STATE OF TEXAS §

June 6, 2016

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on June 6, 2016.

MEMBERS PRESENT: **MAYOR DAVID PLYLER.**
COUNCIL MEMBERS COUCH, DAVIS, JOHNSON, STEELE, WATT.

MEMBERS ABSENT: **DEPUTY MAYOR JASON SOFEY.**

CALL TO ORDER

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Mayor David Plyler.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of May 16, 2016. Council Member Couch moved to approve the Minutes as presented; Second by Council Member Davis. All present voted AYE.
MOTION CARRIED.

RES 6087 SUPPORTING NORTH TEXAS REGIONAL AIRPORT CONTRACT FOR FLIGHT TRAINING

RESOLUTION NO. 6087 – SUPPORTING THE GOAL OF CHICKATAY INC: U.S. AVIATION GROUPO TO SECURE, PERFORM AND ADMINISTER THE UNITED STATES AIR FORCE INITIAL FLIGHT TRAINING CONTRACT FA3002-15-R-IFT AT NORTH TEXAS REGIONAL AIRPORT – PERRIN FIELD IN GRAYSON COUNTY, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, SUPPORTING THE GOAL OF CHICKATAY INC: U.S. AVIATION GROUP TO SECURE, PERFORM AND ADMINISTER THE UNITED STATES AIR FORCE INITIAL FLIGHT TRAINING CONTRACT FA3002-15-R-IFT AT NORTH TEXAS REGIONAL AIRPORT – PERRIN FIELD IN GRAYSON COUNTY, TEXAS.

Bill Magers, Grayson County Judge, introduced Clyde Siebman, Grayson County Regional Mobility Authority Chairman, to outline the request. The Regional Mobility Authority manages the North Texas Regional Airport, located at the old Perrin Field.

Mr. Siebman said they are asking the City to support an effort to expand the training program at NTRA. The Airport currently provides pilot training but is trying to obtain a contract with the United States Air Force to provide the first step in the training process for pilots.

He said the contract would be a huge deal for Grayson County and for NTRA, and the resolution would show support for the project. Mr. Siebman added that the value of the taxable assets for the facility would be $13,200,000 and it

would be a great economic opportunity for the Airport and for the community.

Council Member Couch asked how many participants the training would bring to the community. Mr. Siebman said this will be an ongoing effort with continuous classes over the course of the ten (10) year contract.

County Judge Magers stated information obtained in the report that SEDCO utilizes to predict economic impact, indicates the potential for 249 jobs at the training facility, as well as the disposable income of the continual recruits participating in the program. These paid students will be supporting local businesses while in training. Judge Magers stated all cities have been approached and requested to participate, but with the City of Sherman being the County Seat, this endorsement is valuable. He added, this program is currently embedded in Colorado, so this is a long shot, but we are hopeful to obtain the contract.

Mr. Siebman reiterated these students will be residing at the airport facility throughout the course of their training, so the real economic impact will be the huge number of students coming through the program over the ten (10) year contract and support local businesses.

Council Member Johnson asked how long the training course would be. Mr. Siebman stated the course would be eight (8) weeks long. Judge Magers stated the training obtained here would be the first three levels enabling the pilots to fly small planes and then onto other facilities for further training. Council Member Steele shared his experience while in the Air Force Academy and training missions at that time.

Mr. Siebman stated when pilots leave this program, they will communicate their positive experience to others. He also noted with Air China currently at the facility, the facility is already an international resource with stories about Grayson County around the world in this global economy. He stated when corporations are interested in building a facility here or foreign investments in Texas, the ramifications of this program would be extremely positive from Grayson County and the City of Sherman.

Judge Magers announced there will be a Town Hall meeting next Tuesday from 6:00 to 8:00 p.m. at 5501 Airport Drive, to show support of this endeavor.

ACTION TAKEN.

Motion by Council Member Couch to approve Resolution No. 6087, as presented. Second by Council Member Johnson.

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

<u>PUBLIC HEARING</u>

<u>FINAL STATEMENT / ACTION PLAN FOR PROGRAM YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT</u>

CDBG ACTION PLAN

Mayor Plyler called for a public hearing on the Final Statement / Action Plan for Program Year 2016 of the Community Development Block Grant.

