STATE OF TEXAS §

June 4, 2007

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 4, 2007.

MEMBERS PRESENT: **MAYOR BILL MAGERS; DEPUTY MAYOR CHIP ADAMI. COUNCIL MEMBERS HUGHES, SMITH, W. STEELE, WACKER.**

MEMBERS ABSENT: **COUNCIL MEMBER T. STEELE.**

CALL TO ORDER — **CALL TO ORDER**

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

Mayor Magers welcomed new Council Member Willie Steele to his first Regular Council Meeting.

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular Meeting of May 21, 2007 and the Called City Council Meeting of May 22, 2007. Council Member Hughes moved to approve the Minutes as presented; Second by Council Member Smith. All present voted AYE.
MOTION CARRIED.

PUBLIC HEARING
FINAL STATEMENT/ACTION PLAN FOR PROGRAM YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT — **CDBG FUNDS**

Mayor Magers asked for public input on the Fiscal Year 2007 Community Development Block Grant Final Statement and Action Plan.

Council Member Smith asked how the amounts were determined for each category listed in the Action Plan.

George Olson, Acting City Manager, explained that Community Development Block Grant funds are designated to address the needs of low to moderate income citizens and are based on a 5-year Consolidated Plan and Strategy, which is developed by City staff and approved by the City Council.

He added that housing rehabilitation was the City's primary way to provide assistance to the residents. Council Member Smith verified that there are limits on the amount of funding that can be used for public service activities and most of the previous organizations are the same as in past years. Documentation is also required to show that the money is used for programs for low to moderate income citizens.

Council Member Smith verified that the amount of CDBG funds that the City receives is being reduced annually. Mr.

Olson said the program is a federal program and has seen both ebbs and flows in funding. Funding has been reduced because a lot of federal money was shifted to the Gulf Coast area because of Hurricane Katrina. During FY 2006, the City of Sherman received $333,097 in CDBG funding.

Mr. Olson added that a resolution for Council consideration will be on the next City Council Agenda.

No citizens appeared before the City Council to discuss the Final Statement/Action Plan for Program Year 2007 Community Development Block Grant.

ADDENDUM

RESOLUTION NO. 5034 – AUTHORIZING EXECUTION OF AN AGREEMENT REGARDING MUNICIPAL SERVICES WITH UCD 82 / HUDGINS, LP — **RES 5034 ANNEXATION IMPROVEMENTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT REGARDING MUNICIPAL SERVICES WITH UCD 82 / HUDGINS, LP.

Council Member Smith verified that the financial impact on the City for this annexation was estimated to be a negative $200,000. Robby Hefton, Director of Administration and Finance, said that is what the study indicated, but he added that commercial and industrial properties are always going to subsidize residential property for annexation. Generally you will always see residential annexations that appear to be a "bad" situation. Commercial and industrial annexations always look like they will be a great situation.

Mr. Hefton urged the Council to consider whether or not the proposed annexation meets the City's overall objectives. He added that cost benefit studies are good for projects with solid variables but with annexations they are just one point that should be considered.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5034, as presented. Second by Deputy Mayor Adami.

VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ADDENDUM

RESOLUTION NO. 5035 – AUTHORIZING EXECUTION OF AN AGREEMENT REGARDING MUNICIPAL SERVICES WITH LESLIE LANE, LLC. — **RES 5035 ANNEXATION IMPROVEMENTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT REGARDING MUNICIPAL SERVICES WITH LESLIE LANE, LLC.

ACTION TAKEN.
Motion by Council Member Hughes to approve Resolution No. 5035, as presented. Second by Council Member Smith.
VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5459 ANNEXATION LESLIE LANE

Mayor Magers introduced Ordinance 5459 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 102.12 ACRES OF LAND SITUATED ON LESLIE LANE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5459.

ORD 5460 ANNEXATION HWY 82 & 289

Mayor Magers introduced Ordinance 5460 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 82.75 ACRES OF LAND SITUATED AT THE INTERSECTION OF U.S. HIGHWAYS 82 AND 289 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5460.

ORD 5461 ANNEXATION FRIENDSHIP ROAD

Mayor Magers introduced Ordinance 5461 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 18.46 ACRES OF LAND SITUATED ON FRIENDSHIP ROAD IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5461.

ORD 5462 NO PARKING SIGNS

Mayor Magers introduced Ordinance 5462 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE SOUTH SIDE OF THE 200 BLOCK OF WEST BROCKETT STREET WITHIN THE CITY LIMITS OF THE CITY OF

SHERMAN. PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR A REPEALER. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5462.

