

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 1, 2015
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER TERRENCE R. STEELE**
- A. 3. INVOCATION BY COUNCIL MEMBER TERRENCE R. STEELE**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 18, 2015**

Consent Agenda

- B. 1. 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. 5974**
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 2015 Justice Assistance Grant Program – CFDA #16.738
- C. 2. * RESOLUTION NO. 5975**
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 2015 Justice Assistance Grant Program – CFDA #16.738
- C. 3. RESOLUTION NO. 5976**
Approving the Greater Texoma Utility Authority's Intention to Advertise for Bids for the Procurement of High Technology Equipment for the City of Sherman Water Treatment Plant Expansion Project

Other Business

D. 1. OTHER BUSINESS

Consider Request of Lauren Roth and Celebrate In Style, a Corporate Event Planner, to Temporarily Close Elm Street for the Taylor Phelan Concert on Saturday, July 11, 2015

D. 2. * OTHER BUSINESS

Consider Request of United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 15, 2015

D. 3. OTHER BUSINESS

Receive Update on Proposed Amendments to the City's Animal Control Code Provisions

D. 4. OTHER BUSINESS

Discuss the Proposed Amendment of the City's Smoking Code Provisions

D. 5. OTHER BUSINESS

Consider Calling an Election for Charter Amendment for the November 3, 2015 Regular and Special Election

E. CITIZEN REQUESTS

F. MEDIA QUESTIONS

G. COUNCIL COMMENTS

Executive Session

H. 1. EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections:

Section 551.071 Consultation with City Attorney concerning Pending or Contemplated Litigation:

- (a) Receive the City Attorney's Briefing on Pending or Contemplated Litigation

Section 551.074 Personnel Matters:

- (a) Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee

The Council reconvenes into General Session

I. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

J. 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 May 28, 2015 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 28th day of May, 2015
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.

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

David Plyler

Council Members

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

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

Lawrence Davis, Council – District #1

Terrence R. Steele, Council – District #2

Tom Watt, 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: 06/01/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 18, 2015

Attachments

May 18, 2015

Taylor Street Sports Complex

May 18, 2015

**MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR DAVID PLYLER.
COUNCIL MEMBERS DAVIS, SOFEY, STEELE, WATT.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**“MOTORCYCLE
SAFETY &
AWARENESS MONTH”
(MAY 2015)**

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5877
ATMOS RATE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

REVIEW MECHANISM
FILINGS

Terry Tombaugh, ATMOS Energy Corporation General Manager, was available to answer questions.

Brandon Shelby, City Attorney, said this was a settlement of the 2014 rates and the 2015 rates. In 2014, the City denied the rate increase and ATMOS appealed to the Railroad Commission. The hearing was held in September 2014, but the decision wasn’t handed down until April 28, 2015.

In the meantime, ATMOS filed for the 2015 increase and this ordinance settles both increases. It is an increase of \$1.14 per month, per residential customer.

No citizens appeared before the City Council to discuss Ordinance 5877.

Mayor Wacker introduced Ordinance 5878 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED “FIRE PREVENTION AND PROTECTION”, AT ARTICLE 5.04, ENTITLED “LIQUEFIED PETROLEUM GAS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5878
LIQUEFIED
PETROLEUM
GAS

No citizens appeared before the City Council to discuss Ordinance 5878.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5877

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING

ORD 5877
ATMOS RATE
REVIEW MECHANISM
FILINGS

COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

Ordinance 5878

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED “FIRE PREVENTION AND PROTECTION”, AT ARTICLE 5.04, ENTITLED “LIQUEFIED PETROLEUM GAS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 5878
LIQUEFIED
PETROLEUM
GAS**

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance Nos. 5877 and 5878, as presented. Second by Deputy Mayor Plyler.

VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5971 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH SEAN VANDERVEER UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 127 NORTH WALNUT STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH SEAN VANDERVEER UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 127 NORTH WALNUT STREET.

**RES 5971
DOWNTOWN HISTORIC
BUILDING
RESTORATION GRANT
(127 N. WALNUT)**

Sean Vanderveer said this is one of his four buildings and he is working to remove this building from the substandard list. He would like to prepare the building for occupancy.