Don Keene, Assistant City Manager, reported this grant has been received for a number of years, noting this year's allotment is almost $316,000. He presented the work plan and noted funds are utilized for Housing and Public Service, including the Sherman Housing Authority, the Crisis Center and the Boys & Girls Club. He did note, the plan includes allocation of $47,000 for the demolition program this year.

No citizens appeared before the City Council to discuss the Final Statement / Action Plan for Program Year 2016 Community Development Block Grant.

<u>INTRODUCTION AND PUBLIC HEARING OF ORDINANCES</u>

ORD 5951 ANNEXATION 4798 SISTRUNK ST.

Mayor Plyler introduced Ordinance No. 5951 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX A 0.777 ACRE TRACT OF LAND ON SISTRUNK STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Robby Hefton, City Manager, stated this is the last action to be taken on this annexation in the Hilltop area, East of Midway Mall. This property owner has requesting water service from the City of Sherman and has applied for annexation.

No citizens appeared before the City Council to discuss Ordinance No. 5951.

ORD 5952 ABANDON PORTION OF R-O-W (SARA SWAMY DR.)

Mayor Plyler introduced Ordinance No. 5952 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE SARA SWAMY DRIVE RIGHT-OF-WAY LYING AT THE SOUTHWEST CORNER OF BLOCK ONE (1) OF THE HERITAGE PARK ADDITION PHASE ONE, AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF MATHIS DRIVE WITH THE ORIGINAL NORTH RIGHT-OF-WAY LINE OF SAID HERITAGE PARK DRIVE, ALSO BEING THE SOUTHWEST CORNER OF LOT 1A OF THE REPLAT OF LOT 1, BLOCK 1 OF HERITAGE PARK ADDITION AS SHOWN BY PLAT OF RECORD IN VOLUME 21, PAGE 16; SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO

THE ABUTTING AND ADJACENT PROPERTY OWNERS, PYRAMID ESTATES, LLC AND GAVLIE PROPERTIES, LLC.

Clay Barnett, Engineering and Public Works Director, reported that originally, Sara Swamy Drive went directly West, but a curve was added to accommodate the Sherman Commons development. With the completion of this project, there is now left over right-of-way that they wish to abandon. Since that right-of-way was originally donated for the project, we wish to return it to the adjacent property owner.

No citizens appeared before the City Council to discuss Ordinance No. 5952.

ORD 5953
SUP FOR ARMY SURPLUS STORE
(2115 S. FM 1417)

Mayor Plyler introduced Ordinance No. 5953 and called for a public hearing:
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 AN ARMY SURPLUS STORE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT AT 2115 SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING LOT 3, BLOCK 1, COMMUNITY USA ADDITION (COMMUNITY STORAGE USA, LTD, OWNER; JAMES W. CAUDLE, REPRESENTATIVE; AND KENT SANDERS, PROPOSED TENANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Scott Shadden, Director of Development Services, reported this store located in the shopping center on FM 1417, initially started as a "hobby" business and has now grown into a retail business. After being presented and discussed by the Planning and Zoning Board, they voted unanimously to recommend approval, with the condition of no outside sales or display.

Mr. Kent Sanders residing at 272 Quail Run Road, stated he would like to open the store, understands the conditions and will follow them fully. He noted the store will not be very large, but as it grows, he will consider another location at that time.

No other citizens appeared before the City Council to discuss Ordinance No. 5953.

ORD 5954
SUP FOR PATO HOMES
(317-415 N. WOODS ST, 308-420 N. SAM RAYBURN FRWY, 703-721 W. PECAN ST)

Mayor Plyler introduced Ordinance No. 5954 and called for a public hearing:
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 TWO-FAMILY PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AT 317-415 NORTH WOODS

STREET, 308-420 NORTH SAM RAYBURN FREEWAY, AND 703-721 WEST PECAN STREET, BEING THE PROPOSED LOTS 1-19, BLOCK 6R OF THE REPLAT OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Scott Shadden reported this is the entire block between Woods Street and Sam Rayburn Freeway, South of the Texas Star bank and across from the football field. They are proposing to demolish all current structures to build two-family patio homes with rear entry and rear parking with no drive approaches on Woods Street. Along Highway 75, they are proposing merchants. They will bring this back for site plan approval prior to construction and as a last step, a replat would be completed. After being presented and discussed by the Planning and Zoning Board, they voted unanimously to recommend approval.