Mayor Magers introduced Ordinance 5463 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN AT THE INTERSECTION OF ELM STREET AND MULBERRY STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN. PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

ORD 5463 STOP SIGNS

No citizens appeared before the City Council to discuss Ordinance 5463.

Mayor Magers introduced Ordinance 5465 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 PROPERTIES WITHIN THE SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT IN THE 5100-5200 BLOCKS OF QUAIL RUN ROAD. PROVIDING FOR A REPEALER.

ORD 5465 ZONE CHANGE (5100-5200 BLOCKS QUAIL RUN RD)

No citizens appeared before the City Council to discuss Ordinance 5465.

Mayor Magers introduced Ordinance 5466 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 FYD, LTD (OWNER) AND MITCHELL GARRETT (REPRESENTATIVE) TO ALLOW A MEETING HALL IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5631 TEXOMA PARKWAY. 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.

ORD 5466 SUP FOR MEETING HALL (WITHDRAWN)

Mayor Magers explained that the applicant had withdrawn their request for a Specific Use Permit for a meeting hall at 5631 Texoma Parkway.

The Ordinances were introduced and the Public Hearing was closed.

CLOSE PUBLIC HEARING

<u>ADOPTION OF ORDINANCES</u>

Ordinance 5459
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS

ORD 5459 ANNEXATION LESLIE LANE

OF SAID CITY SO AS TO ANNEX 102.12 ACRES OF LAND SITUATED ON LESLIE LANE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Ordinance 5460 — **ORD 5460 ANNEXATION HWY 82 & 289**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX 82.75 ACRES OF LAND SITUATED AT THE INTERSECTION OF U.S. HIGHWAYS 82 AND 289 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Ordinance 5461 — **ORD 5461 ANNEXATION FRIENDSHIP ROAD**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX 18.46 ACRES OF LAND SITUATED ON FRIENDSHIP ROAD IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION. PROVIDING FOR A MUNICIPAL PLAN. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Ordinance 5462 — **ORD 5462 NO PARKING SIGNS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE SOUTH SIDE OF THE 200 BLOCK OF WEST BROCKETT STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN. PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR A REPEALER. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Ordinance 5463 — **ORD 5463 STOP SIGNS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN AT THE INTERSECTION OF ELM STREET AND MULBERRY STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN. PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Ordinance 5465 — **ORD 5465 ZONE CHANGE (5100-5200 BLOCKS QUAIL RUN RD)**

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 SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT IN THE 5100-5200 BLOCKS OF QUAIL RUN ROAD. PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Deputy Mayor Adami to approve Ordinance Nos. 5459, 5460, 5461, 5462, 5463, and 5465, as presented. Second by Council Member Hughes.

VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 5466 — **ORD 5466 SUP FOR MEETING HALL (WITHDRAWN)**

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 FYD, LTD (OWNER) AND MITCHELL GARRETT (REPRESENTATIVE) TO ALLOW A MEETING HALL IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5631 TEXOMA PARKWAY. 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.

The applicant withdrew their request for a Specific Use Permit for a meeting hall at 5631 Texoma Parkway.

CONSENT AGENDA — **CONSENT AGENDA**

The Council reviewed the Consent Agenda. Deputy Mayor Adami asked to remove Item D-1 entitled "Request to Advertise – Lease of a Portion of the Sherman Municipal Airport for Hay Production" from the Consent Agenda and to consider the item in its regular order of business.

Council Member Hughes moved to approve the Consent Agenda, with the exception of Item D-1, which will be considered in its regular order of business. Second by Council Member Smith. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 4990 – AUTHORIZING THE ACTING CITY MANAGER TO OBTAIN LEASE FUNDS TO PURCHASE CAPITAL ASSETS FOR THE FIRE DEPARTMENT — **RES 4990 LEASE FUNDS FOR CAPITAL ASSETS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACTING CITY MANAGER TO OBTAIN LEASE FUNDS TO PURCHASE CAPITAL ASSETS FOR THE FIRE DEPARTMENT.
CONSENT AGENDA.

RESOLUTION NO. 5028 – RENAMING BURKET DRIVE IN THE CITY LIMITS OF SHERMAN, TEXAS TO MORELAND DRIVE — **RES 5028 RENAME BURKET DR.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENAMING BURKET DRIVE IN THE CITY LIMITS OF SHERMAN, TEXAS TO MORELAND DRIVE.

