Staff received a petition on May 17, 2013, protesting the zone change at 927 and 929 West Birge Street. Twenty-two (22) notices were mailed to property owners within two hundred (200) feet of the property; seven (7) addresses on the petition were within two hundred (200) feet, which represents 32% of the property owners. Four (4) affirmative votes are required to forward the request to the City Council.

At the Planning and Zoning Commission meeting, Mr. Gary Lowell (real estate agent representative) and Mr. Mirza Baig (prospective buyer) represented the request. After hearing the opposition in regard to the incompatibility of the previous and proposed use, and receiving the petition from the neighborhood requesting denial, the Planning and Zoning Commission voted 5/0 to deny the zone change.

On May 29, 2013, the prospective buyer, Mirza Baig, filed his appeal of the Planning and Zoning Commission's denial of the proposed zone change as allowed by City Code. This must be done within ten (10) days following the request to appeal the decision of the Planning and Zoning Commission.

Origination:

Landmark Bank (Owners), Mirza Baig (Prospective Buyer) and Gary Lowell (Representative)

Financial Consideration:

None

Staff Recommendation:

At the May 21, 2013 regular meeting, after hearing the opposition in regard to the incompatibility of the previous and proposed use, and receiving the petition from the neighborhood requesting denial, the Planning and Zoning Commission voted 5/0 to deny the zone change.

- The City Council could deny the request.
- The City Council could approve the request with a minimum of six (6) affirmative votes.

Attachments

Appeal Letter

Ordinance No. 5777

Location Map

Zoning Map

Photo

Narrative

Plat

Site Plan

Elevations

Staff Review Letter

Letter from David Tingle

Petition

05/28/2013

Appeal Letter

City Council
Telephone No. 903-892-7204
Fax: 903-892-7274

RECEIVED
MAY 29 2013

Attention: City Secretary

Dear City Secretary:

I'm writing this Letter of appeal due to the denied request from the Planning and Zoning board on May 21, 2013 for a Zone change and site plan approval for a small store front and Laundrymat/Cleaners, from an R-1 to a C-1 District at 927 and 929 W. Birge. I would like to file this appeal with the city Council, Please let me know if I can speak on this matter after reviewing my options, thanks so much for your time in this matter.

Mira Baig
2104 Bois D Arc
Sherman, Tx 75092
903-814-2937

Representative:
Gary Lowell
1504 Southridge Lane
Sherman, Texas 75092
903-436-3629

ORDINANCE NO. 5777

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 927 AND 929 W. BIRGE STREET (LANDMARK BANK, OWNERS; MIRZA BAIG, PROSPECTIVE BUYER; AND GARY LOWELL, REPRESENTATIVE); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District at 927 and 929 W. Birge Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 1 of the E.L. Benzel Addition

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2013.

ADOPTED on this the _____ day of _____, 2013.

EFFECTIVE DATE on this the _____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

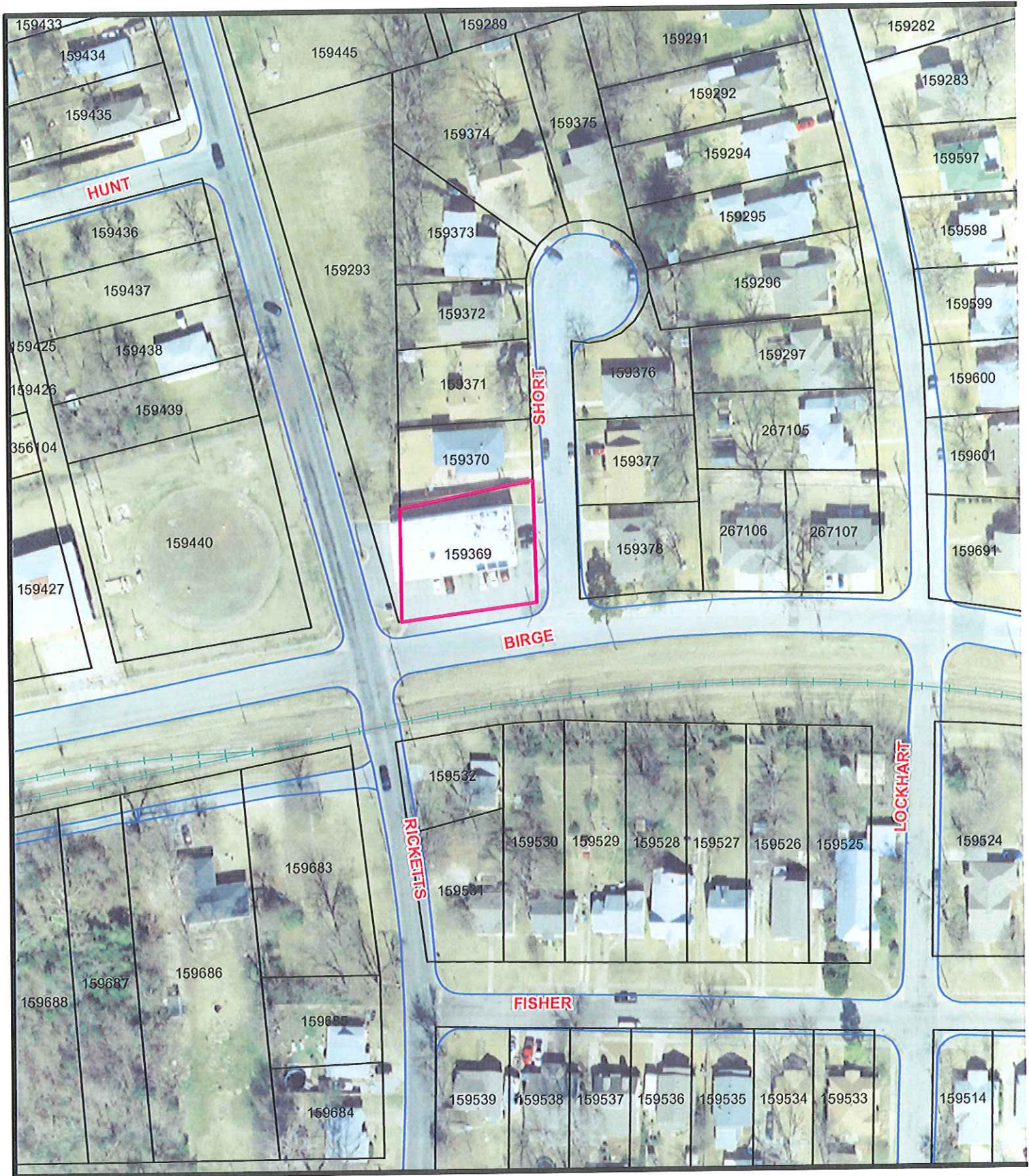
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY



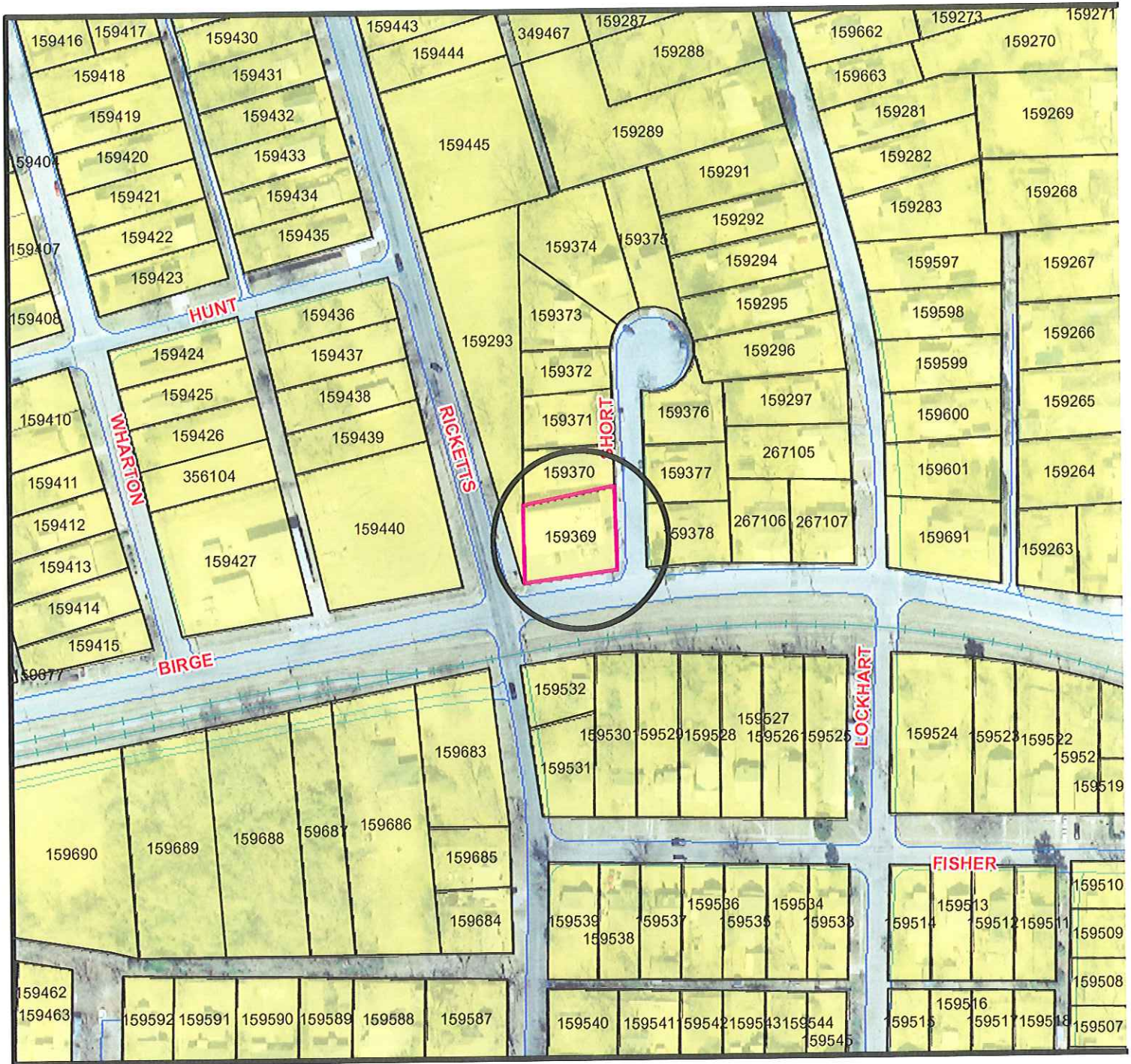
927 & 929 W. Birge

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 107 feet

City of Sherman, Texas
Developmental Services Department



Zoning - 927 & 929 W. Birge

Legend

- | | |
|--|---|
| --- C L SHERMAN CITY LIMITS | C-1 Retail Business District |
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT | C-2 General Commercial District |
| O 1.1 FM 1417 OVERLAY DISTRICT | M-1 Light Manufacturing District |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | R-A Single Family Agricultural District |
| CBD DOWNTOWN BUSINESS DISTRICT | SF-1 Single Family Residential District |
| CPO COLLEGE PARK OVERLAY DISTRICT | M-1.5 Medium Manufacturing District |
| A & C ARTS & CULTURAL OVERLAY DISTRICT | M-2 Heavy Manufacturing District |
| CO Office District | MH Manufacturing Housing District |
| R-1 One Family Residential District | Blaylock Commercial District |
| R-2 Multi-Family Residential District | BIP Blaylock Industrial Park |

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 172 feet

927 & 929 W. Birge

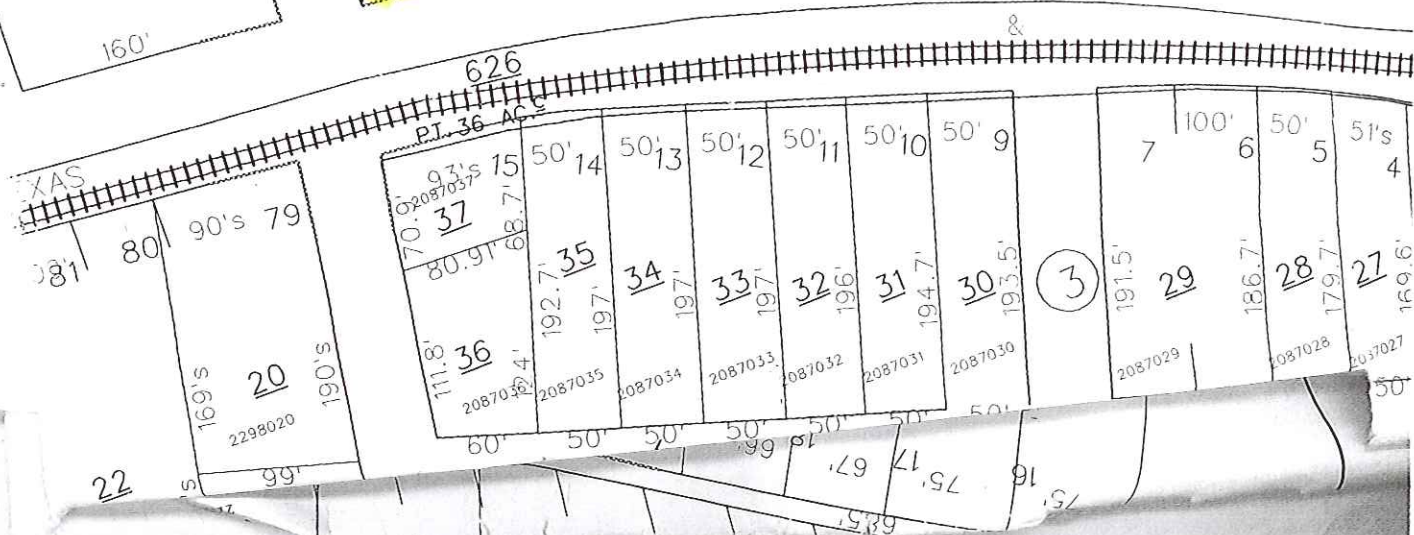


City of Sherman Planning and Zoning

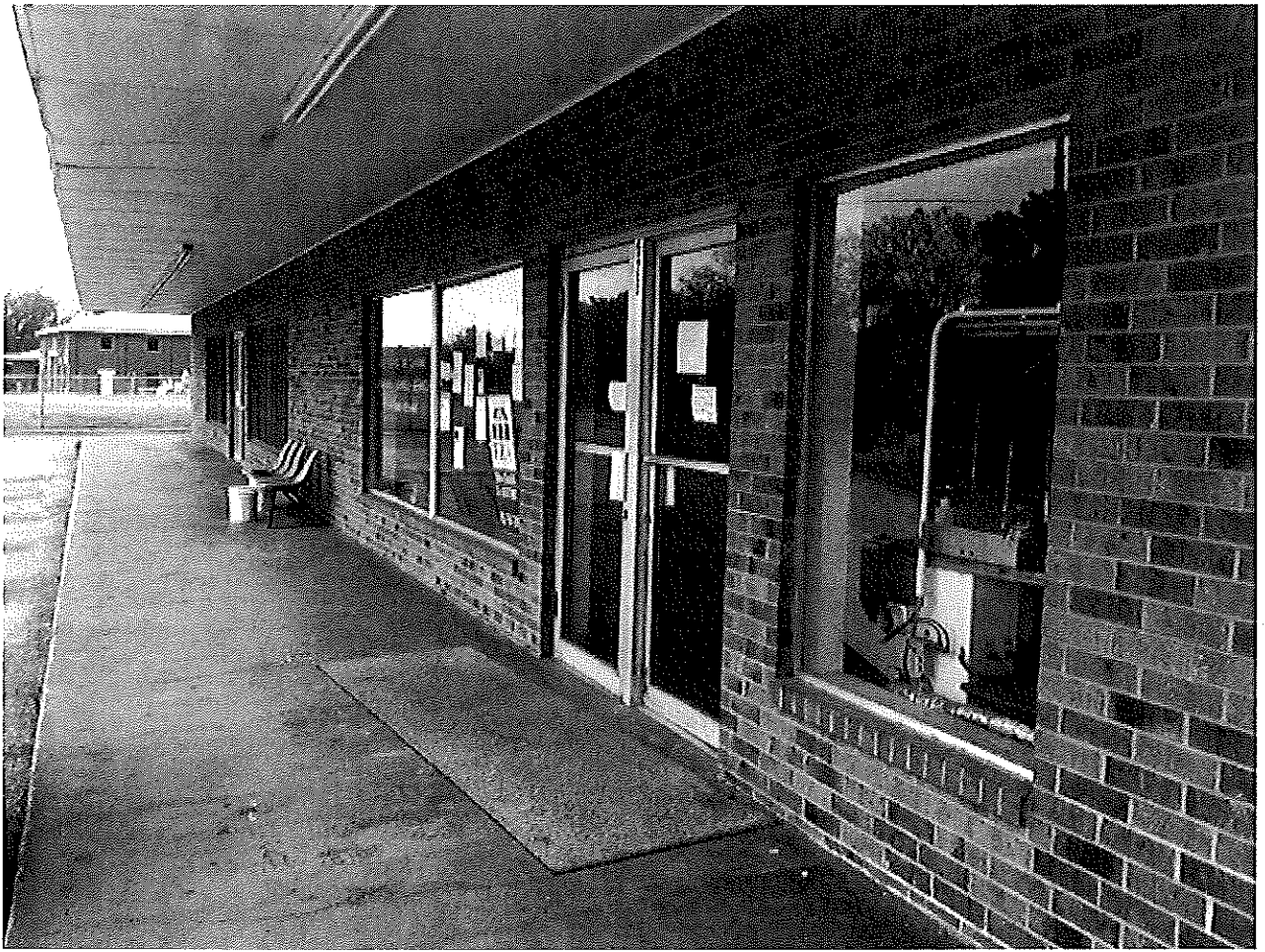
To Whom It May Concern:

Mr. Ameer Baig has made an offer to purchase a commercial Building at property address 929 Birge which the Bank accepted. It was currently used for several years as Wonder Wash a community Wash and Cleaners. In the early 60s thru late 70s it was a convenience store called Mr. Pauls Grocery.