Council Member Steele asked for clarification on the location and Mr. Shadden advised it is North of Tracks Restaurant and South of Texas Star Bank along Highway 75, between Fern and West Pecan.

No citizens appeared before the City Council to discuss Ordinance No. 5954.

ORD 5955 ZONE CHANGE (308-420 N. SAM RAYBURN FRWY, 703-713 W. PECAN)

Mayor Plyler introduced Ordinance No. 5955 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERITES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 308-420 NORTH SAM RAYBURN FREEWAY AND 703-713 WEST PECAN STREET, BEING 1.969 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 AND PART OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

Scott Shadden noted this is in conjunction to the block of property previously discussed in Ordinance 5954, however specifically pertaining to the property along Highway 75, which is being proposed for merchant stores.

No citizens appeared before the City Council to discuss Ordinance No. 5955.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5951
AN ORDINANCE OF THE CITY COUNCIL O FHTE CITY OF SHERMAN, TEXAS, ESTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX A 0.777 ACRE TRACT OF LAND ON SISTRUNK STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5951
ANNEXATION
4798 SISTRUNK ST.

Ordinance 5952
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE SARA SWAMY DRIVE RIGHT-OF-WAY LYING AT THE SOUTHWEST CORNER OF BLOCK ONE (1) OF THE HERITAGE PARK ADDITION PHASE ONE, AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF MATHIS DRIVE WITH THE ORIGINAL NORTH RIGHT-OF-WAY LINE OF SAID HERITAGE PARK DRIVE, ALSO BEING THE SOUTHWEST CORNER OF LOT 1A OF THE REPLAT OF LOT 1, BLOCK 1 OF HERITAGE PARK ADDITION AS SHOWN BY PLAT OF RECORD IN VOLUME 21, PAGE 16; SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNERS, PYRAMID ESTATES, LLC AND GAVLIE PROPERTIES, LLC.

ORD 5952
ABANDON PORTION
OF R-O-W
(SARA SWAMY DR.)

Ordinance 5953
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 AN ARMY SURPLUS STORE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT AT 2115 SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING LOT 3, BLOCK 1, COMMUNITY USA ADDITION (COMMUNITY STORAGE USA, LTD, OWNER; JAMES W. CAUDLE, REPRESENTATIVE; AND KENT SANDERS, PROPOSED TENANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 5953
SUP FOR ARMY
SURPLUS STORE
(2115 S. FM 1417)

Ordinance 5954
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 TWO-FAMILY PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AT 317-415 NORTH WOODS STREET, 308-420 NORTH SAM RAYBURN FREEWAY, AND 703-721 WEST PECAN STREET, BEING THE PROPOSED LOTS 1-19, BLOCK 6R OF THE REPLAT OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR);

ORD 5954
SUP FOR PATO HOMES
(317-415 N. WOODS ST,
308-420 N. SAM
RAYBURN FRWY,
703-721 W. PECAN ST)

PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN COINDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Ordinance 5955

ORD 5955 ZONE CHANGE (308-420 N. SAM RAYBURN FRWY, 703-713 W. PECAN)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERITES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 308-420 NORTH SAM RAYBURN FREEWAY AND 703-713 WEST PECAN STREET, BEING 1.969 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 AND PART OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Watt to adopt Ordinance Nos. 5951, 5952, 5953, 5954, and 5955, as presented. Second by Council Member Davis.

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

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 6088 – APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

RES 6088 CERTIFICATES OF OBLIGATION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Mary Lawrence, Director of Finance, stated this resolution authorizes the publication of the Notice of Intent to issue $7.3 million in Certificates of Obligation as required by law. This Ordinance will be presented once again to the City Council at the July 18, 2016 meeting for approval and authorization of actual issuance of certificates. These certificates will be used to fund the library remodel, the net cost of relocating Fire Station #4, Swan Ridge and Taylor Street, among other projects. Ms. Lawrence also explained this is the first step the City is taking to manage our growth and will plan to return to the City Council in 2017 and 2018 for another issuance for other projects such as Lamberth Road, Canyon Creek Drive and OB Groner. She stated the source of repayment for the certificates will be taxes.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6088, as presented. Second by Council Member Steele.
VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RES 6089 OUTDOOR WARNING SIRENS

RESOLUTION NO. 6089 – AUTHORIZING THE PURCHASE OF OUTDOOR WARNING SIRENS FROM FEDERAL SIGNAL CORPORATION THROUGH SHIPMAN COMMUNICATIONS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF OUTDOOR WARNING SIRENS FROM FEDERAL SIGNAL CORPORATION THROUGH SHIPMAN COMMUNICATIONS.