Mayor Wacker said the Council is pleased that he has that building and look forward to what he will be able to do with it.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 5971, as presented. Second by Council Member Steele.

VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

Council Member Sofey asked how long the building has been empty. Mr. Vanderveer said it has probably been empty between 30 and 35 years. It was built in 1887, and they have been told that it is the oldest, unmodified building in the downtown area.

RESOLUTION NO. 5972 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT SOUTH SHERMAN RELIEF 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 SOUTH SHERMAN RELIEF 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.

CONSENT AGENDA.

RES 5972
SOUTH SHERMAN
RELIEF SEWER

RESOLUTION NO. 5973 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 900 NORTH EAST STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR

RES 5973
RESIDENTIAL TAX
ABATEMENT
(900 N. EAST)

THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 900 NORTH EAST STREET.
CONSENT AGENDA.

REQUEST TO ADVERTISE
CONSTRUCTION OF THE WASTEWATER TREATMENT
PLANT HEADWORKS LIFT STATION AND ELECTRICAL
UPGRADE IMPROVEMENTS

The City Council approved a request to advertise for the construction of the Wastewater Treatment Plant Headworks Lift Station and Electrical Upgrade Improvements. The project is included in the City's Capital Improvement Program and will be funded through bonds issued by the Greater Texoma Utility Authority.

CONSENT AGENDA.

REQ TO ADVERTISE
WWTP HEADWORKS
LIFT STATION &
ELECTRICAL
UPGRADES

CONSTRUCTION OF THE SEARS LIFT STATION RELIEF
SEWER PROJECT

The City Council approved a request to advertise for the construction of the Sears Lift Station Relief Sewer in northwest Sherman. The project is included in the City's Capital Improvement Program and will be funded through bonds issued by GTUA.

CONSENT AGENDA.

SEARS LIFT STATION
RELIEF SEWER

OTHER BUSINESS

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

Kevin Winkler, Parks and Recreation Director, updated the City Council on the Taylor Street Complex. In 2011, Girls, Inc. closed and the City received the property back from the organization. The facility was rehabilitated during the Fall of 2012 through the Spring of 2013. Cost of the rehab was about \$200,000.

TAYLOR STREET
COMPLEX UPDATE

The Complex opened in the Summer of 2013 and the goal was to provide low cost activities that could be offered with existing staff and budget. Initially they offered open volleyball and open basketball. In the Fall, karate was added.

The City was approached by Shooting Stars which is an adult Special Olympics type program. They requested and were allowed to use the Taylor Street Complex for their basketball program.

In 2014, a men's basketball league was added in the Spring and pickleball was added in the Summer. Mr. Winkler said pickleball has been extremely popular at the Complex. Some weeks there are four different timeslots, averaging 35 to 40 participants.

In the Fall of 2014, the staff added a coed volleyball league and the Sherman Independent School District asked to use

the facility for basketball practice while their facility was being remodeled.

In the Spring of 2015, a second full league of coed volleyball was also added, along with the other activities. Council Member Davis asked about the number of participants. Mr. Winkler said there were seven teams that signed up for both leagues, for a total of 14 teams, with about 10 players per team.

He said over the course of the year, in 2014, the Taylor Street Complex accommodated 10 basketball teams and seven volleyball teams. During the first five months of 2015, they have already had more games and leagues than were done in all of 2014.

Mr. Winkler said his staff is “maxed out” from a resource perspective. They are currently providing an average of about 20 hours of activities or leagues at the Complex per week. This is currently accomplished with regular and overtime hours from current full time employees and one part time staff member. He said they would like to do more, but cannot do that without additional resources.

Mr. Winkler said they are requesting to add one full time employee in the FY 2015-2016 Budget, that would primarily be focused on the Taylor Street Complex. They would continue the activities that are currently at the Complex, plus add other activities that are primarily focused on kids. Fees would be implemented for the activities that could offset the cost of that employee over the course of the year.

He said activities they propose to add include an after school activity program, kids sports leagues, building the schedule to allow rentals for kids practices, and the expansion of outdoor activities, such as horseshoes.