Mr. Ameer would like to offer the community and small convenience store and Reopen the Laundry mat and Cleaners. We are asking the Planning and Zoning to reconsider and approve the block back to C-1 from R-1.

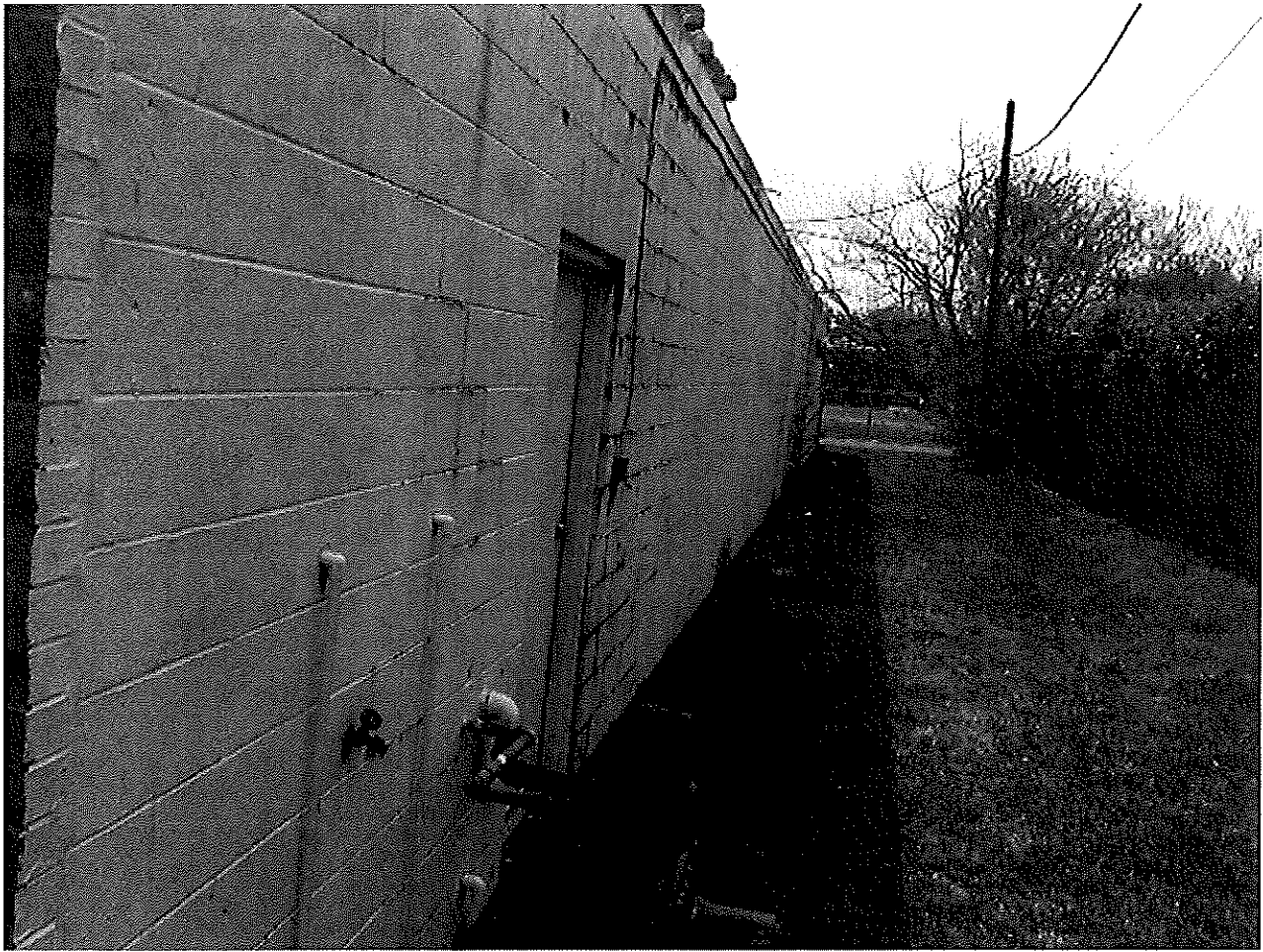














**STAFF REVIEW LETTER**

May 15, 2013

Landmark Bank
Gerald Keller
PO Box 823
Madill, OK 73446

Mirza Baig
2104 Bois D Arc
Sherman, TX 75092

Gary Lowell
1504 Southridge Lane
Sherman, TX 75092

Dear Applicants:

The request for a zone change and site plan approval for a convenience store and laundry mat/cleaners from an R-1 (One Family Residential) District to a C-1 (Retail Business) District at 927 & 929 W. Birge is scheduled to be heard by the Planning and Zoning Board on May 21, 2013 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning

1. All aspects of the C-1 (Retail Business) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into W. Birge or Ricketts Street right-of-way.
4. Screening is required and maintained abutting residentially zoned property.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

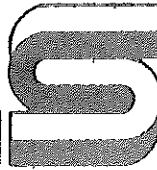


Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Clay Barnett, City Engineer

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

SHERMAN



PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT

Telephone No. (903) 892-7229

FAX No. (903) 892-7274

RECEIVED

MAY 08 2013

May 3, 2013 David & Linda Tingle
1012 Short Lane
Sherman, TX 75092

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, May 21, 2013 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Landmark Bank (Owners), Mirza Baig (Prospective Buyer) and Gary Lowell (Representative) concerning the property located at 927 & 929 W. Birge Street, being Lot 1 of the E.L. Benzel Addition

The request is as follows:

Planning and Zoning Commission

Zone change and site plan approval for a convenience store and laundrymat/cleaners under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District to a C-1 (Retail Business) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

Use to be a convenience store here before. Looking forward to both being open. Thanks

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

RECEIVED

MAY 17 2013

PROPERTY OWNERS PROTEST

ZONING CASE NO: Concerning the property located at 927 and 929 W. Birge Street in Sherman, Texas.

The undersigned, being property owners of land immediately adjoining the area covered by the proposed zoning change and extending 200 feet from that area, do hereby protest the requested change in zoning and request that the Planning and Zoning Commission deny the same.

Name	Signature	Property Address
1. Kelly Flowers	Kelly Flowers	1008 Short Lane
2. DAVID E. TINGLER	David E. Tingle	1012 Short Lane
3. CLAY E BULLARD	Clay E. Bullard	1020 Short Lane
4. John D Franklin	John D Franklin	1024 Short Lane
5. RICH HAYES	Rich Hayes	1018 Short Lane
6. OPAL KIRK	Opal Kirk	1005 Short Ln.
7. John Kirk	John Kirk	1007 Short Ln.
8. Clem Lavender	Clem Lavender	1003 Short Ln.
9. Luvanda Jannie Lavender	Luvanda Jannie Lavender	1008 Short Lane
10. Nancy Aiken Mathieu	Nancy Aiken-Mathieu	1008 Short Lane Dr.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 3.

Meeting Date: 06/17/2013

Prepared By: Scott Shadden, Director Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5778

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales, Service, Tire Sales and Service and Light Mechanical Work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North Highway 75, being Lot 1, Block 1, James Plaza Addition (Steve Starnes, Owner; Drew Burk, Representative; Red River Auto Group, Tenant; and Sartin & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Steve Starnes (Owner), Drew Burk (Representative), Red River Auto Group (Tenant), and Sartin & Associates, Inc. (Surveyors) concerning the property at 1804 North Highway 75, being Lot 1, Block 1, James Plaza Addition, to allow used automobile sales, service, tire sales and service, and light mechanical work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District

Background:

The property is located at 1804 North Highway 75, the northwest corner of U.S. Highway 75 and Taylor Street; formerly the Suzuki Dealership. In 2006, a Specific Use Permit to allow automobile sales and repair was granted as well as variances/exceptions to allow shade structures with a 10' front setback, to not require a screening device adjacent to an R-1 (One Family Residential) District and a sign with a 15' front setback. In 2007, a variance was granted to allow overhead doors facing the highway and amended site plan approval for the Suzuki Dealership. Red River Auto Group recently purchased the property and would like to open a used automobile sales and service, tire sales and service and light mechanical work at this location.

Origination:

Steve Starnes (Owner)
Drew Burk (Representative)
Red River Auto Group (Tenant)
Sartin & Associates, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the May 21, 2013 regular meeting, the Planning and Zoning Board voted 5/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5778

Location Map

Zoning Map

Photo

Narrative

Site Plan

Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5778

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 USED AUTOMOBILE SALES, SERVICE, TIRE SALES AND SERVICE AND LIGHT MECHANICAL WORK IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 1804 NORTH HIGHWAY 75, BEING LOT 1, BLOCK 1, JAMES PLAZA ADDITION (STEVE STARNES, OWNER; DREW BURK, REPRESENTATIVE; RED RIVER AUTO GROUP, TENANT; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Steve Starnes (Owner), Drew Burk (Representative), Red River Auto Group (Tenant) and Sartin & Associates, Inc. (Surveyors) are granted a Specific Use Permit to allow used automobile sales, service, tire sales and service and light mechanical work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North Highway 75, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 1, Block 1, James Plaza Addition

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. No outside parking or storage of dismantled vehicles, wrecks, parts (tires) or displays are allowed.
3. Parking is permitted on paved surfaces only; a parking space is considered to be 9'x20'.
4. All parking shall be on private property and shall not encroach into U.S. Highway 75 access road or Taylor Street right-of-way.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2013.

ADOPTED on this the _____ day of _____, 2013.

EFFECTIVE DATE on this the _____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

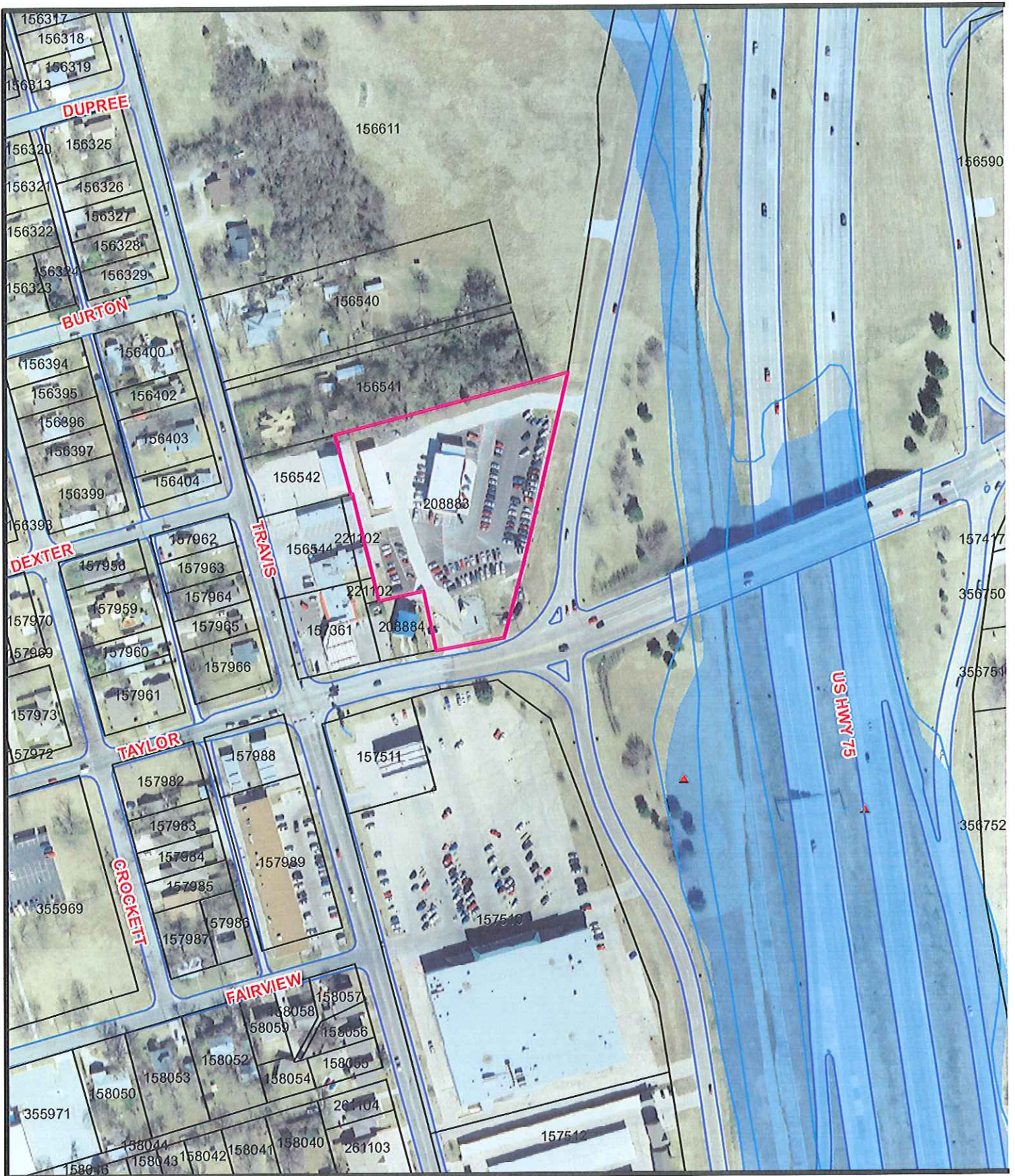
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY



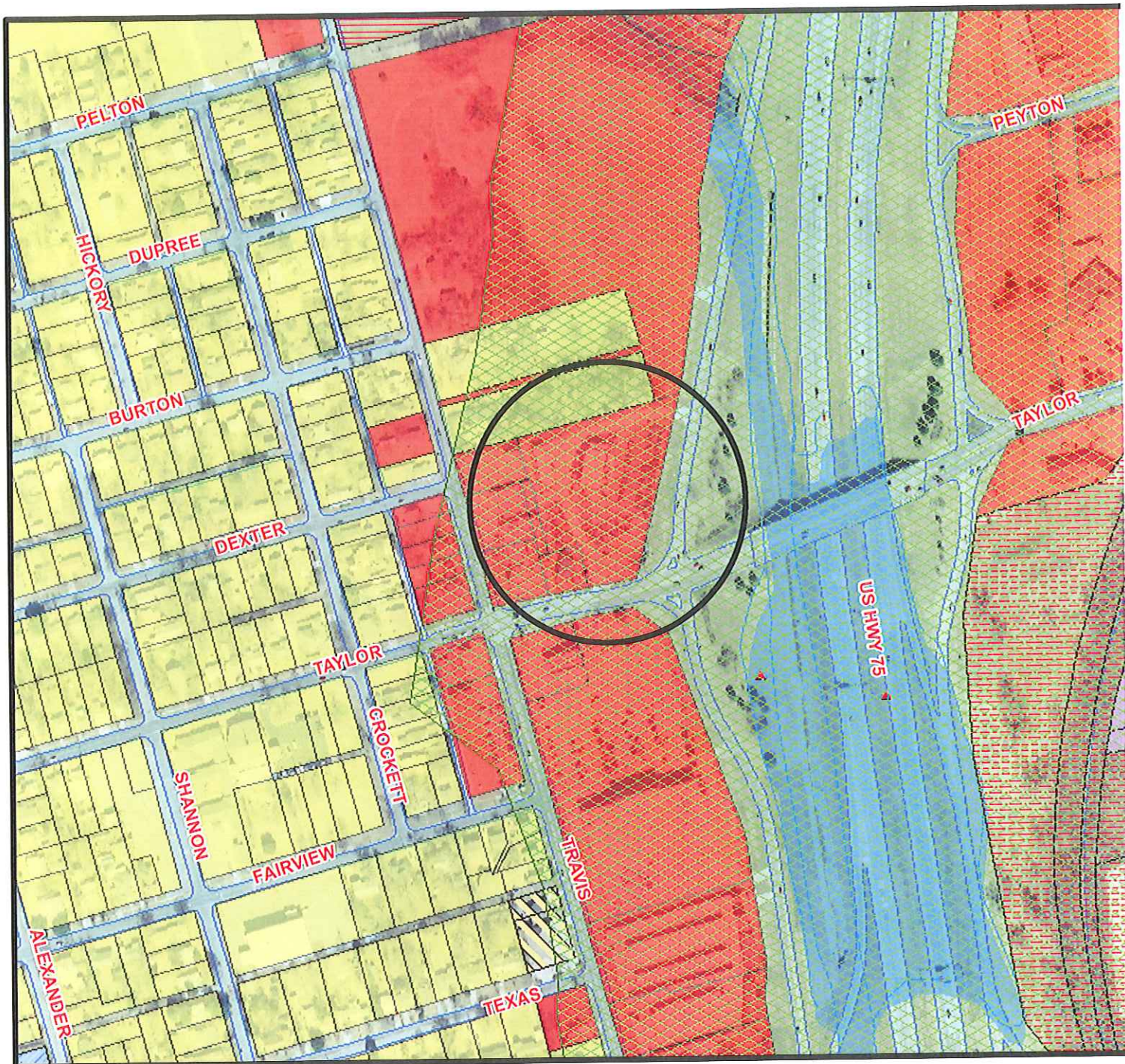
1804 N. Highway 75

City of Sherman, Texas
Developmental Services Department

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 215 feet



Zoning - 1804 N. Highway 75

Legend

--- C L SHERMAN CITY LIMITS	C-1 Retail Business District
O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT	C-2 General Commercial District
O 1.1 FM 1417 OVERLAY DISTRICT	M-1 Light Manufacturing District
O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT	R-A Single Family Agricultural District
C B D DOWNTOWN BUSINESS DISTRICT	SF-1 Single Family Residential District
C P O COLLEGE PARK OVERLAY DISTRICT	M-1.5 Medium Manufacturing District
A & C ARTS & CULTURAL OVERLAY DISTRICT	M-2 Heavy Manufacturing District
CO Office District	MH Manufacturing Housing District
R-1 One Family Residential District	Blaylock Commercial District
R-2 Multi-Family Residential District	BIP Blaylock Industrial Park



1804 N. Highway 75





To: The Sherman Planning and Zoning Commission

From: Red River Automotive Group

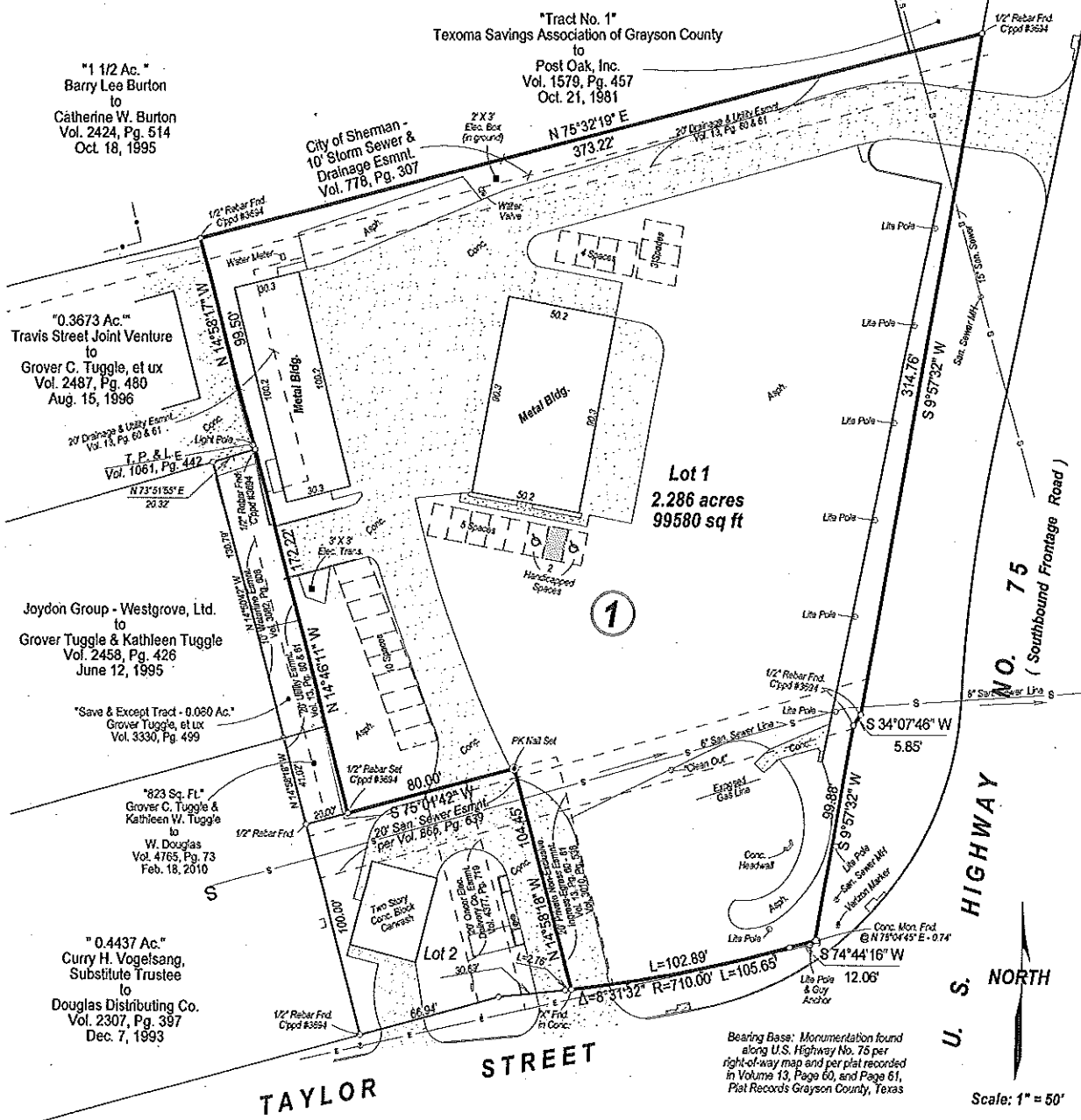
Location: 1804 N Highway 75, Sherman, Texas 75090

Regarding Application for a Special Use Permit.

Red River Auto Group purchased the former Car Dealership at the above referenced location on 3/20/2013.

We are seeking a special use permit to allow us to Sell and Service Automobiles. We will Sell and Finance Used Automobiles. We will also Service and Sell Parts for Automobiles.

We will be making no structural changes to the existing buildings. We will be putting signage back up on the property according to your Zoning Requirements.



SARTIN & ASSOCIATES, INC.

Registered Professional Land Surveyors

109 S. Travis, P. O. Box 1843 Sherman, Texas 75091-1843
Ph.: (903) 892-8003 Fax: (903) 863-2970 Email: msartin@gccislp.com

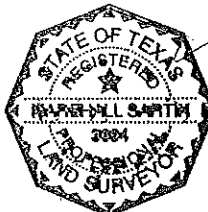
SURVEY FOR: AMERISTATE BANK ATOKA

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 28th day of March, 2012 of the following described property:

Lot ONE (1), in Block ONE (1) of JAMES PLAZA ADDITION, to the City of Sherman, Texas as shown by plat of record in Volume 13, Pages 60 & 61, Plat Records, Grayson County, Texas.

That the improvements on said property are known as 1804 NORTH U. S. HIGHWAY NO. 75, SHERMAN, TEXAS and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.



Marshall Sartin R.P.L.S. # 3694





**Planning & Zoning Commission and
Board of Adjustments**

Agenda Item No. 5.

Meeting Date: 05/21/2013

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Vacant, Commissioner

Vacant, Commissioner

Requested Action/Proposed Use:

1804 N. HIGHWAY 75

The request of Steve Starnes (Owner), Drew Burk, (Representative) Red River Auto Group (Tenant) and Sartin & Associates, Inc. (Surveyors) concerning the property at 1804 N. Highway 75, being Lot 1, Block 1, James Plaza Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow used automobile sales, service, tire sales, service and light mechanical work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District.

Background:

The property is located at 1804 N. Highway 75, the northwest corner of U.S. Highway 75 and Taylor Street; formerly the Suzuki Dealership. In 2006, a Specific Use Permit to allow automobile sales and repair was granted as well as variances/exceptions to allow shade structures with a 10' front setback; to not require a screening device adjacent to an R-1 (One Family Residential) District and a sign with a 15' front setback. In 2007, a variance was granted to allow overhead doors facing the highway and amended site plan approval for the Suzuki Dealership. Red River Auto Group recently purchased the property and would like to open a used automobile sales, service, tire sales and service with light mechanical work at this location.

Adjacent Zoning:

C-1 (Retail Business) District and R-1 (One Family Residential) District

Origination:

Steve Starnes (Owner), Drew Burk, (Representative) Red River Auto Group (Tenant) and Sartin & Associates, Inc. (Surveyors)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

7

Objections Received:

0

Attachments

Location Map

Zoning Map

Photo

Narrative

Site Plan

Elevations

Staff Review Letter

**STAFF REVIEW LETTER**

May 15, 2013

Steve Starnes
4135 Helen
Denison, TX 75020

Drew Burk
2020 Hwy. 75 N.
Denison, TX 75020

Sartin & Associates Survey Company
P.O. Box 1843
Sherman, Texas 75091

Dear Applicants:

The request for a Specific Use Permit and site plan approval to allow used automobile sales, service tire sales, service and light mechanical work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 N. Highway 75 is scheduled to be heard by the Planning and Zoning Board on May 21, 2013 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. No outside parking or storage of dismantled vehicles, wrecks, parts (tires) or displays are allowed.
3. Parking is permitted on paved surfaces only; a parking space is considered to be 9'x20'.
4. All parking shall be on private property and shall not encroach into U.S. Highway 75 access road or Taylor Street right-of-way.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Clay Barnett, City Engineer

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 4.

Meeting Date: 06/17/2013

Prepared By: Scott Shadden, Director Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5779

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 901 East Pecan Street, being the South 68' of Lots 1-4, Block 17, Chaffin's 1st Addition (L&DB Partnership, Owners and Darren K. Puls, Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of L&DB Partnership (Owners) and Darren K. Puls (Tenant) concerning the property at 901 East Pecan Street, being the South 68' of Lots 1-4, Block 17, Chaffin's 1st Addition, to allow used automobile sales in a C-2 (General Commercial) District

Background:

The property is located at 901 East Pecan Street; the northeast corner of Pecan and Willow Streets. In 1983, an exception was granted to allow a 12' canopy setback in lieu of the required 21'. In the past, the property has been used as a gas station and a tire and wheel business. The applicant would like to sell used automobiles at this location.

Origination:

L&DB Partnership (Owners)
Darren K. Puls (Tenant)

Financial Consideration:

None

Staff Recommendation:

At the May 21, 2013 regular meeting, the Planning and Zoning Board voted 5/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and no outside repairs or storage of dismantled vehicles, wrecks, parts, tires or displays are allowed.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5779

Location Map

Zoning Map

Photo

Site Plan

P&Z Communication

Staff Review Letter

Letter from Temple of Hope Faith & Grace

Letter Petition Larry Scruggs

Letter from Marian Gibbs

ORDINANCE NO. 5779

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 USED AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 901 EAST PECAN STREET, BEING THE SOUTH 68' OF LOTS 1-4, BLOCK 17, CHAFFIN'S 1ST ADDITION (L&DB PARTNERSHIP, OWNERS AND DARREN K. PULS, TENANT); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, L&DB Partnership (Owners) and Darren K. Puls (Tenant) are granted a Specific Use Permit to allow used automobile sales in a C-2 (General Commercial) District at 901 East Pecan Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING all that certain tract or parcel of land lying and being situated in the City of Sherman, Grayson County, Texas, being the south sixty-eight (68) feet of Lots 1, 2, 3, & 4, Block 17, of Chaffin's 1st Addition to the City of Sherman, Texas, per plat recorded, in Volume 84, Page 507, Deed Records of Grayson County, Texas, and being all of the tract conveyed to L&DB Partnership, July 7, 2007, by deed recorded in Volume 4282, Page 902, of the Real Property Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set at the southwest corner of said Lot 1, Block 17, and said L&DB Partnership tract, at the intersection of the north right-of-way of East Pecan Street , (50 feet wide) with the east right-of-way of North Willow Street (50 feet wide);

THENCE North 16 degrees 00 minutes 00 seconds West, with the west line of said L&DB Partnership tract and the east right-of-way of Willow street, a distance of 68.00 feet an iron rod found on the north side of a sidewalk, at the southwest corner of tract, being the north seventy-five (75) feet of Lots 1, 2, 3, & 4, Block 17 of said Addition, conveyed to Donald L. Bailey and Elizabeth Bailey, July 19, 1999, by deed recorded in Volume 2816, Page 260, Real Property Records of Grayson County, Texas;

THENCE North 74 degrees 00 minutes 00 seconds east, with the south line of said Bailey tract and the north line of said L&DB Partnership tract, a distance of 100.00 feet to an iron rod found on the west line of Lot 5, Block 17, of said Addition and the west line of tract three, parcel (c) of tracts conveyed to P W Real Estate Holding, LTD, July 12, 2002, by deed recorded in Volume 3266, Page 485, of the Real Property Records of Grayson County, Texas;

THENCE South 16 degrees 00 minutes 00 seconds east, with the west line of Lot 5 and said P W Real Estate Holdings tract and the east line of said Lot 4 and L&DB Partnership tract, a distance of 68.00 feet to an iron rod found on the north right-of-way of East Pecan Street;

THENCE South 74 degrees 00 minutes 00 seconds west, with the said north right-of-way, a distance of 100.00 feet to the **POINT-OF-BEGINNING and containing in all 6,800 square feet or 0.156 acre of land.**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of the building visible from front street right-of-way (including metal canopy poles).
2. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into Pecan or Willow Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Site plan approval is valid for a period of one year; if progress has not been made within that time period, resubmission to the Planning & Zoning Commission is required.