Danny Jones, Fire Chief addressed the council and introduced Tom Brown, Emergency Management Coordinator for the City of Sherman. Chief Jones noted with the storms that have come through our area, one of the outdoor warning sirens has been knocked down and needs to be replaced, as well as the need to purchase an additional siren for coverage needs. Tom Brown reported the damaged siren was located at the current Fire Station #4, which covers the Johnson & Johnson and Highway 1417 corridor, with coverage ranging half way through the Shadow Mountain Village area for the trailer park and west of the railroad track past Johnson & Johnson and Folgers. He noted with the growth continuing down Highway 1417, the relocation of Fire Station #4, as well as growth West on Highway 1417, there is concern of no coverage for Shadow Mountain Village, as well as the City's Waste Water Treatment facilities down on Highway 1417. In an effort to determine how to better cover our citizens and employees, it is recommended that we work with the County to move the siren that was damaged and being replaced, to the County Precinct Barn on Highway 1417 just past the railroad tracks, which would provide coverage past Highway 11, all the way back up to Highway 75. It is also recommended that the proposed new siren be placed near the Northgate entrance, providing coverage from Highway 75 to OB Groner. By placing the sirens at these locations, this would provide coverage to areas with the exception of the industries, which will be addressed in future plans.

Chief Jones reported the cost for the proposed siren project is approximately $55,000 to $60,000, with expectation that a large portion will be reimbursed through insurance from the damaged siren.

ACTION TAKEN.
Motion by Council Member Johnson to approve Resolution No. 6089, as presented. Second by Council Member Watt.
VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

<u>RESOLUTION NO. 6090 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738</u>
A RESOLUTION OF THE CITY COUNCIL OFHTE CITYOF SHERMAN, TEXAS, AUTHORIZING EXECUTINO OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738.
CONSENT AGENDA.

RES 6090 INTERLOCAL AGREEMENT FOR JAG GRANT PROGRAM

<u>RESOLUTION NO. 6091 – AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738.
CONSENT AGENDA.

RES 6091 JOINT APPLICATION FOR JAG GRANT

<u>RESOLUTION NO. 6092 – AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT / ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2016; 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 PROGRAM YEAR 2016</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PURLICATION OF THE PROPOSED FINAL STATEMENT / ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2016; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTINO F CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2016.
CONSENT AGENDA.

RES 6092 CDBG FINAL STATEMENT / ACTION PLAN

<u>RESOLUTION NO. 6093 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH ANGEL JARAMILLO AND MARTHA LOPEZ FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1019 EAST LAKE STREET</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

RES 6093 RESIDENTIAL TAX ABATEMENT (1019 E. LAKE ST)

SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH ANGEL JARAMILLO AND MARTHA LOPEZ FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1019 EAST LAKE STREET. CONSENT AGENDA.

REQ TO ADVERTISE SALE OF CITY-OWNED PROPERTY

<u>REQUEST TO ADVERTISE</u>
<u>SALE OF CITY-OWNED SURPLUS REAL PROPERTY</u>

Brandon Shelby, City Attorney, reported City staff have reviewed property owned by the city and have identified a number of tracts considered "surplus" because the City owns them, but they are not being used for a public purpose. Among these properties are the Youth Center on Washington Street and the TXDOT building on Highway 1417. Mr. Shelby stated permission is being requested to move forward and identify ways to sell these properties and generate revenue for the City.

Council Member Couch inquired how the city goes about placing these properties up for sale. Mr. Shelby stated it depends on how the property was acquired. If the City owns the property outright and did not obtain it from eminent domain, it is placed up for bid. He explained the property is advertised on the website and in the newspaper, the City then accepts sealed bids opening all bids on the same day and selling the property to the highest bidder.

Council Member Couch also asked how many properties the City has acquired though eminent domain. Mr. Shelby stated he does not know of any of them specifically on the list, but deed records would be checked as the City has had some of the properties for a very long time. Mr. Hefton added most of the properties are vacant lots, but a few do have structures on them, which he feels confident were not acquired through eminent domain, such as the Youth Center and the Armory.