Mr. Winkler said they appreciated the support of the City Council and encouraged all citizens to stop by and see if there is an activity in which they would like to participate.

Mayor Wacker said it is extremely exciting to see how successful the Taylor Street Complex has been and she felt the staff was very innovative and entrepreneurial in developing the concept for the Complex. She added that it is always good to offer more options for a healthy lifestyle and for kids to have activities.

CITIZENS REQUESTS

There were no citizen’s requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (2)

ACTION TAKEN.

Motion by Council Member Steele to reappoint Lauren Roth to the Parks and Recreation Advisory Board for a term from May 17, 2015 to May 17, 2017 and to appoint Brian Jones to a term from May 19, 2015 to May 19, 2017.

Second by Council Member Davis.

VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

PARKS & REC
BOARD

SHERMAN HOUSING AUTHORITY (2)

ACTION TAKEN.

Motion by Deputy Mayor Plyler to reappoint Beth Williams and Barbara Williams to the Sherman Housing Authority Board for a term from June 1, 2015 to June 1, 2017. Second by Council Member Watt.

VOTING AYE: Davis, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

SHERMAN
HOUSING
AUTHORITY

COUNCIL COMMENTS

HOUSING PRICES IN SHERMAN

Council Member Davis said last Monday in the Wall Street Journal, Sherman was mentioned on the front page about the increase in home prices. In fact, Sherman led the nation in the percentage increase, which implies a stronger demand.

HOUSING PRICES
IN SHERMAN

THANKS TO PARKS AND RECREATION STAFF

Deputy Mayor Plyler thanked Mr. Winkler and his staff for their hard work with the Taylor Street Complex. He said it looks great and he's glad the citizens are using it.

THANKS TO
PARKS & REC
STAFF

POSITIVE THINGS IN SHERMAN

Council Member Sofey said there are several positive things happening in Sherman. He said passing the ordinance for the LP gas is being aggressive in development. He also recognized the Downtown Historic Building Restoration Grant Program and said to see that being used is extremely positive.

POSITIVE THINGS
IN SHERMAN

There was also another home that was approved for a residential ad valorem tax abatement. He verified that between 250 and 300 houses have received a residential tax abatement since the inception of the program. Mr. Hefton said tens of millions of dollars have been reinvested in those areas through the program. Council Member Sofey said it was a good program to keep those areas revitalized.

SUBSTANDARD STRUCTURE UPDATE

Council Member Watt asked if the Council could receive an update in July or August on the volunteer approach to substandard structures.

SUBSTANDARD
STRUCTURE UPDATE

RECENT EMERGENCY OPERATIONS

Council Member Watt complimented Danny Jones, Interim Fire Chief, for the way he and his staff handled the emergency operations last weekend. He also recognized the cooperation between the City's Emergency Management and the County's Emergency Management. He thanked them for their good work.

**RECENT
EMERGENCY
OPERATIONS**

PUBLIC SAFETY PROGRAM

Council Member Watt recognized Otis Henry, Police Chief, for a public safety program that the Police Department did with Grayson County College and Dr. Brandy Fair. The students produced a couple of public service announcements regarding social media safety and not being afraid of interacting with the police.

**PUBLIC SAFETY
PROGRAM**

Council Member Watt though it was a good program and he encouraged them to submit it to Texas Municipal League for consideration in one of their award categories.

HAPPY MEMORIAL DAY

Council Member Steele wished everyone a safe, dry Memorial Day.

**HAPPY MEMORIAL
DAY**

ANNOUNCEMENTS

Mayor Wacker announced the following:

- She said the affordable housing is being accomplished by the private sector on the infill lots. She appreciated the ongoing process for the residential tax abatements.
- "The Splash" opens Saturday, May 23, 2015.
- Summer Reading begins at the Sherman Public Library on June 4, 2015, and children can sign-up now. The program continues through August 1, 2015.
- The Second Annual Interurban Film Festival will be held at Kidd-Key Auditorium on May 29 and 30, 2015. This year's event has attracted over 150 submissions from 23 countries and will feature films by small, independent film makers.