Planning & Zoning Commission

6. No outside repairs or storage of dismantled vehicles, wrecks, parts, tires or displays are allowed

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2013.

ADOPTED on this the _____ day of _____, 2013.

EFFECTIVE DATE on this the _____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



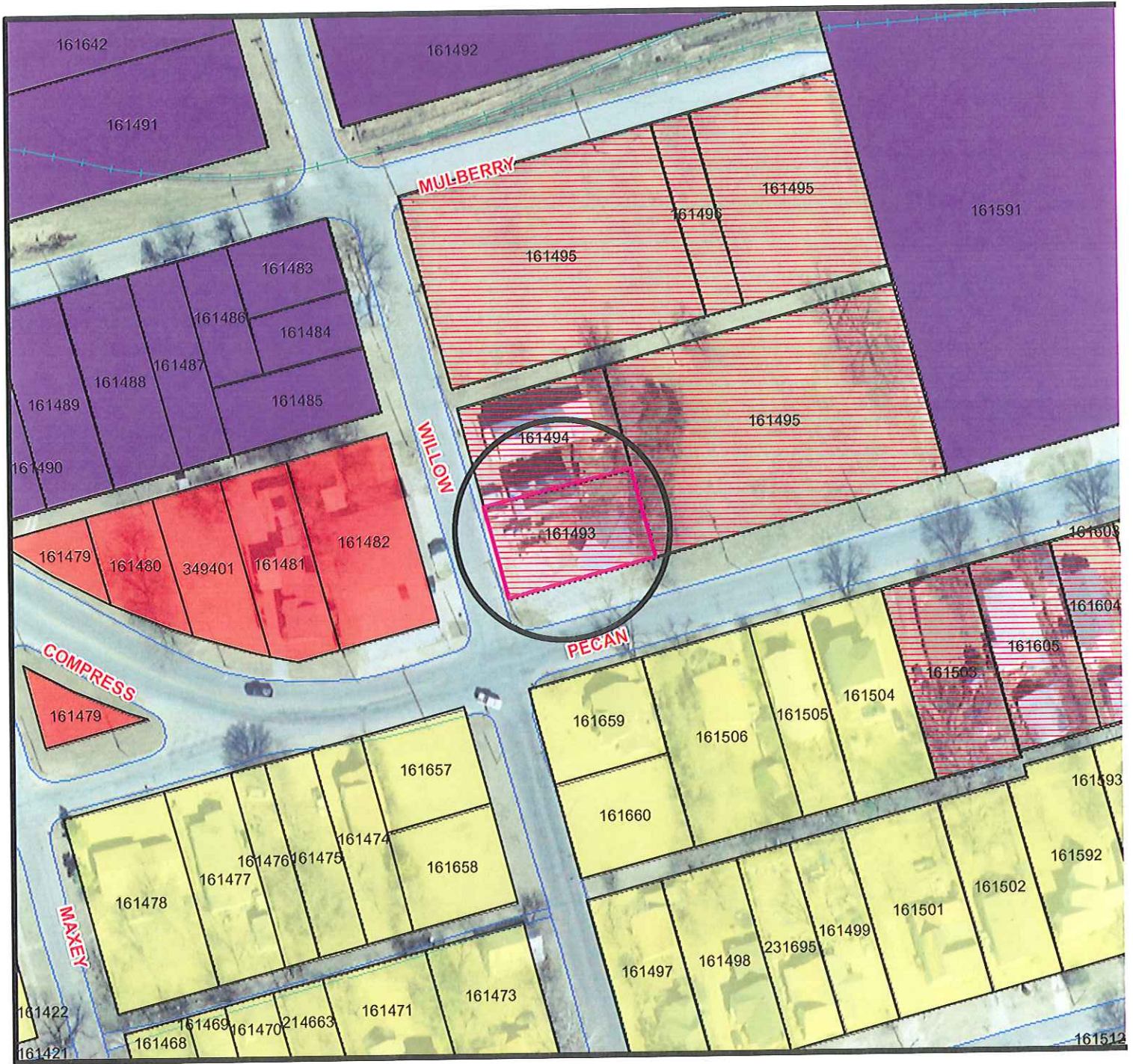
901 E. Pecan

City of Sherman, Texas
Developmental Services Department

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 52 feet



Zoning - 901 E. Pecan

Legend

----- C L SHERMAN CITY LIMITS	C-1 Retail Business District
O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT	C-2 General Commercial District
O 1.1 FM 1417 OVERLAY DISTRICT	M-1 Light Manufacturing District
O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT	R-A Single Family Agricultural District
C B D DOWNTOWN BUSINESS DISTRICT	SF-1 Single Family Residential District
C P O COLLEGE PARK OVERLAY DISTRICT	M-1.5 Medium Manufacturing District
A & C ARTS & CULTURAL OVERLAY DISTRICT	M-2 Heavy Manufacturing District
CO Office District	MH Manufacturing Housing District
R-1 One Family Residential District	Blaylock Commercial District
R-2 Multi-Family Residential District	BIP Blaylock Industrial Park



901 E. Pecan



L & DB Partnership, July 7, 2007, Vol. 4282, Pg. 902,
R.P.R./G.C.Tx.: Being the South 68 feet of Lots 1, 2, 3, & 4,
Block 17, of Chaffins 1st Addition to the City of Sherman,
Texas, Plat Recorded in Volume 84, Page 507, D.R./G.C.Tx.

LEGEND

PP = POWER POLE
A/C = AIR CONDITIONER
S.I.R. = SET IRON ROD
F.I.R. = FOUND IRON ROD
R.P.R./G.C.Tx. = REAL PROPERTY RECORDS GRAYSON COUNTY, TEXAS
D.R./G.C.Tx. = DEED RECORDS GRAYSON COUNTY, TEXAS

SURVEY SKETCH OF THE SOUTH 68 FEET OF LOTS 1, 2, 3, & 4, BLOCK 17, OF
CHAFFINS 1ST ADDITION TO THE CITY OF SHERMAN, GRAYSON CO., TX
TEXAS, PER PLAT RECORDED IN VOLUME 84, PAGE 507, D.R./G.C.Tx.

DATA LAND SERVICES REG. PROF. LAND SURVEYING

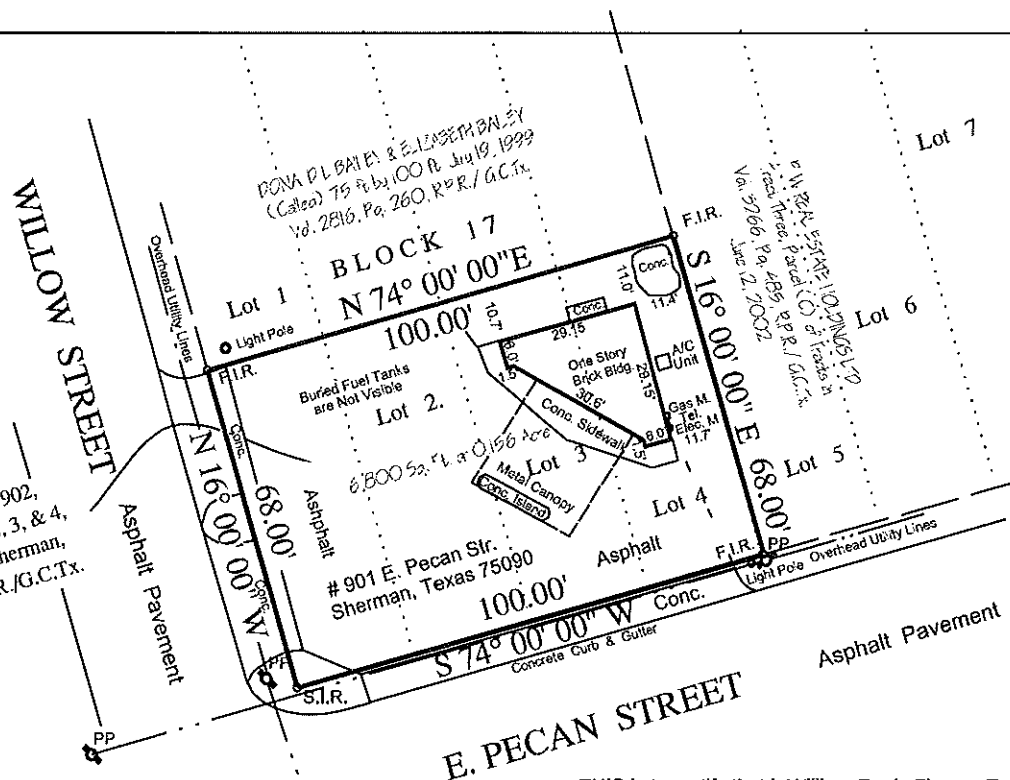
P. O. BOX 2110, FORNEY, TEXAS, 75126
Ph. (972) 564-6166 Fax (972) 564-3079

Job No.: 33350

Scale: 1" = 30'

Drawn by: W.D.F.

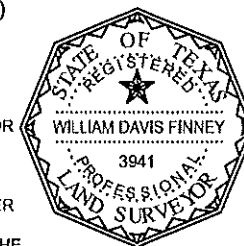
Date: MAY 01, 2013



E. PECAN STREET

THIS is to certify that I, William Davis Finney, Tx.R.P.L.S. #3941,
have prepared a careful and accurate survey on the ground of
property located at # 901 E. Pecan Street, in the City of
Sherman Grayson County, Texas, and that there are no (visible)
encroachments, conflicts, protrusions, or easements, except as
shown hereon.

THIS LOT IS WITHIN ZONE 'X'. (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2%
ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP NUMBER 48181C0290 F, FOR
GRAYSON COUNTY, TEXAS AND INCORPORATED AREAS. EFFECTIVE DATE: SEPTEMBER 29,
2010.
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES
THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS GREATER
FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR
NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE
SURVEYOR.





**Planning & Zoning Commission and
Board of Adjustments**

Agenda Item No. 9.

Meeting Date: 05/21/2013

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Vacant, Commissioner

Vacant, Commissioner

Requested Action/Proposed Use:

901 E. PECAN

The request of L&DB Partnership (Owners) and Darren K. Puls (Tenant) concerning the property at 901 E. Pecan Street, being the south 68' of Lots 1-4, Block 17, Chaffin's 1st Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow used automobile sales in a C-2 (General Commercial) District.

Background:

The property is located at 901 E. Pecan Street; the northeast corner of Pecan and Willow Streets. In 1983, an exception was granted to allow a 12' canopy setback in lieu of the required 21'. In the past, the property has been used as a gas station and a tire and wheel business. The applicant would like to sell used automobiles at this location.

Adjacent Zoning:

C-2 (General Commercial) District, C-1 (Retail Business) District and R-1 (One Family Residential) District

Origination:

L&DB Partnership (Owners) and Darren K. Puls (Tenant)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

Objections Received:

0

Attachments

Location Map

Zoning Map

Photo

Site Plan

Staff Review Letter

**STAFF REVIEW LETTER**

May 15, 2013

L&DB Partnership
309 N. Willow
Sherman, TX 75090

Darren K. Puls
1509 E. Magnolia
Sherman, TX 75090

Dear Applicants:

The request for a Specific Use Permit and site plan approval to allow used automobile sales in a C-2 (General Commercial) District at 901 E. Pecan Street is scheduled to be heard by the Planning and Zoning Board on May 21, 2013 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of the building visible from front street right-of-way (including metal canopy poles).
2. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into Pecan or Willow Street right-of-way.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Clay Barnett, City Engineer

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

Temple of Hope Faith & Grace

Non-Denominational Church



RECEIVED

MAY 20 2013

Elder Samuel N. Castle – Senior Pastor

Bishop Jack Castle – Overseer

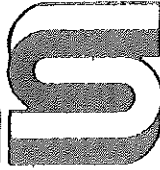
Dear Sir,

We the Temple of Hope Faith & Grace Church do not agree that a car lot be allowed to do business at 901 E. Pecan St. in Sherman, Texas. This lot is located across the street east of our church. This is a very busy corner and this would only increase traffic.

Sincerely,

Deacon James Walker Sr. 903-421-5888

SHERMAN



PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT

Telephone No. (903) 892-7229

FAX No. (903) 892-7274

RECEIVED

MAY 21 2013

May 3, 2013 Larry Scruggs
816 E. Pecan
Sherman, TX 75090

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, May 21, 2013 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

L&DB Partnership (Owners) and Darren K. Puls (Tenant) concerning the property at 901 E. Pecan Street, being the south 68' of Lots 1-4, Block 17, Chaffin's 1st Addition

The request is as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow used automobile sales in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

Dear Sir: I strongly disagree on getting a car lot at this location
This is a busy intersection and is the main route for school buses
The lot is too small and cars will be parked all over the street
We have gotten a new park in the area, and people are remodeling
their houses. I have built a house across the street, and I feel
that the last thing that we need is a car lot at this location.
Larry Scruggs 816 East Pecan.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

P.O. BOX 1106 • SHERMAN, TEXAS 75091-1106 • (903) 892-7206

I have included names of people who stay in the area, that feel the same way
Thank you

RECEIVED

MAY 21 2013

Petition to Deny Carbot

Date: 05-18-13

05-18-13

Topic: Carbot 901 E Pecan
Sherman, Tx

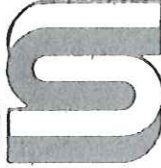
Location: 901 E Pecan, Sherman, Tx

NAME (PLEASE PRINT)

Mr. Smith, John

- | | |
|-----------------------------|-------------------------|
| 1. <u>Lana Savage</u> | <u>816 East Pecan</u> |
| 2. <u>Lelia Lucas</u> | <u>1024 E. Pecan</u> |
| 3. <u>DANLEY Edmonson</u> | <u>808 E. Pecan St.</u> |
| 4. <u>Natasha Edmonson</u> | <u>808 E. Pecan St.</u> |
| 5. <u>Robbie ADAMS</u> | <u>802 E. Pecan St</u> |
| 6. <u>James Etta Walker</u> | <u>908 E. Pecan St.</u> |
| 7. _____ | _____ |
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| 22. _____ | _____ |
| 23. _____ | _____ |
| 24. _____ | _____ |
| 25. _____ | _____ |

SHERMAN



PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT

Telephone No. (903) 892-7229

FAX No. (903) 892-7274

RECEIVED

MAY 24 2013

May 3, 2013

Marian Gibbs
4171 SW Bradbury
Mountain Homes, ID 83647

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, May 21, 2013 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

L&DB Partnership (Owners) and Darren K. Puls (Tenant) concerning the property at 901 E. Pecan Street, being the south 68' of Lots 1-4, Block 17, Chaffin's 1st Addition

The request is as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow used automobile sales in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

My reasons for not wanting a used car lot near my property are very personal as this area is home to several family members. A used car lot would increase traffic, gas vapors, noise, and this

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

P.O. BOX 1106 • SHERMAN, TEXAS 75091-1106 • (903) 892-7206

area would look like East Houston and Lamar Street. Please don't make East Sherman any worse —



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 5.

Meeting Date: 06/17/2013

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5777, 5778 and 5779

List of Agenda Items:

B.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5777 (UNDER APPEAL FROM P&Z)

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 927 and 929 W. Birge Street (Landmark Bank, Owners; Mirza Baig, Prospective Buyer; and Gary Lowell, Representative)

B.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5778

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales, Service, Tire Sales and Service and Light Mechanical Work in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North Highway 75, being Lot 1, Block 1, James Plaza Addition (Steve Starnes, Owner; Drew Burk, Representative; Red River Auto Group, Tenant; and Sartin & Associates, Inc., Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5779

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 901 East Pecan Street, being the South 68' of Lots 1-4, Block 17, Chaffin's 1st Addition (L&DB Partnership, Owners and Darren K. Puls, Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 6.