Council Member Davis asked if most of the lots are residential, to which Mr. Hefton replied yes, they are primarily residential lots. Mr. Hefton noted some properties on this list may be pulled back as they are in the flood plain and the City does not want to sell lots in the flood plain, as we do not want homes built in those areas. He noted at this time, Council approval is being sought on all lots listed and the staff will cull through to determine which ones will be sent out for bids.

ACTION TAKEN.

> **Motion by Council Member Davis to approve the request to advertise for the sale of City-owned surplus real property, as presented. Second by Council Member Couch.**

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

MOTION CARRIED.

CHANGE ORDER HUNT ST EROSION PROTECTION PROJECT

<u>CHANGE ORDER NO. 1</u>
<u>THE EROSION PROTECTION FOR HUNT STREET PROJECT; EAST VALLEY GOLF, LTD. DBA REVEGETATION SERVICES; $3,022.00 DECREASE</u>
The City Council approve Change Order No. 1, in the amount of a $3,022 decrease, to East Valley Golf, LTD, dba Revegetation Services, for the Erosion Protection for Hunt Street Project.

This is a final reconciliatory change order to adjust the final project quantities, and covers the cost of additional concrete flume, concrete curb asphalt, and paving adjustments. The change order results in a $3,022 decrease in the contract amount, yielding a final contract price of $158,530.
CONSENT AGENDA.

<u>OTHER BUSINESS</u>

SUBSTANDARD STRUCTURES ABATEMENT

<u>CONSIDER THE ABATEMENT OF SUBSTANDARD STRUCTURES AT THE FOLLOWING LOCATIONS:</u>
- **<u>1323 EAST CHERRY (EAST SIDE ADDN, BLOCK 2, LOT PT 2), LIVIA RICKETTS DOUGLAS, OWNER</u>**
- **<u>817 EAST LAMAR (CHAFFINS 1ST ADDN, BLOCK 11, LOT 9 & 10), MARSHALL D. FULMER, OWNER</u>**
- **<u>905 SOUTH WILLOW (ELLIOTTS W ADDN, BLOCK 20, LOT 3 & 4, 50X140, ACRES .1607), ELVIRA RAVELO, OWNER</u>**
- **<u>1818 SOUTH MONTGOMERY [SOUTHSIDE ADDN (REPLT BLK 19), BLOCK 19, LOT 5], DONALD ELMO LANKFORD ESTATE, OWNER</u>**
- **<u>518 SOUTH VADEN (HAZELWOOD & VADEN ADDN, BLOCK 5, LOT 10), MARTIN GOMEZ, OWNER</u>**
- **<u>1525 NORTH SHANNON (SHANNON R E 1ST ADDN, BLOCK 3, LOT PT 1), CECIL R. CROCKETT, OWNER</u>**
- **<u>209 EAST COLLEGE (G-0763 McANAIR J B, 42 X 170.5), LEOBARDO RAMIREZ, OWNER</u>**

Don Keene, Assistant City Manager, reminded the Council the objective of the Substandard program is to encourage property owner maintenance, to reduce the blight and provide a healthier and safer city. He noted earlier this year, the City changed the ordinance and eliminated the Substandard Structure Commission and made it so the City staff may conduct a detailed inspection to determine if these structures are substandard, which most likely indicates they are a health and safety hazard to the City. The City mails out a notice and a form, which will allow the property owner to agree to allow the City to demolish the structure for them at no cost to them. Mr. Keene stated the City has had success with this process, however, there are a number of property owners that we hear nothing back from and they are referred to as “absentee ownership”. He noted the list presented tonight is the first list of the properties that have been through the process and we have not received response

from. Mr. Keene noted the intention is to bring these list to the Council from time to time as needed. At this time, there are seven (7) properties to be discussed tonight. The City Council meetings provide the opportunity for a public hearing, allowing any of the owners who have not responded, to come and speak to the Council and be heard.

Mr. Keene reported year-to-date, there have been eleven (11) substandard structures taken down, five (5) with contracts in place waiting to be taken down and these seven (7) structures being discussed tonight. With the funds the City has received for the Substandard Structure Program, we will be providing assistance in the removal of approximately 20+ structures in 2016. The City feels we are being progressive, but still considering the private property rights of the owners. The goal is to not always tear things down, but to get the structures up to a safe and healthy standard or provide a mechanism to get them removed for the good of the entire City.