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

COUNCIL MINUTES – MAY 18, 2015

**SECTION 551.071 CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION**

**SECTION 551.074 PERSONNEL MATTERS:
DELIBERATE THE APPOINTMENT,
EMPLOYMENT, EVALUATION,
REASSIGNMENT, DUTIES,
DISCIPLINE, OR DISMISSAL OF A
PUBLIC OFFICER OR EMPLOYEE**

**On Motion duly made and carried, the Open Meeting
recessed and reconvened in Executive Session at 5:34 p.m.**

**On Motion duly made and carried, the Executive Session
recessed at 5:46 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

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
5:47 p.m.**

ADJOURNMENT

MAYOR

CITY CLERK

A wide-angle photograph of an indoor basketball court. The court floor is made of light-colored wood and is marked with dark lines. In the background, there are blue bleachers, a basketball hoop with a clear backboard, and a high ceiling with several lights. The walls are a mix of light and dark blue. The text "Taylor Street Sports Complex Development" is overlaid in the center of the image in a white, sans-serif font.

Taylor Street Sports Complex Development





Summer 2013 Facility Opened

Summer

Open Volleyball & Open Basketball

Fall

Open Volleyball & Basketball

Karate

Shooting Stars Basketball



2014

Spring

Karate

Open Volleyball

Men's Basketball League

Summer

Open Volleyball & Basketball

Karate

Pickleball

Fall

Pickleball

Open Basketball

Karate

Shooting Stars Basketball

Coed Volleyball League

SISD Basketball Practice



2015
Spring
Pickleball

Men's Basketball League

Coed Volleyball Leagues (2 nights)

Open Basketball and Volleyball

Karate

Shooting Stars Basketball

SISD Basketball Practice

The background of the slide is a photograph of an indoor gymnasium. It features a polished wooden floor with red and black court lines. In the foreground, a volleyball net is visible, supported by a metal frame. In the background, basketball hoops and backboards are mounted on the walls. The gym has a high ceiling with exposed wooden beams and several hanging lights. The overall atmosphere is that of a well-maintained sports facility.

Gym Resources

- Current Program Level – 20 hours a week average of activity/league play
- A few office hours each week are used to build schedules, document leagues and plan future activities
- Also 4 - 6 hours week providing custodial maintenance based on the current usage
- This is accomplished with regular and overtime hours from current full time employees and one part time staff member

The background image shows an indoor sports facility with a wooden floor and blue walls. A Texas state flag is mounted on the wall. In the foreground, a woman in a light blue shirt and grey pants is playing paddle tennis. In the background, another person is visible on the opposite side of the net. A basketball hoop is visible on the left side of the image.

Future Plans

Continue Current Leagues and Activities

Add one additional full time staff to facilitate an additional
20-30 hours programming

Program Options

- After School Activity Program
- Kids Sports Leagues
- Allowing rentals for kids practice and similar
- Expand outdoor activities



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 06/01/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, 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

Issue:

C.1. * RESOLUTION NO. 5974

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 2015 Justice Assistance Grant Program – CFDA #16.738

C.2. * RESOLUTION NO. 5975

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 2015 Justice Assistance Grant Program – CFDA #16.738

D.2. * OTHER BUSINESS

Consider Request of United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 15, 2015



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 06/01/2015

Prepared By: Otis Henry, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 5974**

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 2015 Justice Assistance Grant Program – CFDA #16.738

Issue:

Approving an Interlocal Agreement (ILA) with the City of Denison and 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 2015 JAG grant, also on the June 1st agenda. Execution of an ILA with the City of Denison and Grayson County is one of the required components of the joint grant application to be submitted under the U.S. Department of Justice's 2015 Justice Assistance Grant Program. The total grant award would be \$10,393.00 of which the City of Denison's portion would be \$3,202.00 for mobile forensic application training; Grayson County's portion would be \$2,280.00 for mental health treatment in corrections training; and Sherman's portion would be \$4,911.00 to be used for the purchase of portable radios for the Police Department.