Meeting Date: 06/17/2013

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

List of Agenda Items:

- C.1. * RESOLUTION NO. 5774**
Authorizing Execution of a Contract with Sharon A. Malone, MD as Licensed Medical Director for Emergency Medical Services; Providing for a Statement of Medical Direction; Providing for Automatic Renewal
- C.2. * RESOLUTION NO. 5775**
Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Fiscal Year 2013; 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 2013
- C.3. * RESOLUTION NO. 5776**
Authorizing Submission of a Joint Grant Application with Grayson County for, and the Acceptance of, a Grant Awarded under the 2013 Justice Assistance Grant Program - CFDA #16.738
- C.4. * RESOLUTION NO. 5777**
Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2013 Justice Assistance Grant Program - CFDA #16.738
- C.5. * RESOLUTION NO. 5778**
Approving the Greater Texoma Utility Authority's Intention to Contract with Vulcan Industries, Inc. for Replacement of the East Bar Screen at the City of Sherman Wastewater Treatment Plant

C.6. * RESOLUTION NO. 5779

Authorizing Execution of an Easement and Right-of-Way to GTE Southwest Incorporated
d/b/a Verizon Southwest for Communication Facilities at the Blalock Fire Station



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 06/17/2013

Prepared By: JJ Jones, Fire Chief

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5774**

Authorizing Execution of a Contract with Sharon A. Malone, MD as Licensed Medical Director for Emergency Medical Services; Providing for a Statement of Medical Direction; Providing for Automatic Renewal

Issue:

To consider renewing the contract with Sharon A. Malone, MD, acting as Medical Director and providing medical direction, continuing education material, and training for Sherman Fire Department EMS personnel

Background:

In July 2007, the City of Sherman entered into an agreement with Sharon A. Malone, MD of Van Alstyne, Texas to provide medical direction, continuing education material and training to Sherman Fire Department EMS personnel. At that time, Dr. Malone reduced the continuing education and training requirements from eight (8) months per year to four (4) months per year. The Medical Director Contract was last renewed at the June 1, 2009 City Council meeting and expires on June 30, 2013.

At this renewal, the term ending month is changed from June to September to coincide with the City's fiscal year budget. Dr. Malone's compensation increases from \$19,200.00 to \$21,600.00 per year. In addition, a provision has been added at Section 7, Training, to allow Dr. Malone to negotiate an additional fee for services required or requested by the City, on a case by case basis.

Origination:

J. J. Jones, Fire Chief

Financial Consideration:

There are no savings for renewing the Medical Director Contract with Dr. Malone. Her fee has increased from \$19,200.00 to \$21,600.00 per year; and any additional training requested or required by the City will now incur an additional fee. Funds for these services have been included in the fiscal year (FY) 2014 Budget.

Staff Recommendation:

It is recommended that the City Council approve the contract with Dr. Sharon Malone for the specified services.

Alternatives:

Medical director services could be sought from other physicians.

Attachments

Resolution No. 5774

Medical Director Contract

RESOLUTION NO. 5774

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH SHARON A. MALONE, MD AS LICENSED MEDICAL DIRECTOR FOR EMERGENCY MEDICAL SERVICES; PROVIDING FOR A STATEMENT OF MEDICAL DIRECTION; PROVIDING FOR AUTOMATIC RENEWAL; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed to enter into a contract with Sharon A. Malone, MD of Van Alstyne, Texas, such contract terms being first approved by the City Attorney and being the same or substantially the same as contained in the agreement attached hereto as Exhibit "A" and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

Medical Director Contract

THIS CONTRACT is entered into as of the 1st day of July, 2013, by and between the CITY OF SHERMAN ("City") and SHARON A. MALONE, MD, 636 Eagle Point Road, Van Alstyne, Texas 75495 ("Malone").

1. Appointment. City hereby appoints Malone as Medical Director.
2. Term & Renewal. Except as otherwise set forth in this Contract, the services of Malone hereunder shall commence on the execution of this Contract, and shall be renewable annually on September 30 for successive one year terms until final termination on September 30, 2017, unless either party gives written notice of its intention not to renew ninety (90) days before expiration of the current term.
3. Renewal. This agreement shall be renewable at the end of the current term for a successive one year term unless either party gives written notice of its intention not to renew ninety (90) days before expiration of the current term.
4. Compensation. City agrees to pay Malone the amount of TWENTY ONE THOUSAND SIX HUNDRED DOLLARS AND NO CENTS (\$21,600.00) PER YEAR for services rendered during the term of this contract. Payment will be made in twelve (12) equal installments of ONE THOUSAND EIGHT HUNDRED DOLLARS AND NO CENTS (\$1,800.00).
5. Service of Malone. Malone shall perform and provide to the City those services as described below:
 - (a) Approve the level of pre-hospital care and provide medical direction for the EMS personnel under her supervision;
 - (b) Establish and monitor compliance with field performance guidelines for EMS personnel;
 - (c) Establish and monitor compliance with training guidelines which meet or exceed Texas Department of State Health Services EMS certification regulations;
 - (d) Develop, implement and revise protocols and/or standing delegation orders if appropriate, governing pre-hospital care and medical aspects of patient triage, transport, transfer, dispatch, extrication, rescue and radio-telephone-telemetry communication by the EMS;
 - (e) Direct an effective system audit and quality assurance program;
 - (f) Make formal recommendations on medically related aspects of EMS operations;

- (g) Function as the primary liaison between the EMS administration and the local medical community;
- (h) Recommend appropriate remedial or corrective measures for EMS personnel;
- (i) Provide annual check-off skills for each EMS personnel;
- (j) Recommend suspension of a certified EMS individual from medical care duties for due causes;
- (k) Establish the circumstances under which a patient might not be transported or may be transported against his or her will;
- (l) Establish criteria for selection of a patient's destination;
- (m) Develop and implement a comprehensive mechanism for management of patient care including patient complaints, allegations of substandard care and deviations from established protocols and patient care standards;
- (n) Promptly respond to requests for information by the City relating to the subject matter items of this section as well as patient care issues; and
- (o) Provide timely review and consultation with regard to medical records in a prompt, efficient and professional manner.

Malone agrees to devote such time and effort as may be necessary and/or desirable for Malone to perform her duties and obligations.

6. Affirmation. Malone affirms that (1) she is a physician licensed to practice medicine in the State of Texas; (2) familiar with the operation of EMS systems; (3) experienced in pre-hospital emergency care of acutely ill or injured patients; (4) actively involved in the emergency management of acutely ill and/or injured patients, in the training and/or continuing education of the EMS personnel under her supervision at their level of certification, in the medical audit, review and critique of the EMS personnel performance and in the administrative processes affecting the delivery of emergency pre-hospital care; (5) knowledgeable about local multi-casualty plans; (6) familiar with dispatch and communications operations of pre-hospital emergency units; and (7) knowledgeable about laws and regulations affecting local, regional and state operations.

7. Training.

- (a) Malone, as part of her responsibilities as Medical Director, agrees to provide Continuing Education ("CE") material for education and training for four (4) months a year. Each training session shall consist of six (6) classes over a period of three (3) days at the Sherman Central Fire Station, or other acceptable location. All course materials shall conform

to state directives and requirements and will be validated by Sherman Fire Department with a direct report to the State of Texas.

- (b) The City will provide training aids and space for Malone, including a meeting room, overhead projector, mannequins and training materials. To the extent permitted by law, training materials developed by Malone may not be copied or distributed without her written permission. Malone understands, however, that the City may not be able to honor this request due to the Texas Public Information Act requirements imposed on the City, or other legal requests for information.
 - (c) Any training or continuing education required or requested by the City beyond the number listed in this contract will result in the City being charged an additional fee. The City shall negotiate with Malone the fee for additional training on a case by case basis.
8. Insurance. The City's obligation to provide general liability insurance shall be limited to the medical and administrative services provided by the Medical Director exclusively for the City. The Medical Director agrees and understands that the determination of coverage for the Medical Director is solely a determination made by the City's Insurance Carrier, the Texas Municipal League Intergovernmental Risk Pool ("City's Insurance Carrier") and not by the City. The Medical Director also understands and agrees that the City is under no obligation to provide any additional coverage or indemnification not provided for by the City's Insurance Carrier.
9. Termination. The City may terminate this Contract at any time upon ninety (90) days written notice from the City to Malone, with or without cause. Malone reserves the right to resign from this appointment upon not less than ninety (90) days prior written notice to the City. In such event, Malone agrees to cooperate with the City and the successor to minimize disruption in the performance of the duties and responsibilities of Malone as set forth herein. In the event of such termination provided for in this paragraph, City agrees to pay Malone compensation as herein provided through the date of cessation of services by Malone.
10. Independent Contractor. Nothing contained herein shall be construed to create an employer/employee relationship between City and Malone. The parties intend that an independent contract and not an employer/employee relationship be created by this agreement. The City is interested only in the results to be achieved and the control of the Malone services shall lie solely with the Malone. The Malone is not considered to be an agent or employee of the City for any purpose, but rather is an appointed official whose capacity as an appointed Malone may be revoked by the Sherman City Council at any time. It is understood that the Malone is in no way vicariously liable for the conduct of the City's employees. It is understood that the City is in no way vicariously liable for the conduct of the Malone. It is understood that the City may use other medical advisors from time to time. It is further understood that the Malone is

free to contract for similar services to be formed for other ambulance services while under contract with the City.

11. No Assignment. City is relying upon the expertise and abilities of Malone, and it is expressly provided that Malone may not assign, in whole or in part, the performance of any of her duties and obligations hereunder.
12. Replacement of Prior Agreement. This Contract represents the entire Contract between the City and the Medical Director and supersedes all prior negotiations, representations, or contracts, either written or oral. This Contract may be amended only by written instrument signed by both parties.
13. Law Governing and Venue. This Contract is governed by the law of the State of Texas and a lawsuit may only be prosecuted on this Contract in a court of competent jurisdiction located in or having jurisdiction in Grayson County, Texas.

EXECUTED AND DELIVERED effective as of the 1st day of July, 2013.

CITY OF SHERMAN, TEXAS

SHARON A. MALONE, MD

BY: _____
NAME: George Olson
TITLE: City Manager
ADDRESS: 220 West Mulberry St
Sherman, TX 75090
PHONE: (903) 892-7200

BY: _____
NAME: Sharon A. Malone MD
TITLE: Medical Director
ADDRESS: 636 Eagle Point Road
Van Alstyne, TX 75495
PHONE: (903) 814-4911

ATTEST:

BY: _____
Linda Ashby, City Clerk

APPROVED AS TO FORM AND CONTENT:

BY: _____
Brandon S. Shelby, City Attorney



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 06/17/2013

Prepared By: Don Keene, Director of Public Works

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5775**

Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Fiscal Year 2013; 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 2013

Issue:

Approval of the Fiscal Year (FY) 2013 Community Development Block Grant Final Statement/Action Plan

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low to moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman.

Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows:

- FY 2008 - \$321,189
- FY 2009 - \$324,495
- FY 2010 - \$351,141
- FY 2011 - \$293,001
- FY 2012 - \$289,254

Origination:

Theresa Caudle, Neighborhood Services

Financial Consideration:

The City of Sherman has been allocated \$311,726 in Community Development Block Grant funds from the U.S. Department of Housing and Urban Development to address our various community development needs for low to moderate income citizens during FY 2013.

Staff Recommendation:

It is staff recommendation that the Sherman City Council approve the resolution to adopt the FY 2013 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Memorandum from Theresa Caudle, Community Development Coordinator

Resolution No. 5775

FY 2013 Community Development Block Grant Final Statement/Action Plan



memorandum

DATE: Friday, June 7, 2013
TO: George Olson, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2013 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2013 was published in the Herald Democrat on April 14, 2013. The required 30-day public comment period has concluded and there were no public comments received on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2013 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 17, 2013.

During the interim, should you have any questions or desire additional information or clarification, please let me know.

RESOLUTION NO. 5775

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 2013; 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 2013; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive an estimated Three Hundred Eleven Thousand Seven Hundred Twenty-Six Dollars and No Cents (\$311,726.00) for fiscal year 2013, to be expended on eligible activities primarily benefiting low/moderate income families; and

WHEREAS, the Community Development Block Grant regulations require the opportunity for citizen participation in the development of the final statement and authorizing of the expenditure of such funds; and

WHEREAS, after proper notice was published in the Herald Democrat, a newspaper of general circulation in the City of Sherman, public hearings were held by said Community Development Staff to receive citizen participation and input on March 12, 2013 and June 17, 2013; and

WHEREAS, the City Council, after due consideration of the proposed Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2013 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2013.

SECTION 2. That the City Council of the City of Sherman hereby certifies and assures the U.S. Department of Housing and Urban Development that development of this application for funds under the Housing and Community Development Act of 1974, as amended, and the implementation of the Block Grant Program will be conducted in accordance with all applicable provisions of the “Assurances” as required.

SECTION 3. That the City Manager of the City of Sherman is hereby authorized to execute, on behalf of the City of Sherman, the “Assurances” set forth on Attachment “B”, attached hereto and made a part hereof for all purposes. These Assurances concern compliance with certain guidelines, regulations, and policies in preparation of this application and in conducting the Community Development Program of the City of Sherman.

SECTION 4. That the City Manager of the City of Sherman is hereby authorized to submit, as the Chief Executive Officer of the City of Sherman, and on behalf of the City of Sherman, the Community Development Final Statement and a certified copy of this resolution and all attachments thereto to the U.S. Department of Housing and Urban Development, in application for funds available to the City of Sherman under the Housing and Community Development Act of 1974, as amended. Said application shall be made on forms required by the U.S. Department of Housing and Urban Development.

SECTION 5. That the City Manager of the City of Sherman is hereby authorized and designated to act as Chief Executive Officer in connection with this application, and is hereby authorized and directed to provide such additional information as may be required in connection with said application.

SECTION 6. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

**CITY OF SHERMAN, TEXAS
FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2013**

GRANT NO: B-2013-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2013 is \$311,726.00. These funds will be received on October 1, 2013. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

The City of Sherman's Consolidated Plan is a document which is required by the U.S. Department of Housing and Urban Development, and includes the following subjects: (1) Housing and Homeless Needs Assessment - A description of the jurisdiction's estimated housing needs for the ensuing five-year period; (2) Housing Market Analysis - A description of the significant characteristics of the jurisdiction's housing market, including supply, demand, condition and cost of housing and the housing stock and services available {i.e., public and assisted housing, homeless, elderly, frail elderly, persons with disabilities (mental/physical/developmental), persons with alcohol and other drug addictions, and persons with HIV/AIDS and related diseases; (3) Strategic Plan - A description of the five-year strategy and plan to address affordable housing, homelessness, other special needs and non-housing community development plan; and, (4) Action Plan - A description of the jurisdiction's one-year plan of activities to be undertaken during the coming year.

The overall goal of this community development planning and development program is to develop viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities principally for low and moderate-income persons of the City of Sherman. Therefore, based on these objectives, the following use of funds is being proposed:

**COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN
PROGRAM YEAR 2013**

OWNER-OCCUPIED HOUSING REHABILITATION:..... \$176,396

A program of specific housing repairs will be provided to low and moderate income homeowners who reside within the city limits of Sherman, to bring their properties to code requirements. Expenditures will be limited to \$5,000 per housing unit under this activity. This activity will cause no displacement of low and moderate income persons.

DEMOLITION/CLEARANCE PROGRAM:..... \$35,000

A program to demolish vacant, substandard structures and clear property lots which pose a risk to health/safety of low-moderate income target neighborhoods.