Mr. Keene introduced Moises Duran, new to the City and responsible to help coordinate and facilitate the Substandard Structure Program. Mr. Keene also recognized Teresa Caudle, Community Development Coordinator and Byrle White, P&Z Inspector, noting they have been instrumental in getting this program revived and moving forward with good progress.

Council Member Davis asked if these structures are vacant and have been deemed as uninhabitable. Mr. Keene stated yes, the structures are all vacant, utilities have been checked and the structures have been deemed very substandard, as far as health and safety hazard.

Mayor Plyer opened the floor for discussion regarding the seven (7) substandard structures being addressed tonight.

<u>817 EAST LAMAR</u>

Mr. Marshall Fulmer addressed the Council as owner of the property at 817 E. Lamar. He began by stating he agrees his property is substandard and explained the extent of damage he is aware of. He noted after speaking with Teresa Caudle several weeks back, he has been unable to begin any repairs due to rain delays. He does however, plan to start by removing the roof, evaluating the property to determine if he will be able to afford the needed repairs and then make a decision. The notification process was discussed with Mr. Fulmer and he denied receiving the initial notice in January of this year, but stated he was made aware of the substandard concern in approximately March and then spoke with Ms. Caudle. He is requesting an additional thirty (30) days to conduct an evaluation to determine if he will be able to bring his property up to code and if he cannot, understands it will need to be torn down.

Council Member Davis asked what the procedure is if a

property owner request additional time.

Robby Hefton noted the City has done everything required prior to removing the substandard structure and is under no obligation to grant an extension. Without an extension, this property would be added to list to be removed. If the extension request is granted, the City staff would monitor progress within the specific time limit provided to bring the structure to code.

Brandon Shelby noted the City Council is essentially now the Substandard Structure Committee and may set specific time frames if extensions are granted.

The Council discussed concerns regarding Mr. Fulmer's delay in contacting the city regarding his notification of substandard structure.

Council Member Tammy Johnson inquired what Mr. Fulmer felt he could accomplish in thirty (30) additional days.

Council Member Watt stated one must consider how it is to live next door to these types of substandard properties and the rodents that come with that.

There was also discussion with the regards to the potential value of the property being higher if the structure was removed by the City, the lot cleared and the property was able to be sold by the owner.

Mr. Ronald Aycock, homeowner of 1808 Robin and 220 E. Houston, requested to speak to the Council on behalf of Mr. Fulmer. Mr. Aycock stated he is a disabled veteran, just as Mr. Fulmer is a disabled veteran. He expressed is disappointment that the City did not ask if Mr. Fulmer was a Veteran and then provide him information on help he could possibly obtain through the State or other organizations as a Disabled Veteran.

Council Member Davis stated Mr. Fulmer knew he was required to keep his property up to code.

Council Member Steele stated he too, is a disabled veteran, but noted it is not the responsibility of the City to provide Mr. Fulmer information on where he could possibly obtain Veterans assistance, as that is his responsibility. As an elected official, the Council Members are responsible to follow the Ordinances. He too questioned how much work Mr. Fulmer felt he could accomplish in the next thirty (30) days.

Mr. Aycock stated Mr. Fulmer must contact the state to obtain a loan and determine his options. He also noted he feels strongly he should speak for those Veterans in Sherman that he feels have been wronged.

Mayor Plyler stated there is a point at which repairs exceed the value of the property and a loan may not be an option if that is the case.

Mayor Plyler also suggested this substandard structure be pulled from the current list until the next City Council meeting, allowing him time to speak with Congressman Ratcliff's office and determine if a veteran representative can assist Mr. Fulmer.

ACTION TAKEN

> **Motion by Council Member Davis to table the decision regarding the substandard structure located at 817 E. Lamar Street, which will be reconsidered in two weeks, at the next City Council Meeting. Second by Council Member Steele.**

VOTING AYE: Davis, Johnson, Steele.
VOTING NAY: Couch, Watt.
MOTION CARRIED.