Deputy Mayor Adami asked for an explanation of the resolution. Mr. Olson explained that residents on Burket Drive had requested that the name of their street be changed because of confusion with Burket Road in Luella which has the same zip code. The mail is being misdirected by the Post Office. All three residents on the street requested the change. They also presented three options for new names, based on the names of pecan trees. The option selected is Moreland Drive.

Jim Gooch, 1707 Burket Drive

Mr. Gooch is a resident on Burket Drive and explained his problems with postal deliveries. Even looking up directions on the Internet search engines, Mr. Gooch said the system defaults to the Luella street.

Council Member Wacker asked how long it takes to update the system with the changes. Jeff Miller, Director of Public Works and Engineering, said they immediately notify the Post Office and the County 911 Addressing Department.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5028, as presented. Second by Council Member Smith.

VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 5029 – AUTHORIZING EXECUTION OF A UTILITY EASEMENT ENCROACHMENT IN THE CANYON CREEK ADDITION, SECTION 1B, FOR A MONUMENT SIGN AT 2201 AND 2203 NORTH F.M. 1417 IN THE CITY OF SHERMAN

RES 5029 EASEMENT ENCROACHMENT CANYON CREEK ADDITION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A UTILITY EASEMENT ENCROACHMENT IN THE CANYON CREEK ADDITION, SECTION 1B, FOR A MONUMENT SIGN AT 2201 AND 2203 NORTH F.M. 1417 IN THE CITY OF SHERMAN.

CONSENT AGENDA.

RESOLUTION NO. 5030 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TXA HOLDINGS PTY. LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 515 NORTH ANDREWS STREET

RES 5030 RESIDENTAL TAX ABATEMENT (515 N. ANDREWS)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TXA HOLDINGS PTY. LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 515 NORTH ANDREWS STREET.

CONSENT AGENDA.

RESOLUTION NO. 5031 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1227 SOUTH WALNUT STREET

RES 5031 RESIDENTIAL TAX ABATEMENT (1227 S. WALUNT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE

CONSTRUCTION OF A NEW SINGLE-FAMILIY RESIDENCE AT 1227 SOUTH WALNUT STREET.
CONSENT AGENDA.

RESOLUTION NO. 5032 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 709 EAST JONES STREET

RES 5032 RESIDENTIAL TAX ABATEMENT (709 E. JONES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 709 EAST JONES STREET.
CONSENT AGENDA.

RESOLUTION NO. 5033 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TERRY PETERSON FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 314 SOUTH HARRISON AVENUE

RES 5033 RESIDENTIAL TAX ABATEMENT (314 S. HARRISON)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TERRY PETERSON FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 314 SOUTH HARRISON AVENUE.
CONSENT AGENDA.

REQUEST TO ADVERTISE LEASE OF A PORTION OF THE SHERMAN MUNICIPAL AIRPORT FOR HAY PRODUCTION

REQ TO ADVERTISE MUNICIPAL AIRPORT

Deputy Mayor Adami asked to remove Item D-1 from the Consent Agenda for discussion in its regular order of business.

He asked for an explanation of the request to advertise. Mr. Olson explained that the City owns a lot of agricultural type property at the Municipal Airport.

Mr. Miller added that there has been a lease for the past three years that just expired. A recent FAA inspection indicates that the City needs to mow a larger area adjacent to the runway. The agricultural lease helps reduce the City's mowing costs for the property. The last lease was $100 annually, however the City does save mowing costs.

ACTION TAKEN.

Motion by Deputy Mayor Adami to approve the request to advertise for the lease of a portion of the Sherman Municipal Airport for hay production, as presented. Second by Council Member Wacker.

VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

OTHER BUSINESS

RECOGNITION OF EXCEPTIONAL PERFORMANCE BY THE POLICE DEPARTMENT'S CRIMINAL INVESTIGATION DIVISION

POLICE DEPT. RECOGNITION

Police Captain Ken Francis recognized several police officers that provided exceptional performance in a recent case. On May 17, 2007, three men broke into the home of a local college-age woman with the intent to burglarize it. The young woman was home at the time and the three men held her captive for 9.5 hours and she was repeatedly raped.

After the men left she was able to free herself and call for help. The police had no idea who the three men were. Through the leadership of Lieutenant Carl Hudman and Sergeant Brice Smith of the Criminal Investigations Division, and the hard work of all detectives involved, the officers were able to recover most of the stolen property and apprehend all three men within 30 hours of the assault.