PROGRAM ADMINISTRATION:..... \$62,300

The City proposes to use the Administration funds for personnel and support for all phases of the application process, environmental reviews, fair labor standard compliance, contract management, fair housing Grantee Performance Report, preparation of annual Action Plan and Performance Report associated with the City of Sherman Five-Year Consolidated Plan and Strategy.

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority:..... \$10,000

A program to address the problems of drug abuse and associated crime in public housing, Activities include increasing law enforcement services to stop the sell of illegal drugs in and around assisted housing, apprehend sellers of such drugs and an overall reduction of crime in the assisted housing area.

Texoma Area Paratransit System, Inc.:..... \$17,500

A program that will provide transportation assistance to low and moderate income individuals who reside within the city limits of Sherman including transportation to and from work, to and from school, and to doctor and grocery trips for the elderly.

Grayson County Crisis Center:..... \$3,000

A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.

Grayson County Shelter, Inc.:..... \$3,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.

Child & Family Guidance Center of Texoma:	\$2,000
A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.	
Boys & Girls Club of Sherman, Inc.:	\$1,530
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized sports activities that would not otherwise be able to participate.	
MasterKey Ministries of Grayson County, Inc.	\$1,000
A Program to provide scholarships for an academic summer camp to improve academic skills for Sherman youth from low-moderate income families with emphasis on Hispanic youth.	

TOTAL PROGRAM ALLOCATION:..... **\$311,726**

The City of Sherman seeks, through the following program objectives, to improve housing conditions, neighborhood appearance, employment opportunities, and the overall quality of life for low and moderate-income citizens. No activities will be undertaken which cause involuntary displacement of persons.

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

1. Encourage citizen participation and input to obtain maximum public involvement in program activities.
2. Promote the rehabilitation and repair of deteriorating housing through the City's rehabilitation program.
3. Promote homeownership opportunities for low-moderate income persons through the City's First-time Homeownership closing cost assistance program.
4. Eliminate slum and blight through the removal of structures that create unsafe, unsanitary and hazardous situations for the public.
5. Promote drug elimination programs for low and moderate income assisted housing families/households.
6. Provide support for transportation assistance to low and moderate income persons.
7. Provide support for provision of emergency shelter/assistance to the homeless.
8. Assist in providing counseling services to youth and adults from low and moderate income families.
9. Assist in providing youth activities for children from low and moderate income families.

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2013 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman, P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Tuesday, July 23, 2013. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 06/17/2013

Prepared By: Otis Henry, Police Chief

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5776**

Authorizing Submission of a Joint Grant Application with Grayson County for, and the Acceptance of, a Grant Awarded under the 2013 Justice Assistance Grant Program - CFDA #16.738

Issue:

Seeking approval to submit a joint grant application with Grayson County for the 2013 Justice Assistance Grant (JAG) Program and accept the award

Background:

This is a companion resolution to the Interlocal Agreement with Grayson County, also on the June 17th agenda. This resolution authorizes the City to apply for and accept 2013 JAG funding to be used by the Sherman Police Department. The total grant award will be \$13,295.00, divided as follows: City of Sherman - \$8,600.00; and Grayson County - \$4,695.00. The 2013 allocations are based on current project needs for each entity.

The Police Department plans to use its portion of 2013 JAG funding for purchasing enhanced tactical body armor. Grayson County will use its portion for technology upgrades and firearms.

Origination:

Sherman Police Department and Support Services Department

Financial Consideration:

There are no matching requirements for this grant.

Staff Recommendation:

The staff recommends submitting the 2013 JAG application and accepting the funding if awarded.

Alternatives:

The Council could decline this grant opportunity.

Attachments

Resolution No. 5776

RESOLUTION NO. 5776

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2013 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the U.S. Department of Justice is offering grants in support of a wide range of projects designed to reduce crime and improve the criminal and juvenile justice systems under the 2013 Justice Assistance Grant (JAG) Program – CFDA #16.738; and

WHEREAS, the City of Sherman desires to submit a joint grant application with Grayson County under this program; and

WHEREAS, the City of Sherman understands that there is no matching requirement for grants awarded under the 2013 JAG Program; and

WHEREAS, the City of Sherman agrees that, in the event of loss or misuse of the JAG funds, the City of Sherman assures that the funds will be returned to the U.S. Department of Justice in full;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all documents being properly completed and approved as to form and content by the City Attorney, to submit a joint application for and, once granted by the U.S. Department of Justice, to accept a Thirteen Thousand Two Hundred Ninety-Five Dollars and No Cents (\$13,295.00) award under the 2013 JAG Program, said joint allocation to be distributed for specific purposes in the following manner: Four Thousand Six Hundred Ninety-Five Dollars and No Cents (\$4,695.00) to Grayson County for technology upgrades and firearms; and Eight Thousand Six Hundred Dollars and No Cents (\$8,600.00) to the City of Sherman for enhanced tactical body armor.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM AND
CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 4.

Meeting Date: 06/17/2013

Prepared By: Otis Henry, Police Chief

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5777**

Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2013 Justice Assistance Grant Program - CFDA #16.738

Issue:

Approving an Interlocal Agreement (ILA) with Grayson County for Justice Assistance Grant (JAG) funding

Background:

This is a companion resolution to a separate agenda item authorizing submission of an application for the 2013 JAG grant, also on the June 17th agenda. Execution of an ILA with Grayson County is one of the required components of the joint grant application to be submitted under the U.S. Department of Justice's 2013 Justice Assistance Grant Program. The total grant award would be \$13,295.00 of which Grayson County's portion would be \$4,695.00 for technology upgrades and firearms; and Sherman's portion would be \$8,600.00 to be used for purchasing enhanced tactical body armor.

Origination:

Sherman Police Department and Support Services Department

Financial Consideration:

There are no matching requirements for this grant. Grayson County's portion of the total grant would be passed through to them.

Staff Recommendation:

The staff recommends approval of this Interlocal Agreement.

Alternatives:

None recommended

Attachments

Resolution No. 5777

Interlocal Agreement between the City of Sherman and Grayson County

RESOLUTION NO. 5777

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2013 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Interlocal Agreement with Grayson County for award of a portion of a total Thirteen Thousand Two Hundred Ninety-Five Dollars and No Cents (\$13,295.00) 2013 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Four Thousand Six Hundred Ninety-Five Dollars and No Cents (\$4,695.00) for technology upgrades and firearms; and
- An award to the City of Sherman of Eight Thousand Six Hundred Dollars and No Cents (\$8,600.00) for enhanced tactical body armor.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 § **KNOW ALL BY THESE PRESENTS:**
COUNTY OF GRAYSON §

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SHERMAN, TEXAS
AND GRAYSON COUNTY, TEXAS**

2013 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD – CFDA 16.738

THIS AGREEMENT is made and entered into this the ____ day of _____, 2013, by and between the **CITY OF SHERMAN, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “SHERMAN”, and the **COUNTY OF GRAYSON, TEXAS**, hereinafter referred to as “GRAYSON” of Grayson County, State of Texas;

W I T N E S S E T H:

WHEREAS, this Agreement is made under the authority of the Interlocal Cooperation Act, Sections 791.001-791.033, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, SHERMAN agrees to provide GRAYSON Four Thousand Six Hundred Ninety-Five Dollars and No Cents (\$4,695.00) from the 2013 JAG Program award to purchase technology upgrades and firearms; and

WHEREAS, SHERMAN and GRAYSON believe it to be in their best interests to reallocate the 2013 JAG funds;

NOW, THEREFORE, SHERMAN and GRAYSON agree as follows:

Section 1. SHERMAN agrees to pay GRAYSON a total of Four Thousand Six Hundred Ninety-Five Dollars and No Cents (\$4,695.00) of 2013 JAG funds.

Section 2. GRAYSON agrees to use Four Thousand Six Hundred Ninety-Five Dollars and No Cents (\$4,695.00) to purchase technology upgrades and firearms to be expended during the two (2) year period beginning on the grant award date.

Section 3. GRAYSON agrees that, in the event of loss or misuse of the 2013 JAG Program Award funds, as determined by SHERMAN, GRAYSON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 4. Nothing in the performance of this Agreement shall impose any liability for claims against GRAYSON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 5. Nothing in the performance of this Agreement shall impose any liability for claims against SHERMAN other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 6. Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9. This Agreement is authorized under and governed by the laws of the State of Texas. Venue for any action arising under this Agreement shall lie in state district court, Grayson County, Texas.

Section 10. If, by reason of Force Majeure as hereinafter defined, any party to this Agreement shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the particulars of such Force Majeure to the other parties within a reasonable time after the occurrence thereof. The obligations of the party giving such notice, to the extent affected by such Force Majeure, shall be suspended during the continuance of the inability claimed and for no longer period, and such party shall, in good faith, exercise its best efforts to remove and overcome such inability. The term "Force Majeure" as utilized in this Agreement shall mean and refer to Acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections, riots, epidemics, landslides, earthquakes, lightning, fires, hurricanes, storms, floods, washouts, or other natural disasters; arrest; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines or canals; or other causes not necessarily within the control of the party claiming such inability.

Section 11. This Agreement is subject to all applicable federal, state and local laws, ordinances, rules and regulations, including but not limited to all provisions of SHERMAN'S Charter and Ordinances, as amended.

Section 12. The failure of any party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

Section 13. It is expressly understood and agreed that, in the execution of this agreement, no party waives, nor shall hereby be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising during the exercise of governmental powers and functions.

CITY OF SHERMAN, TEXAS

COUNTY OF GRAYSON, TEXAS

BY: _____
George Olson, City Manager

BY: _____
Drue Bynum, County Judge

ATTEST:

ATTEST:

BY: _____
Linda Ashby, City Clerk

BY: _____
Wilma Bush,
Grayson County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BY: _____
Brandon S. Shelby, City Attorney

BY: _____
David Van Brunt Price,
Attorney for Grayson County



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 5.

Meeting Date: 06/17/2013

Prepared By: Mark Gibson, Director of Engineering & Utilities

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5778**

Approving the Greater Texoma Utility Authority's Intention to Contract with Vulcan Industries, Inc. for Replacement of the East Bar Screen at the City of Sherman Wastewater Treatment Plant

Issue:

Approving the intention of the Greater Texoma Utility Authority (GTUA) to administer an agreement for replacement of the East Bar Screen at the City's Wastewater Treatment Plant

Background:

The current Capital Improvement Program contains a project to replace the East Bar Screen at the Wastewater Treatment Plant. Three (3) bidders responded to the request for bids. A bid tabulation is attached. The low bid in the amount of \$159,327.00 was submitted by Vulcan Industries, Inc.

Origination:

Department of Utilities Administration

Financial Consideration:

Funds for this project will be paid through the GTUA.

Staff Recommendation:

It is recommended that the City Council approve GTUA's intention to contract with the low bidder, Vulcan Industries, Inc., in the amount of \$159,327.00.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 5778

Recommendation Letter

Bid Tabulation

CIP Project Sheet

RESOLUTION NO. 5778

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH VULCAN INDUSTRIES, INC. FOR THE REPLACEMENT OF THE EAST BAR SCREEN AT THE CITY OF SHERMAN WASTEWATER TREATMENT PLANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman hereby approves the Greater Texoma Utility Authority's intention to enter into a contract with Vulcan Industries, Inc. in the total amount of One Hundred Fifty-Nine Thousand Three Hundred Twenty-Seven Dollars and No Cents (\$159,327.00), for the replacement of the east bar screen at the City of Sherman Wastewater Treatment Plant.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

J. TERRY MILLICAN, P.E.
RICHARD A. DORMIER, P.E.
JOHN D. GATTIS, A.I.A.
DAMIR LULO, P.E.
MICHAEL K. STACEY, P.E.
LARRY J. FREEMAN, P.E.

June 11, 2013

Mr. Jerry W. Chapman
General Manager
Greater Texoma Utility Authority
5100 Airport Drive
Denison, Texas 75020

Re: Sherman WWTP East Bar Screen replacement Award

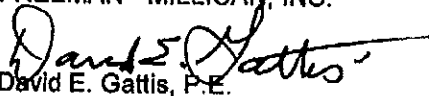
Dear Mr. Chapman:

Bids were received for the equipment for replacing the east bar screen for the Sherman Wastewater Treatment Plant (WWTP) head works lift station on May 23, 2013. A bid tabulation is attached. The project consists of furnishing a 21 million gallon per day (MGD) maximum flow bar screen and appurtenances with installation and start up assistance.

Bids were solicited from three manufacturers. The low bid was received from Vulcan Industries, Inc. in the amount of \$159,327.00. Even though the price is much lower than the other bids, Vulcan is comfortable with their bid.

Vulcan Industries successfully provided the last two replacement bar screen about 10 years ago and is familiar with the Sherman WWTP. Vulcan is qualified to provide the required equipment. We recommend that the Greater Texoma Utility Authority award the contract to Vulcan Industries, Inc. for the bar screen equipment in the amount of \$159,327.00 and authorize assignment of the award in accordance with the contract documents to the successful installation contractor.

Sincerely,
FREEMAN - MILLICAN, INC.


David E. Gattis, P.E.

Enclosure
Copy:
Sherman, Mark Gibson, Director of Engineering and Utilities

BID TABULATION

OWNER:	Greater Texoma Utility Authority for City of Sherman	BIDDER:		Vulcan Industries, Inc.		Infilco Degremont Inc.		Duperon	
PROJECT:	Post Oak WWTP East Bar Screen Replacement Equipment	ADDRESS:		212 S. Kirlin		8007 Discovery Drive		1200 Leon Scott Court	
ENGINEER:	Freeman-Millican, Inc. - Texas Registered Engineering Firm F-2827	CITY, STATE:		Missouri Valley, IA 51555		Richmond, Virginia 23229		Saginaw, Michigan	
BID DATE:	5/23/2013 at 2:00 pm	PHONE:		712-642-2755		804-756-7600		989-754-8800	
ITEM NO:	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
P.1	Furnish and Deliver Bar Screen Equipment	1	LS	159,327.00	\$159,327.00	225,200.00	\$225,200.00	249,444.00	\$249,444.00
Total Amount of Bid:				\$159,327.00		\$225,200.00		\$249,444.00	
Time of Completion:				210 days		210 days		210 days	



FREEMAN-MILlicAN, INC.

THE SEAL APPEARING ON THIS DOCUMENT WAS
AUTHORIZED BY RICHARD A. DORMIER, P.E. No. 50570 ON
JUNE 6, 2013.