1323 E CHERRY

Mr. Rodney Ricketts addressed the council. He stated this house was given to him by his sister and he is in the process of legally changing ownership. He noted he has recently hired individuals to help him with repairs. The house has currently been boarded up and no one has lived there for over two (2) years since his sister became ill.

Council Members and the City Manager strongly encouraged Mr. Ricketts to consider the significant expense it will take to attempt to bring the property up to code in the time required and after all the expense, it still may be substandard and have to be torn down, leaving Mr. Ricketts in a worse financial position than before he started. It was strongly suggested that Mr. Ricketts work with a contractor to obtain a cost projection to determine if the structure is worth the cost of repair. It may be worth more as a vacant lot.

ACTION TAKEN

> **Motion by Council Member Watt to table the decision regarding the substandard structure located at 1323 E. Cherry, which will be reconsidered in two weeks, at the next City Council Meeting. Second by Council Member Couch.**

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

Robby Hefton noted at this time, Rodney Ricketts is not the legal owner of the property at 1323 E. Cherry, which could take weeks to complete that process. Council Member Davis and Brandon Shelby stated if there are no liens, he should be able to obtain a Deed. Mr. Hefton encouraged Mr. Ricketts to begin work to obtain legal ownership as soon as possible.

1525 E SHANNON

Mr. Cecil Crockett addressed the council regarding his garage structure in the back of his property. He noted he has spoke with two separate contractors regarding removal of the burned roof and his wish to replace with a metal roof. One contractor stated the walls can be saved and the roof replaced. He is requesting additional time to remove the old cars and rehabilitate the structure by replacing the roof.

Robby Hefton advised that the City Inspector reported concerns of not only the roof, but the integrity of the walls.

Council Member Couch asked how much time Mr. Crockett needed to bring to code. Mr. Crockett stated he would like to clear it off. Council Member Couch reminded Mr. Crockett that the City is prepared to clear it completely off for him, at no cost.

Don Keene asked Mr. Crockett if he meant he wanted to clear it all off or leave the walls. Mr. Crockett stated if the contractors feel the walls are good, he would like to keep the walls if worth saving.

Scott Shadden noted a structural engineer would need to certify the walls are still safe.

Council Member Davis suggested Mr. Crockett get a structural engineer to inspect the walls in the next two weeks and if deemed unsafe, the City can clear it off for him at no cost to him.

Mr. Crockett expressed concern there was not enough room for heavy equipment to be brought in to remove the structure. Robby Hefton assured Mr. Crockett the City would take whatever steps were necessary to keep him safe and to keep his property safe.

Don Keene stated if the intergrity of the walls is found to be unsafe, the City would take everything down, roof and walls and haul everything off, clearing the property.

Mr. Crockett stated he hated to see the brick go to waste. Council Member Davis asked if Mr. Crockett wanted the brick and he stated yes. Mr. Hefton stated the City could leave the uncleaned brick and place the bricks in a general location out of the way and preventing a health or safety hazard.

Mr. Crockett asked where he could locate a structural engineer. Robby Hefton stated the City could provide him names of structural engineers, but cannot recommend anyone. Mr. Hefton also noted Mr. Crockett must contact a structural engineer and have the property evaluated before the next council meeting in two weeks. Don Keene stated he will have names for Mr. Crockett tomorrow.

ACTION TAKEN

Motion by Council Member Davis to table the decision regarding the substandard structure located at 1525 E. Shannon, which will be reconsidered in two weeks, at the next City Council Meeting. Second by Council Member Steele.

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

ACTION TAKEN.

Motion by Council Member Steele to approve the abatement of substandard structures as presented, except for those at 1323 E. Cherry Street, 817 E. Lamar Street, and 1525 N. Shannon Street, which will be reconsidered in two weeks, at the next City Council Meeting. Second by Council Member Watt.

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

REPLAT APPROVAL OF BLOCK 6 OF EXSTEIN'S MAPLE ADDITION, BEING 3.897 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 AND BEING ALL OF BLOCK 6, EXSTEIN'S MAPLE ADDITION; SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (317-415 NORTH WOODS, 308-420 NORTH SAM RAYBURN FREEWAY, AND 703-721 WEST PECAN)

ACTION TAKEN.

Motion by Council Member Couch to approve a Replat of Block 6 of Exstein's Maple Addition, being 3.897 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition, as presented. Second by Council Member Davis.