Captain Francis recognized the following officers for their hard work and dedication to the case: Lieutenant Hudman, Sergeant Smith, Sergeant Jason Jeffcoat, Corporal James Trisler, Detective Jeremy Cox, Detective Nick Emmons, Detective Steve Northington, Detective James Harris, and Detective Larry Atherton.

He added that it was a pleasure to work with such dedicated police officers.

Mayor Magers reiterated what incredible work these officers did to solve the case and apprehend the men within 30 hours of the assault. The City Council and Sherman citizens appreciate these officers. Deputy Mayor Adami added that it is sad that such situations happen in our small community, but it is good to know that these officers are here and doing their job efficiently and fast.

FINAL PLAT APPROVAL OF GREENE ACRES, AN ADDITION IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF SHERMAN, BEING A 17.798 ACRE TRACT IN THE JAMES ROSBOROUGH SURVEY, ABSTRACT NO. 1019; DAVID M. SEAY, OWNER (50-200 BLOCKS OF GREENE ROAD AND 1400-1500 BLOCKS OF ROCKPORT ROAD)

APPROVE FINAL PLAT GREENE ACRES ADDITION

The City Council approved the Final Plat of Greene acres, a 17.798 acre addition in the City's extra-territorial jurisdiction. The tract is located in the James Rosborough Survey, Abstract No. 1019, located in the 50 to 200 blocks of Greene Road and the 1400 to 1500 blocks of Rockport Road.

The owner would like to plat the property into five lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat.
CONSENT AGENDA.

APPROVE FINAL PLAT O'HANLON RANCH ESTATES

FINAL PLAT APPROVAL OF O'HANLON RANCH ESTATES, PHASE 2, BEING 42.54 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; DGR DEVELOPMENT GROUP, LTD, KYLE BOOTHE, AND SHERMAN BIBLE CHURCH, OWNERS (2200-2800 BLOCKS OF F.M. 1417 NORTH)

The City Council approved the Final Plat of the O'Hanlon Ranch Estates, Phase 2. The 42.54 acre tract is located in the J.B. McAnair Survey, Abstract No. 763, in the 2200 to 2800 blocks of F.M. 1417 North. The owners would like to plat the property into 56 lots for residential and commercial development. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

APPROVE FINAL PLAT GENE'S ADDITION

FINAL PLAT APPROVAL OF THE GENE'S ADDITION, A 2.55 ACRE TRACT IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; GENE MITCHELL, OWNER (2400 BLOCK OF SOUTH TRAVIS STREET)

The City Council approved the Final Plat of the Gene's Addition, a 2.55 acre tract in the Preston Kitchen Survey, Abstract No. 667, located in the 2400 block of South Travis Street. At the present time, Gene's Laundry Mat and car wash are located on two of the lots and the owner would like to plat the property into three lots so a portion can be sold. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

APPROVE REPLAT ST. MARY'S CATHOLIC CHURCH

REPLAT APPROVAL OF ST. MARY'S CATHOLIC CHURCH, A REPLAT OF BLOCKS 3 AND 6 OF THE HARE AND RANDOLPH ADDITION, BEING 3.03 ACRES OF LAND OF THE REPLAT OF BLOCKS 3 AND 6 OF HARE AND RANDOLPH'S ADDITION; ST. MARY'S CATHOLIC CHURCH, OWNERS (728 SOUTH TRAVIS STREET)

The City Council approved the Replat of the St. Mary's Catholic Church, a Replat of blocks 3 and 6 of the Hare and Randolph Addition, being 3.03 acres of land of the Replat of blocks 3 and 6 of Hare and Randolph's Addition, located at 728 South Travis Street. The owners are replatting the property to construct St. Anne's Catholic Church. The Planning and Zoning Commission recommended approval of the Final Plat.

CONSENT AGENDA.