Origination:

Police Department

Financial Consideration:

There are no matching requirements for this grant. The City of Denison's and Grayson County's portions 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. 5974

Interlocal Agreement

RESOLUTION NO. 5974

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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 2015 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 the City of Denison and Grayson County for an award of a portion of a total Ten Thousand Three Hundred Ninety-Three Dollars and No Cents (\$10,393.00) under the 2015 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 Two Thousand Two Hundred Eighty Dollars and No Cents (\$2,280.00) for mental health treatment in corrections training; and
- An award to the City of Denison of Three Thousand Two Hundred Two Dollars and No Cents (\$3,202.00) for mobile forensic application training; and
- An award to the City of Sherman of Four Thousand Nine Hundred Eleven Dollars and No Cents (\$4,911.00) to the City of Sherman for the purchase of portable radios for the Police Department.

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 _____, 2015.

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

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

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

2015 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD – CFDA 16.738

THIS AGREEMENT is made and entered into this the ____ day of _____, 2015, by and between the **CITY OF SHERMAN, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “SHERMAN”, the **CITY OF DENISON, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “DENISON” 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 DENISON Three Thousand Two Hundred-Two Dollars and No Cents (\$3,202.00) from the 2015 JAG Program award for mobile forensic application training; and

WHEREAS, SHERMAN agrees to provide GRAYSON Two Thousand Two Hundred Eighty Dollars and No Cents (\$2,280.00) from the 2015 JAG Program award to be used for mental health treatment in corrections training; and

WHEREAS, SHERMAN, DENISON and GRAYSON believe it to be in their best interests to reallocate the 2015 JAG funds;

NOW, THEREFORE, SHERMAN, DENISON and GRAYSON agree as follows:

Section 1. SHERMAN agrees to pay DENISON a total of Three Thousand Two Hundred-Two Dollars and No Cents (\$3,202.00) of 2015 JAG funds.

Section 2. DENISON agrees to use Three Thousand Two Hundred-Two Dollars and No Cents (\$3,202.00) for mobile forensic application training.

Section 3. DENISON agrees that, in the event of loss or misuse of the 2015 JAG Program Award funds, as determined by SHERMAN, DENISON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 4. SHERMAN agrees to pay GRAYSON a total of Two Thousand Two Hundred Eighty Dollars and No Cents (\$2,280.00) of 2015 JAG funds.

Section 5. GRAYSON agrees to use Two Thousand Two Hundred Eighty Dollars and No Cents (\$2,280.00) for mental health treatment in corrections training.

Section 6. GRAYSON agrees that, in the event of loss or misuse of the 2015 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 7. Nothing in the performance of this Agreement shall impose any liability for claims against DENISON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 8. 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 9. 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 10. 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 11. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 12. 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 13. 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 14. 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 15. 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 16. 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 17. 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

CITY OF DENISON, TEXAS

BY: _____
Robby Hefton, City Manager

BY: _____
Jud Rex, Interim City Manager

ATTEST:

BY: _____
Linda Ashby, City Clerk

APPROVED AS TO FORM:

BY: _____
Brandon S. Shelby,
Sherman City Attorney

COUNTY OF GRAYSON, TEXAS

BY: _____
Bill Magers, County Judge

ATTEST:

BY: _____
Wilma Bush, Grayson County Clerk

APPROVED AS TO FORM:

BY: _____
Van Price,
Attorney for Grayson County

ATTEST:

BY: _____
Carrie Jones, City Clerk

APPROVED AS TO FORM:

BY: _____
Courtney Goodman-Morris,
Denison City Attorney



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 06/01/2015

Prepared By: Otis Henry, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 5975**

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 2015 Justice Assistance Grant Program – CFDA #16.738

Issue:

Seeking approval to submit a joint grant application with the City of Denison and Grayson County for the 2015 Justice Assistance Grant (JAG) Program and approval to accept the award

Background:

This is a companion resolution to the Interlocal Agreement with the City of Denison and Grayson County, also on the June 1st agenda. This resolution authorizes the City to apply for and accept 2015 JAG funding to be used by the Sherman Police Department. The total grant will be \$10,393.00, divided as follows: City of Sherman - \$4,911.00; City of Denison - \$3,202.00; and Grayson County - \$2,280.00. The 2015 allocations are based on current project needs for each entity.

The Sherman Police Department plans to use its portion of 2015 JAG funding towards the purchase of handheld radios for patrol officers.

Origination:

Sherman Police Department

Financial Consideration:

There are no matching requirements for this grant.