WWTP - Replace #3 Bar Screen

DESCRIPTION:

\$300,000

ESTIMATED O&M COST:

PROPOSED FINANCING:

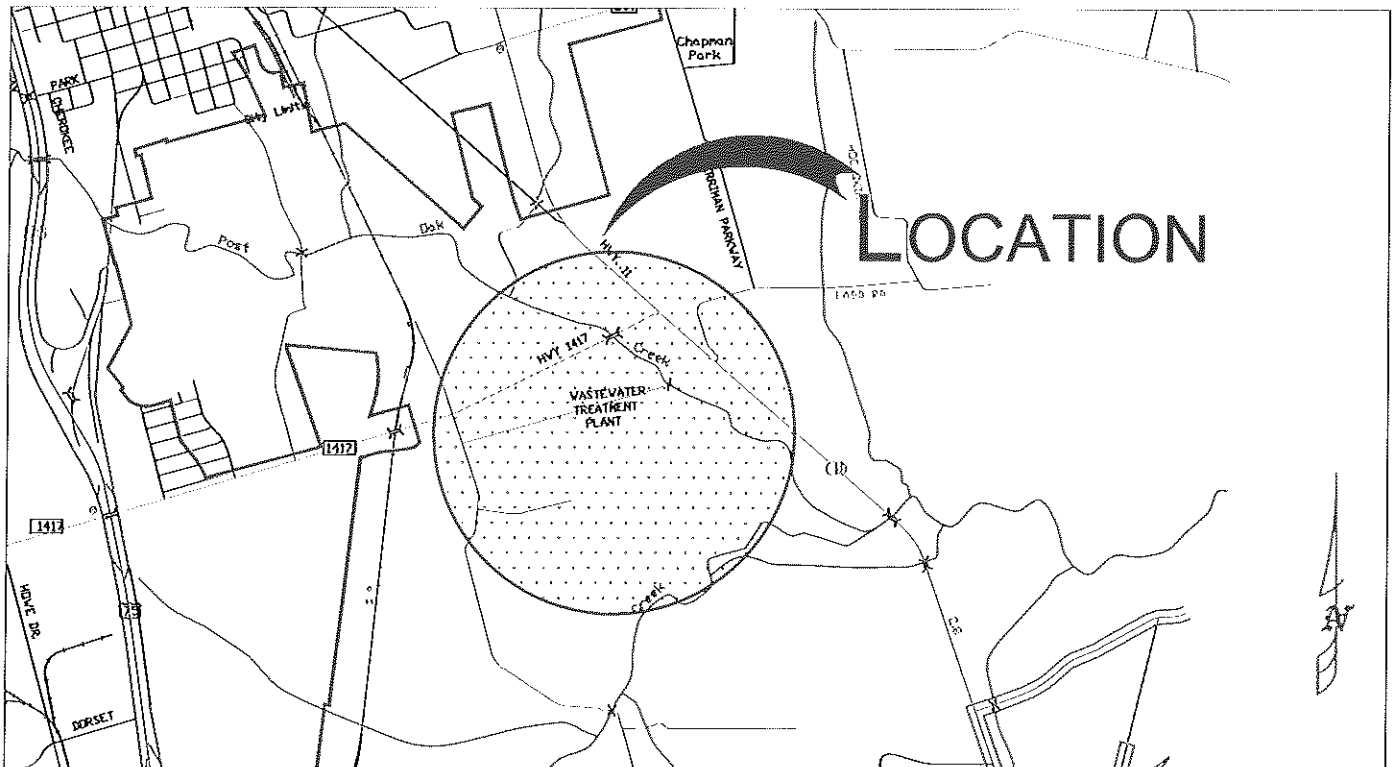
Utility Improvement Fund - Bond

PROJECT NECESSITY:

The existing bar screen has reached the end of its useful life and requires replacement.

DEPARTMENT/DIRECTOR:

Director of Engineering and Utilities , Mark Gibson





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 6.

Meeting Date: 06/17/2013

Prepared By: Mark Gibson, Director of Engineering & Utilities

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5779**

Authorizing Execution of an Easement and Right-of-Way to GTE Southwest Incorporated d/b/a Verizon Southwest for Communication Facilities at the Blalock Fire Station

Issue:

Authorizing the City Manager to execute a Utility Easement and Right of Way with GTE Southwest Incorporated d/b/a Verizon Southwest (Verizon) for the installation of communication facilities at the Blalock Fire Station

Background:

Verizon currently has appurtenances in the subject area and would like to access the communication equipment to construct and repair communication cables and wires.

Origination:

Department of Utilities Administration

Financial Consideration:

None

Staff Recommendation:

It is recommended that the Utility Easement and Right of Way be approved and that the City Manager be authorized to execute the document.

Alternatives:

As may be directed by the Council

Attachments

Resolution No. 5779

Utility Easement and Right of Way

Location Map

RESOLUTION NO. 5779

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EASEMENT AND RIGHT-OF-WAY TO GTE SOUTHWEST INCORPORATED D/B/A VERIZON SOUTHWEST FOR COMMUNICATION FACILITIES AT THE BLALOCK FIRE STATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all documents being properly completed and approved as to form and content by the City Attorney, to execute an easement to GTE Southwest Incorporated d/b/a Verizon Southwest for communication facilities at the Blalock Fire Station, in substantially the same form as the easement and location map approved by the City Engineer and the City Attorney (Exhibit "A"), both of which are attached hereto and incorporated herein for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2013.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

GRANTOR:

UTILITY EASEMENT AND RIGHT OF WAY

THE STATE OF TEXAS }
 }
COUNTY OF GRAYSON }

KNOW ALL MEN BY THESE PRESENTS:

EXCHANGE:5680
LOC. CODE: 004
ORDER NO. 3F0A0BV

That City of Sherman at P.O. Box 1106 Sherman Texas 75091, a municipal corporation of the State of Texas, of the County of Grayson and State of Texas... aforesaid, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to us in hand paid by GTE Southwest Incorporated d/b/a Verizon Southwest, convey unto GTE Southwest Incorporated d/b/a Verizon Southwest, its successors and assigns, an easement to construct, place, operate, inspect, maintain, repair, replace and remove such communication cables and wires, and all other necessary and desirable appurtenances of every kind and nature as Grantee may from time to time require, consisting of cables, wires, and necessary fixtures and appurtenances across, under and upon the following described property situated in Grayson County, State of Texas, to wit::

See: EASEMENT EXHIBIT NUMBER "1" AND EXHIBIT NUMBER "2" 2 PAGES MADE PART OF THIS EASEMENT BY METES AND BOUNDS LEGAL DESCRIPTION All that is certain easement situated in the County of Grayson, State of Texas, out of the Sherrod Dunman Survey, Abstract Number 329, and being a part of called 1.5698 acre tract, conveyed to the City of Sherman with restrictions as defined in Volume 1079, Page 392, Official public Records, Grayson County, Texas, said restrictions being partially removed by "Termination of Restrictions" recorded in Volume 4795, Page 811, Official Public Records, Grayson County, Texas, said 1.5698 acre tract, also being affected by the conveyance of called 0.040 acre tract to the State of Texas, by deed recorded in Volume 1111, Page 836, Official Public Records, Grayson County, Texas and being more fully described by metes and bounds as follows: **See Utility Easement**

Situated in Grayson County, State of Texas, and the Grantor(s) recognize the general course of said line, as described is based upon preliminary survey only and Grantor(s) hereby agrees that the easement hereby granted shall apply to the actual location of said line or lines where constructed.

Grantor(s) covenants for themselves, their successors and assigns, not to place or maintain any building or structure on said easement. Notwithstanding the rights granted herein to Grantee, Grantor expressly reserves the right to use and enjoyment of said easement for any purpose not expressly forbidden herein, including the right to convey rights to said easement to other parties.

Grantor(s) grant to the Grantee the right of ingress and egress to or from said right of way for the purpose of inspecting, maintaining, constructing, reconstructing, operating and removing its buried communication equipment, facilities and associated appurtenances under, across and upon the above described property, and the right to place markers and other devices to support or mark said construction where necessary.

The Grantor(s) acknowledge that the consideration recited above includes compensation for any and all damages to the surface or grass located thereon resulting from original construction by Grantee. Should Grantee or its agents or employees, subsequent to original installation of communication facilities within the easement described above, have occasion to enter upon the premises to perform maintenance on such facilities, Grantee agrees to pay Grantor(s) the actual cash value of that portion of grass destroyed in the course of performance of such maintenance; and Grantor(s) agree to receive such amount in full discharge of any claim for damages which might have been advanced.

TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until said line shall be abandoned.

And we do hereby bind ourselves, our legal representatives, to warrant and forever defend, all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Upon abandonment by Grantee of the aforementioned property for the usage of providing telecommunication services, it is hereby expressly agreed that the property will be released from encumbrances and returned to the Grantor.

ACKNOWLEDGMENT

EXECUTED this _____ day of _____, 2013

BY: George Olson, City Manager

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **George Olson** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that the same was the act of the said City of Sherman Manager George Olson, and that he executed the same as the act of such for the purposes and consideration therein expressed, and in the capacity therein stated.

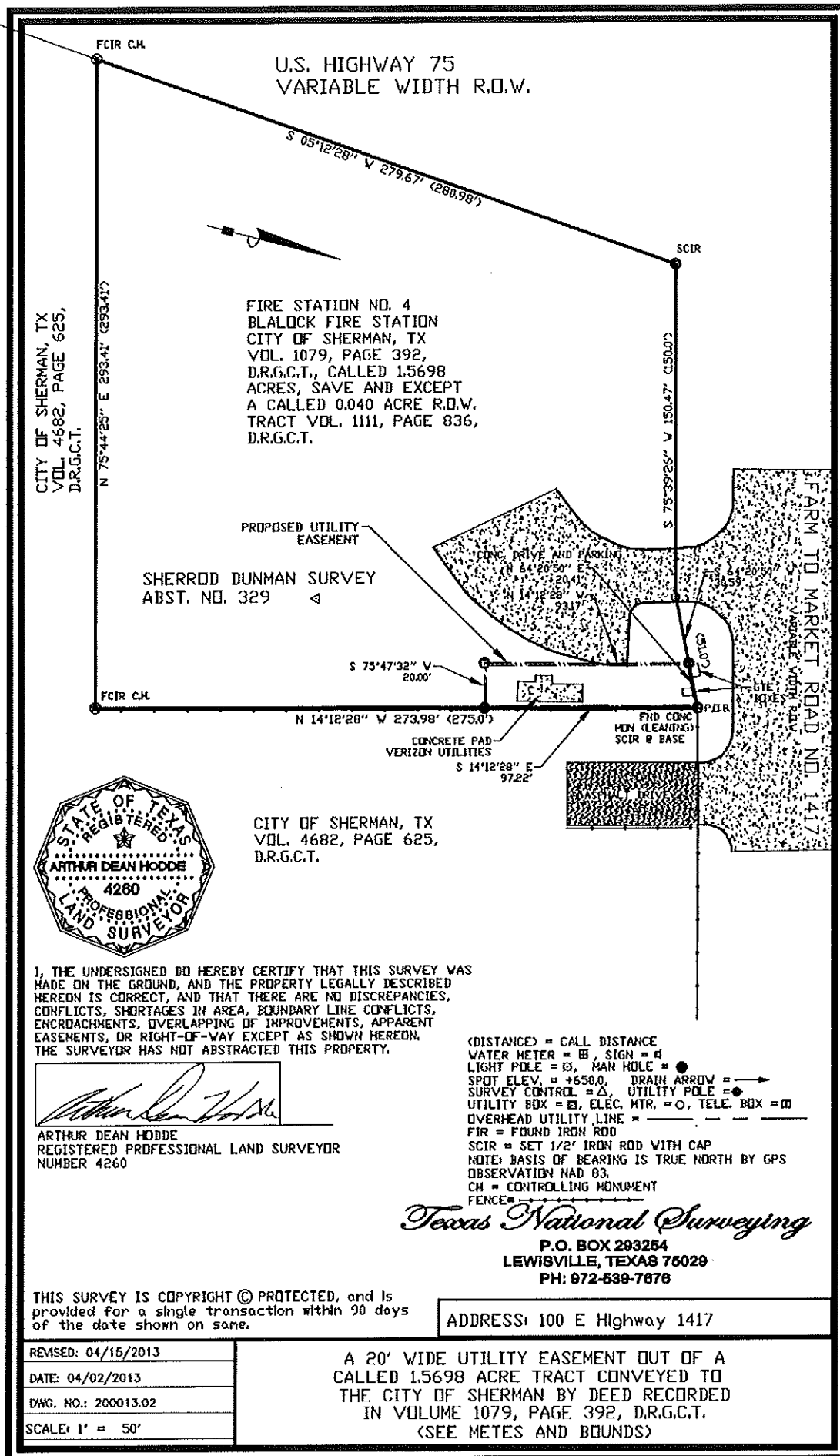
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 2013.

(Signature)

(Print Name)

Notary Public, State of Texas

My Commission expires



UTILITY EASEMENT

All that certain easement situated in the County of Grayson, State of Texas, out of the Sherrod Dunman Survey, Abstract Number 329, and being part of a called 1.5698 acre tract, conveyed to the City of Sherman with restrictions as defined in Volume 1079, Page 392, Official Public Records, Grayson County, Texas, said restrictions being partially removed by "Termination of Restrictions", recorded in Volume 4795, Page 811, Official Public Records, Grayson County, Texas, said 1.5698 acre tract, also being affected by the conveyance of a called 0.040 acre tract to the State of Texas, by deed recorded in Volume 1111, Page 836, Official Public Records, Grayson County, Texas, and being more fully described by metes and bounds as follows:

Beginning at a capped iron rod set at the base of a leaning concrete highway monument, for the southeast corner of said 0.040 acre tract, also being on the south right-of-way line of Farm to Market Highway Number 1417 (variable width right-of-way), and also being the northeast corner of the remainder portion of said 1.5698 acre tract;

Thence S 14°12'28" E along the east line of said 1.5698 acre tract, a distance of 97.22 feet to a capped iron rod set for the southeast corner of the herein described easement;

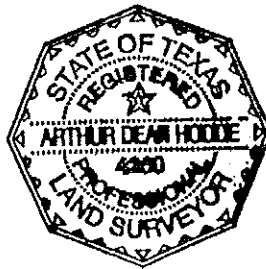
Thence S 75°47'32" W a distance of 20.00 feet to a capped iron rod set for the southwest corner of the herein described easement;

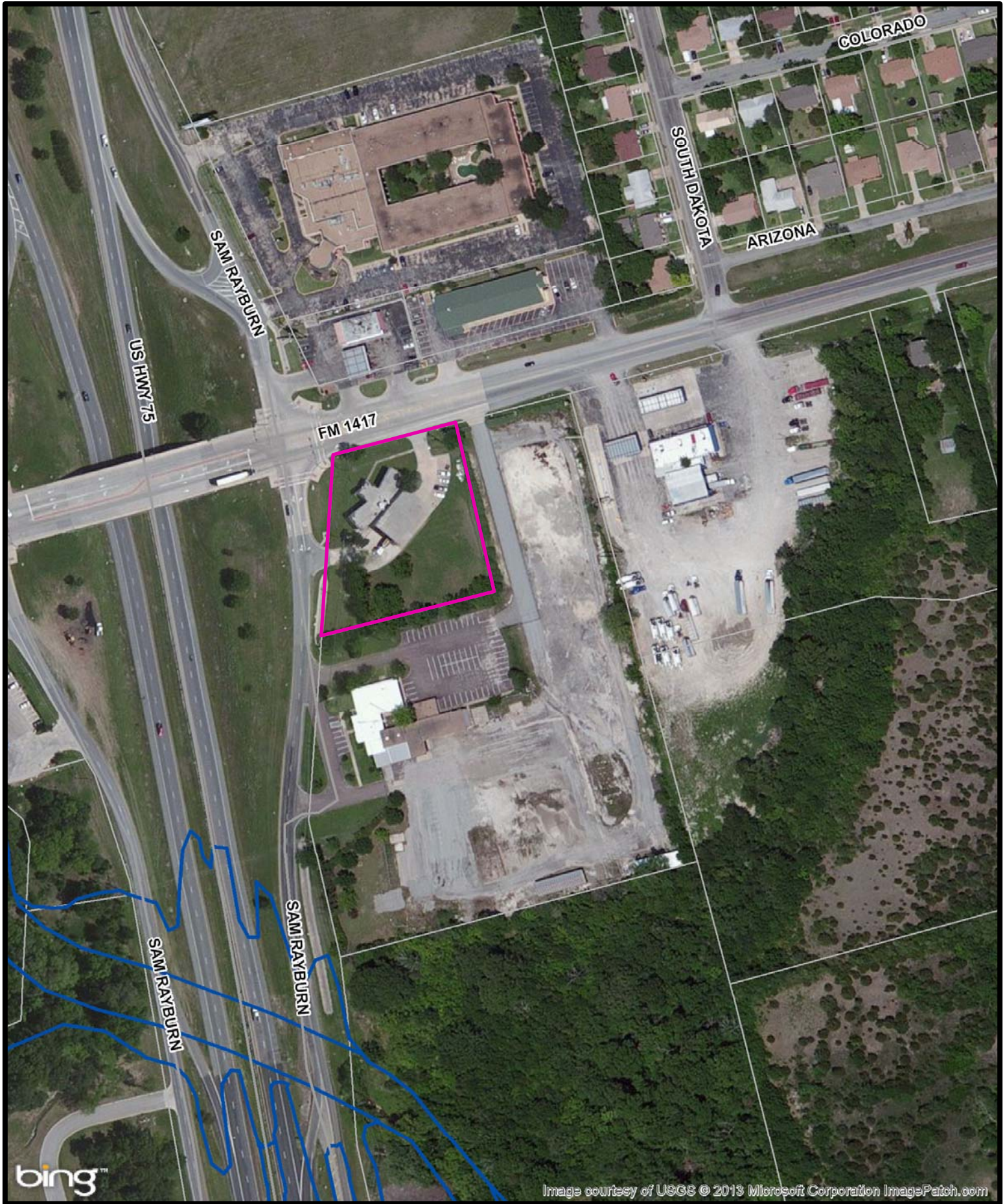
Thence N 14°12'28" W a distance of 93.17 feet to a point on an existing concrete driveway for the northwest corner of the herein described easement, also being on the said south right-of-way of Farm to Market Highway Number 1417;

Thence N 64°20'50" E along the south right-of-way line of said Farm to Market Highway Number 1417, a distance of 20.41 feet to the Point of Beginning and Containing 1904 square feet or 0.0437 acres.