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

FINAL PLAT APPROVAL OF BOB ALLEN ADDITION, BEING 7.96 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; TRINITY BAPTIST CHURCH AND GRAYSON BAPTIST ASSOCIATION, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (2515, 2605, 2613, AND 2627 LOY LAKE ROAD)

APPROVE FINAL PLAT BOB ALLEN ADDITION (2515, 2605, 2613, & 2627 LOY LAKE RD)

The City Council approved the Final Plat of the Bob Allen Addition, a 7.96 acre tract located at 2515, 2605, 2613, and 2627 Loy Lake Road.

The property is zoned R-1 (One Family Residential) District and the owners, Trinity Baptist Church and Grayson Baptist Association, would like to plat the property into four lots to see some of the lots.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

SET JOINT MEETING WITH CITY COUNCIL & SISD BOARD OF TRUSTEES

<u>CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES FOR 11:30 A.M. ON THURSDAY, JUNE 23, 2016, FOR A STRATEGIC PLANNING SESSION</u>

ACTION TAKEN.
Motion by Council Member Johnson to schedule a Joint Meeting of the City Council and the Sherman Independent School District Board of Trustees for June 23, 2016, at 11:30 a.m., as presented. Second by Council Member Watt.
VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

CLOSE STREETS UNITED WAY HUSTLE FOR HEALTH

<u>CONSIDER REQUEST OF THE UNITED WAY OF GRAYSON COUNTY TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "UNITED WAY HUSTLE FOR HEALTH" ON SATURDAY, AUGUST 13, 2016</u>
The City Council approved the request of United Way of Grayson County to temporarily close certain streets for the "United Way Hustle for Health" on August 13, 2016. The event will include a 5K/10K and Mini K fun. They are also requesting the closure of Rusk Street in front of the Municipal Building from 8:00 a.m. until 9:00 a.m.

The City's assistance with traffic control, barricades, and the labor and equipment for the traffic control assistance will be needed.
CONSENT AGENDA.

SET CALLED MEETING FOR JULY 4TH HOLIDAY

<u>CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, JULY 5, 2016, DUE TO CONFLICT WITH A FEDERAL HOLIDAY</u>
The City Council approved the request to schedule a Called Special City Council Meeting for Tuesday, July 5, 2016, due to a conflict with a Federal holiday.
CONSENT AGNEDA.

CITIZENS REQUESTS

<u>CITIZENS REQUESTS</u>
There were no citizens requests.

MEDIA QUESTIONS

<u>MEDIA QUESTIONS</u>
There were no media questions.

CIVIL SERVICE COMMISSION

<u>APPOINT / REMOVE OR CONSIDER QUALIFICATION TO BOARDS AND COMMISSIONS</u>
<u>CIVIL SERVICE COMMISSION (1)</u>
ACTION TAKEN.

Motion by Council Member Steele to reappoint Lee Salinas to the Civil Service Commission for a term from June 8, 2016 to June 8, 2019. Second by Council Member Davis.
VOTING AYE: Couch, Davis, Johnson, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

COUNCIL COMMENTS

Council Member Couch applauded Sarah McRae, Tourism and Main Street Manager, for her hard work with Hot Summer Nights.

Council Member Steele recognized and applauded the Sherman Police Department for their work in helping his Assistant locate stolen property in a timely manner. Great Police Department and great Detective work.

Council Member Davis stated he attended the First Annual Fire Department picnic this past weekend with the City's fireman and their families. He applauded Chief Jones for the event, noting these types of events are great for morale and good to have.

Council Member Watt stated today is the 72nd anniversary of Normany and a lot of military lost their lives that day. He also thanked Mr. Aycock for stepping forward to represent a fellow Veteran, noting that is what brotherhood is all about. He encouraged everyone to remember the members of the military in your prayers.

Council Member Johnson applauded Sarah McRae and her team for a job well done with Hot Summer Nights. She also noted Hot Summer Nights continue this week with "Shiny Ribs" performing.

Mayor Plyler also thanked Sarah McRae, Steve Ayers and everyone who has worked so hard to put on Hot Summer Nights. He stated he looks forward to this week's event as well.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

EXECUTIVE SESSION

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.087 **DELIBERATE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY**

HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

Mayor Plyler said no Executive Session was needed.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:36 p.m.

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MAYOR

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CITY CLERK