Staff Recommendation:

The staff recommends submitting the 2015 JAG application and accepting the funding if awarded.

Alternatives:

The Council could decline this grant opportunity.

Attachments

Resolution No. 5975

Grant Application

RESOLUTION NO. 5975

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 2015 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 2015 Justice Assistance Grant (JAG) Program – CFDA #16.738; and

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

WHEREAS, the City of Sherman understands that there is no matching requirement for grants awarded under the 2015 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 Ten Thousand Three Hundred Ninety-Three Dollars and No Cents (\$10,393.00) award under the 2015 JAG Program, said joint allocation to be distributed for specific purposes in the following manner: Two Thousand Two Hundred Eighty Dollars and No Cents (\$2,280.00) to Grayson County to be used for mental health treatment in corrections training; Three Thousand Two Hundred-Two Dollars and No Cents (\$3,202.00) to the City of Denison to be used for mobile forensic application training; and Four Thousand Nine Hundred Eleven Dollars and No Cents (\$4,911.00) to the City of Sherman to be used for the purchase of portable radios for the Police Department.

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 _____, 2015.

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**

JAG Grant Application

Applicant: City of Sherman (acting as co-applicants and fiscal agents for the joint application with City of Denison and Grayson County)

Project: Officer Portable Radios and Officer Training

Amount Requested: \$10, 393.00

Goals of the Proposed Projects:

Officer Portable Radios (City of Sherman) – The goal of the project is to better equip officers with the purchase of portable radios for the Police Department. The portable radios, which attach to each officer's uniform, will collect evidence that will assist the district attorney's office and reduce unwarranted complaints and lawsuits against the department.

Officer Training (Grayson County) – The goal of the project is to training officers in mental health treatment in corrections training, to further assist in their duties to protect and serve.

Officer Training (City of Denison) – The goal of the project is to provide law enforcement officers with the necessary mobile forensic application training needed to assist in efficient information gathering in the field.

Strategies to Achieve These Goals:

Officer Portable Radios (Sherman) – Purchase portable radios for field use and transfer data to safe digital storage.

Officer Training (Grayson County) – Purchase mental health treatment corrections training to facilitate effective care and management strategies.

Officer Training (Denison) – Purchase training for mobile forensic application to enhance existing data-collecting techniques and improve efficiency.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 06/01/2015

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 5976

Approving the Greater Texoma Utility Authority's Intention to Advertise for Bids for the Procurement of High Technology Equipment for the City of Sherman Water Treatment Plant Expansion Project

Issue:

Approving Greater Texoma Utility Authority's advertisement for bids for the procurement of high technology equipment for the City of Sherman Water Treatment Plant Expansion Project

Background:

The expansion will require the procurement of microfiltration and reverse osmosis equipment. The City is currently pilot testing four systems. Due to the long lead times to procure the membrane systems and due to the fact that the membrane system must be selected prior to finalizing the plant expansion design, it will be necessary to award a procurement contract for the equipment well in advance of the design being completed and the general contract being awarded.

Origination:

Greater Texoma Utility Authority

Financial Consideration:

The membrane equipment will be purchased utilizing bond monies from the Texas Water Development Board.

Staff Recommendation:

It is recommended that the City confirm by resolution GTUA's action regarding the request to advertise for the membrane equipment. This action will prevent delays in the project schedule.

Alternatives:

As may be recommended by the Council

Attachments

Resolution No. 5976

Request to Advertise

RESOLUTION NO. 5976

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO ADVERTISE FOR BIDS FOR THE PROCUREMENT OF HIGH TECHNOLOGY EQUIPMENT FOR THE CITY OF SHERMAN WATER TREATMENT PLANT EXPANSION PROJECT; 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 advertise for bids for the procurement of high technology equipment for the City of Sherman water treatment plant expansion project.

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 _____, 2015.

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



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: May 13, 2015

SUBJECT: AGENDA ITEM NO. XIII

**CONSIDER AND ACT UPON AUTHORIZATION FOR THE GENERAL MANAGER TO
ADVERTISE FOR EQUIPMENT PROCUREMENT BIDS FOR THE CITY OF SHERMAN
WATER TREATMENT PLANT EXPANSION PROJECT**

ISSUE

Authorization for staff to advertise for bids for the procurement of the equipment for the City of Sherman Water Treatment Plant ("WTP").