VARIANCE TO NOT REQUIRE CONSTRUCTION OF SIDEWALKS IN CREEKBEND WEST ADDITION

SPECIAL CONSIDERATION TO ORDINANCE NO. 2684, SECTION 12 (F) FOR A VARIANCE TO NOT REQUIRE THE DEVELOPER TO BE RESPONSIBLE FOR THE CONSTRUCTION OF SIDEWALKS IN THE CREEKBEND WEST ADDITION IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT IN THE 2400-2600 BLOCKS OF CREEKBEND CIRCLE (R.W. KLAS, AARON AND AILEE CERNERO, JAMES AND SHERRY LAMM, JAMES AND VIRGINIA BUCKNER, CHARLES AND SANDRA TEMPLETON,

CHARLES AND SHANNA POPKESS, EDWARD AND SUSAN BROWN, AND LAWRENCE AND MARSHA CROCKETT, OWNERS)

The City Council approved the request for a variance to not require the developer to be responsible for the construction of sidewalks in the Creekbend West Addition, located in the 2400 to 2600 blocks of Creekbend Circle.

The Creekbend West Addition is located off of West Washington Street and is a rural type subdivision. Creekbend Circle is a one street subdivision with fourteen lots. Every owner of property on Creekbend Circle signed the request to not require the construction of sidewalks. The Planning and Zoning Commission recommended approval of the request for a variance.

CONSENT AGENDA.

CITIZENS REQUESTS — **CITIZENS REQUESTS**

There were no citizens requests.

MEDIA QUESTIONS

RECOGNITION OF POLICE OFFICERS — **RECOGNITION OF POLICE OFFICERS**

Kathy Williams, Herald Democrat Reporter, asked for a list of the names of the police officers that were recognized earlier in the Council Meeting.

ANNEXATION AT INTERSECTION OF HIGHWAY 82 AND HIGHWAY 289 — **ANNEXATION AT HWY 82 & 289**

Mrs. Williams asked if there was a "rollback taxes buyback" on the property at Highway 82 and Highway 289 as there was on the agriculturally zoned property for the residential annexations.

Mr. Hefton said there may be an agricultural exemption on all three properties. When property goes from having an agricultural exemption to some other use other than agricultural, then it becomes subject to rollback taxes for a five year period. This means that the purchaser of the property has to pay for taxes that would have been paid had that property not been under an agricultural exemption.

This would be a one-time event, but would be a five year recapture of taxes on the property. He added that it is not a huge dollar amount.

COUNCIL COMMENTS

BASKETBALL FIELDS IN GREAT SHAPE — **BASKETBALL FIELDS**

Council Member Willie Steele said he is glad to be on the City Council and acknowledged the Parks and Recreation Department saying the baseball fields look great, even with all the recent rain.

THE SPLASH — **THE SPLASH**

Council Member Hughes said his son recently had a birthday party at The Splash and the Parks and Recreation Department offered a good program.

POLICE DEPT. & THE SPLASH

POLICE DEPARTMENT AND THE SPLASH

Deputy Mayor Adami said it is very fulfilling when citizens comment on the City and the report tonight from the Police Department and the opening of The Splash make the citizens proud. He added that the lines are amazing at The Splash.

THE SPLASH

THE SPLASH

Council Member Wacker has also received favorable comments about The Splash.

ANNEXATION WORKSHOP

ANNEXATION WORKSHOP

Council Member Wacker asked that at some point this summer, the City Council schedule an annexation workshop to become informed on the issues. She did not ask for an annexation plan, but a policy that the Council can use to consider annexation requests. She also wanted to discuss how property is zoned when it is annexed into the City.

Mayor Magers added that the annexation of Preston Road and Highway 82 will also be a "feather in the City's cap."

EXECUTIVE SESSION

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.

SECTION 551.071 -- CONSULTATION WITH THE CITY ATTORNEY CONCERNING LEGAL MATTERS

SECTION 551.074 -- PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT OR REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: PLANNING AND ZONING COMMISSION (1)

APPOINTMENT OF A CHAIRMAN FOR THE PLANNING AND ZONING COMMISSION

EVALUATION OF THE ACTING CITY MANAGER AND RELATED MATTERS

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:29 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:17 p.m. and reconvened in Open Meeting.

OPEN MEETING — **OPEN MEETING**

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: PLANNING AND ZONING COMMISSION (1) — **PLANNING & ZONING COMMISSION**

ACTION TAKEN.

Motion by Council Member Willie Steele to appoint David Plyler, to the Planning and Zoning Commission to fill an unexpired term from June 5, 2007 to August 1, 2009 and to appoint Jason Sofey to serve as Chairman of the Planning and Zoning Commission to fill an unexpired term from June 5, 2007 to August 1, 2007. Second by Council Member Smith.

VOTING AYE: Adami, Hughes, Smith, W. Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT — **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:18 p.m.

_____
MAYOR

_____
CITY CLERK