Arthur Dean Hodde
R.P.L.S. No. 4260
TNS Job No. 200013.02
04/02/2013







SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 06/17/2013

Prepared By: Robby Hefton, Assistant City Manager/CFO

Approved By: George Olson, City Manager

Caption:

OTHER BUSINESS

Receive Presentations from Several Members of Community Arts Groups Supported by Hotel/Motel Tax Funds

Issue:

Receive presentations from several members of community arts groups supported by Hotel/Motel Tax funds

Background:

This agenda item relates to requests to speak to the Council in advance of the Budget Workshop, which will be held on Wednesday, June 19, 2013, regarding Hotel/Motel Tax fund allocations for fiscal year 2014.

Origination:

Dan Steelman, Executive Director, The Sherman Museum

Webster Crocker, Director, Theatrics

Larry Wall, President, Sherman Council for the Arts & Humanities, Inc.

Financial Consideration:

This presentation has no financial impact.

Staff Recommendation:

None



City Council Regular Meeting

Agenda Item No. G. 1.

Meeting Date: 06/17/2013

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Keep Sherman Beautiful Commission (7)

Issue:

The Keep Sherman Beautiful Commission consists of seven members that serve two-year terms. There are currently no members serving on this Commission; and we have no current applications on file. Mayor Wacker has asked that this item be placed on the City Council's agenda for discussion and possible appointment of members.

Background:

The current by-laws of the Keep Sherman Beautiful Commission charges the Commission with the following purpose and duties:

"The Keep Sherman Beautiful Commission shall function to assist the City Council and the City staff by involving individuals, businesses, and industries throughout the community to promote education and activities that encourage waste reduction, litter prevention, and beautification programs and projects in affiliation with the Keep Texas Beautiful objectives."

Origination:

This agenda item originated with Mayor Cary Wacker.

Financial Consideration:

There is no financial consideration to the City.

Staff Recommendation:

The staff's recommendation is to include this agenda item so the City Council can discuss the Keep Sherman Beautiful Commission and make any appointments necessary.

Alternatives:

The Council could choose not to discuss the Keep Sherman Beautiful Commission.

Attachments

Roster

Fact Sheet

By-Laws

MEMBERSHIP ROSTER

KEEP SHERMAN BEAUTIFUL COMMISSION

LENGTH OF TERMS: SEE NOTE BELOW*

Ord. 4112 Consecutive Term Limit (3)*effective 7/24/89

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Vacant					2 Year Term
Vacant					2 Year Term
Vacant					2 Year Term
Vacant					2 Year Term
Vacant					2 Year Term
Vacant					2 Year Term
Vacant					2 Year Term

NOTE: All members shall be appointed for terms of two (2) years, and shall not serve for more than three (3) consecutive terms.

FACT SHEET

KEEP SHERMAN BEAUTIFUL COMMISSION

Established by RESOLUTION 2805 – MARCH 2, 1992 – RE-ESTABLISHED BY RESOLUTION 3807 – APRIL 19, 1999; RE-ESTABLISHED BY RESOLUTION 5041 – JULY 16, 2007

1. Number of Members: SEVEN (7)
2. Term of Appointment: TWO (2) YEARS
3. Consecutive Term Rule: THREE YEARS
4. Qualifications for Membership: INTEREST IN KEEPING SHERMAN BEAUTIFUL; DEDICATION TO IMPLEMENTATION OF ASSIGNED PROJECTS
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization

CHAIRPERSON A VICE CHAIRPERSON E SECRETARY E

ELECTED APPOINTED

7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: BI-MONTHLY AT 5:30 P.M. OR WHEN CALLED
9. Attendance Requirements: IF A COMMISSION MISSES TWO MEETINGS WITHOUT NOTICE AND/OR WITHOUT GOOD CAUSE WITHIN A CALENDAR YEAR, AFTER WRITTEN NOTIFICATION BY THE CHAIRMAN, HE/SHE SHALL AUTOMATICALLY RELINQUISH HIS/HER PLACE ON THE COMMISSION

=====

PURPOSE:

Commission shall function to assist the City Council and the City staff by involving individuals, businesses, and industries throughout the community to promote education and activities and encourage waste reduction, litter prevention, and beautification programs and projects in affiliation with the Keep Texas Beautiful objectives.

RESPONSIBILITIES:

- (1) To plan, initiate, direct, and coordinate community-wide efforts to achieve its goals
- (2) To solicit and accept donations and appropriations for money, service, products, property, and/or facilities expenditure and use by the Commission for the accomplishment of its objectives as approved by the City Council
- (3) To make recommendations to the City Council, as well as to the private sector, regarding measures which it deems necessary to accomplish the objectives of both the City and the Commission.

RESOLUTION NO. 5041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CREATING THE KEEP SHERMAN BEAUTIFUL COMMISSION; RATIFYING ALL LAWFUL ACTS OF THE COMMISSION SINCE FEBRUARY 3, 1992; APPROVING ITS BY-LAWS; PROVIDING FOR THE APPOINTMENT AND REMOVAL OF OFFICERS AND MEMBERS; PROVIDING FOR BY-LAW AMENDMENTS; REPEALING IN ITS ENTIRETY RESOLUTION NO. 4053; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council wishes to create the Keep Sherman Beautiful Commission, which shall serve in an advisory capacity to the City Council; approve amended By-Laws for the Commission, and ratify all the Commission's lawful acts from February 3, 1992, through the date of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Council of the City of Sherman, Texas, does hereby create the Keep Sherman Beautiful Commission as an advisory commission to the City Council and does hereby ratify, adopt, and approve all lawful acts of the Keep Sherman Beautiful Commission from and after February 3, 1992.

SECTION 2. That the City Council of the City of Sherman, Texas, hereby approves the amended By-Laws of the Keep Sherman Beautiful Commission dated the 16th day of July, 2007, a copy of which is attached hereto and made a part hereof for all purposes.

SECTION 3. That the City Council of the City of Sherman, Texas, may, at any time and upon its own motion or at the request of the Keep Sherman Beautiful Commission appoint or remove any Commission officer or member and amend, in whole or in part, the By-Laws of the Keep Sherman Beautiful Commission.

SECTION 4. That Resolution No. 4053, passed approved by the City Council of the City of Sherman, Texas, on September 5, 2000, be and is hereby revoked in its entirety.

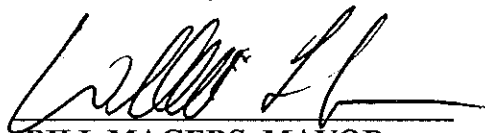
SECTION 5. That this resolution and the Commission created therein shall be effective as of June 18, 2007.

SECTION 6. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the 16th day of July, 2007.

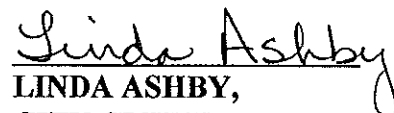
CITY OF SHERMAN, TEXAS

BY:


BILL MAGERS, MAYOR

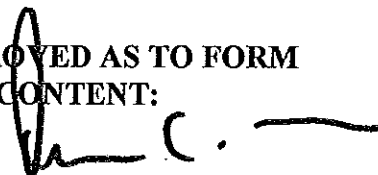
ATTEST:

BY:


**LINDA ASHBY,
CITY CLERK**

**APPROVED AS TO FORM
AND CONTENT:**

BY:


**DOREEN E. MCGOOKEY,
CITY ATTORNEY**

KEEP SHERMAN BEAUTIFUL COMMISSION
of the
CITY OF SHERMAN

BY-LAWS

ARTICLE I

Section 1. Name. The name of the organization shall be the "Keep Sherman Beautiful Commission, hereafter referred to as the "Commission," which is an advisory commission to the City Council of the City of Sherman, Texas.

Section 2. Creation. The Commission was organized on February 3, 1992, as an advisory commission to the City Council of the City of Sherman, Texas and ratified by Resolution No. 4043.

Section 3. Purpose and Duties. The Commission shall function to assist the City Council and the City staff by involving individuals, businesses, and industries throughout the community to promote education and activities that encourage waste reduction, litter prevention, and beautification programs and projects in affiliation with the Keep Texas Beautiful objectives.

Section 4. Powers. In order to perform the duties enumerated in Section 3 above, the Commission shall have the following authority.

1. To plan, initiate, direct, and coordinate community-wide efforts to achieve its goals.
2. To solicit and accept donations and appropriations of money, services, products, property, and/or facilities for expenditure and use by the Commission for the accomplishment of its objectives as approved by the City Council.
3. To make recommendations to the City Council as well as the private sector, regarding measures, which it deems necessary to accomplish the objectives of both the City and the Commission.

ARTICLE II

Section 1. Structure. The Commission shall be composed of seven (7) members who will serve without remuneration. The Commission shall have a Chairperson and a Vice-Chairperson.

Section 2. Membership. The members and Chairperson shall be appointed by the City Council with new terms beginning January 1 of each year. The President of the Sherman Chamber of Commerce or his/her authorized representative, the Director or the Downtown Sherman Preservation and Revitalization (DSP&R) or his/her authorized representative and the city staff designees shall serve as ex-officio members of the Commission.

Section 3. Committees: The City Council may direct the Chair to appoint temporary or special committees as needed to perform specific duties or to delegate certain tasks to be performed. A Committee shall include a least one Board Member and may include non-Board Members.

Sections 4. Voting Rights. Each member of the Commission shall have one (1) vote. The Chairperson shall vote only to break a tie. All voting shall be by voice vote or call for a roll call. Ex-officio members and members of temporary or special committees shall not have voting rights on the Commission.

ARTICLE III

Section 1. Meetings. Meetings of the Commission will be held at least bi-monthly at 5:30 p.m. in the Sherman City Council Chambers unless changed by the Commission, or when called by the Chairperson of the Commission, city staff designee, or by any three (3) Commission members. At least three (3) days' notice must be given before each meeting. All meetings shall be conducted in accordance with an agenda established for each meeting. The Commission shall submit to the City Council or city staff designee a copy of the minutes of each regular and special meeting with a list of members absent from such meeting.

Section 2. Open Meetings. All meetings shall be open to the public. Public notice of meetings shall be given at least 72 hours in advance of the meetings, as required by Chapter 551, Government Code of the State of Texas.

Section 3. Quorum. A simple majority of the total number of occupied Commission positions shall constitute a quorum for the transaction of business.

Section 4. Transaction of Business. Every act or decision done or made by a majority vote of the Commission members present at a duly called meeting at which a quorum is present shall be regarded as the act of the entire Commission.

Section 5. Order of Business. All meetings shall be conducted according to Roberts Rules of Order, current addition. It shall be the responsibility of each Commission member to observe that these rules are followed and the meeting conducted in accordance therewith.

ARTICLE IV

Section 1. Terms. All members shall be appointed for terms of two years, and shall not serve for more than three consecutive terms.

Section 2. Attendance and Participation. If a Commission member misses two meetings without notice and/or without good cause within a calendar year, after written notification by the Chairman, he/she shall automatically relinquish his/her place on the Commission. The Commission shall review the attendance and participation of all members, and report to the City Council at any time with a recommendation for appropriate City Council action. The City Council, on its own motion or at the request of the Commission, may remove any officer or member of the Commission at any time.

Section 3. Resignation. Any member may resign at any time by giving written notice to the Commission Chairperson. Such resignations will take effect on the date of receipt of such notice or at any later date specified therein. The acceptance of a resignation shall not be necessary to make it effective.

Section 4. Vacancies. A vacancy on the Commission shall be filled in the manner prescribed in Article 11, Section 2. The member appointed to such vacancy shall serve for the remainder of the term of the member replaced.

Section 5. Duties. The duties are as follows:

1. **Commission Chairperson.** The Commission Chairperson shall be the spokesperson for the Commission at public functions, and ex-officio member of all committees; shall establish an agenda for all meetings. In addition, the Commission Chairperson shall present reports to the Commission, its members, and to the City Council as the business of the Commission and of the City as may require.
2. **Commission Vice-Chairperson.** Acts in the place and stead of the Commission Chairperson in the event of the Chairperson's absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required by the Commission.
3. **Recording Secretary.** Shall keep the minutes of all meetings, and in the Recording Secretary's absence, the Chairman shall designate another member to act as Recording Secretary. The Recording Secretary may accept the assistance of City Personnel in the transcribing the minutes, when available, but shall sign same officially before presenting it to the Board for approval.
4. **Committee Chairpersons.** Shall perform such duties as may be required of them by the Commission.

ARTICLE V

Section 1. Management of Funds. As may be approved by the City Council from time to time, the Commission may receive and disburse funds within the limitations of appropriations, gifts and grants, and in connection with projects or undertakings, which shall be deposited with the City. All disbursements of funds must either be approved by the City Manager, if the expenditure is less than twenty-five thousand (\$25,000.00) dollars, or by the City Council, if the expenditure is more than twenty-five thousand (\$25,000.00) dollars. The Commission, upon approval of the City Council and in accordance with state and local laws, policies and procedures, may contract with any private or public agency to the extent required for its proper operation. The Commission shall make its annual report to the City Council in October on the preceding year's activities. The report shall include the Commission's actions and accomplishments in connection with each project or undertaking, and shall include as part of its report a detailed statement of its receipts and disbursements from whatever source and to whatever object for the preceding

twelve (12) months. The Commission shall present its proposed projects and budget to the City for their consideration during the annual budget planning process, detailing its anticipated revenues and expenditures for the fiscal year. Any funds for the Commission shall be kept by the City of Sherman and dispensed in accordance with state law, city ordinances, the City Charter, and established City policies and procedures.

ARTICLE VI

Section 1. Amendments. These By-Laws may be amended by the City Council at any regular City Council meeting, upon its own motion or at the request of the Commission.

ARTICLE VII

Section 1. Conflicts. In the case of any conflict between city ordinance, the City Charter, and these By-Laws, the city ordinance or the City Charter, shall control.

Section 2. Majority. As used in By-Laws, the term "majority" shall mean those votes totaling more than fifty percent (50%) of the total vote of the membership. Unless otherwise stated, all decisions will be by majority vote.

ARTICLE VIII

Section 1. Dissolution. In the event of dissolution, the residual assets of the Commission shall be left to the discretion of the City Council.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. J.

Meeting Date: 06/17/2013

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: George Olson, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2013 Council Calendar

2013

JANUARY						
S	M	T	W	T	F	S
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DECEMBER						
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03/13/2013	12 noon Called Council Meeting for General Services, Financial, and Comprehensive Master Plan Updates
04/26/2013	Called Budget Planning Meeting in Council Chambers
06/19-20/2013	Called Budget Workshop in Council Chambers
09/02/2013	Labor Day/Called Council Meeting on 09/03/2013