BACKGROUND

The City of Sherman is planning a construction project to expand their existing surface water treatment plant ("WTP") capacity. This project will enable the City of Sherman to continue to meet the water demand needs of future residential and industrial growth. The project will include a 10 million gallon per day ("mgd") capacity increase that will utilize reverse osmosis to demineralize the Lake Texoma water supply. The City staff requested the Authority's assistance in obtaining funding through the Texas Water Development Board ("TWDB") Drinking Water State Revolving Fund Program ("DWSRF") to fund these improvements to their WTP.

At the August 2014 meeting, the board adopted a resolution authorizing the submission of a financial participation application with the TWDB. At their November 20, 2014 meeting, the TWDB approved the financial assistance from the DWSRF for the planning, acquisition, and design ("PAD") in the amount of \$2,515,000.

This project is going to require the procurement of high technology equipment which includes the reverse osmosis system. The City is currently under design and is undergoing pilot testing of four(4) different reverse osmosis systems. Due to the long lead times of the reverse osmosis equipment, it will be necessary to award a procurement contract for the equipment well in advance of the design being complete and the general contract being awarded.

OPTIONS/ALTERNATIVES

The Board has the option to wait until the bond issue is near closing to advertise for bids. This is how the Authority Board traditionally handles bond issues that do not require procurement contracts. However, by allowing the staff to advertise in advance, this will prevent delays in the project schedule.

CONSIDERATIONS

Authorizing the General Manager to advertise for the procurement of the high technology equipment will allow the project schedule to remain intact. If the Board authorizes the staff to proceed with advertising, the procurement contracts will include the following language at the recommendation of the Authority's Bond Counsel, "Payment of this contract is conditioned upon the receipt of bond proceeds from the Texas Water Development Board. There are no other funds available for payment of the



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

PAGE 2

Membrane Filtration System equipment. The Greater Texoma Utility Authority hereby disclaims any responsibility for the ultimate outcome of the attempted bond issue with the Texas Water Development Board."

STAFF RECOMMENDATIONS

The staff recommends that the Board approve the General Manager to advertise for equipment procurement contract bids on the City of Sherman Water Treatment Plant Expansion.

PREPARED AND SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Drew Satterwhite", is written over a horizontal line.

Drew Satterwhite, P.E., General Manager



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 06/01/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Request of Lauren Roth and Celebrate In Style, a Corporate Event Planner, to Temporarily Close Elm Street for the Taylor Phelan Concert on Saturday, July 11, 2015

Issue:

Ms. Lauren Roth along with Celebrate in Style is requesting to temporarily close North Elm Street from West Mulberry Street (north of the Municipal Building) to West Mulberry Street (north of City Hall) on Saturday, July 11, 2015 for the Taylor Phelan Concert from 5:00 p.m. to 10:00 p.m.

This event will include food and the sale beer and wine to patrons of this event. Ms. Roth along with Fulbelli's plans to apply for an alcohol permit from the Texas Tobacco and Alcohol Commission.

Ms. Roth has reserved the Municipal Ballroom and Kidd-Key Auditorium for the concert itself.

Background:

This is first of several events that will be planned by Ms. Lauren Roth and Celebrate in Style.

Origination:

Ms. Lauren Roth and Celebrate in Style, a corporate event planner

Financial Consideration:

Barricades placement and removal will be provided from the City of Sherman Street Department. Ms. Roth will work with the Sherman Police Department to arrange for security officers necessary for this event.

Staff Recommendation:

It is recommended that the City Council approve this request.

Alternatives:

As directed by the Council

Attachments

[Celebrate in Style Letter of May 8, 2015](#)

[Celebrate in Style Letter of May 18, 2015](#)

[Street Closure Map](#)

May 8, 2015

City of Sherman
P.O. Box 1106
Sherman, TX 75091-1106

Sherman City Council,

Celebrate In Style, a corporate event planner, would like to reserve Kidd Key Auditorium and Sherman Municipal Ballroom on Saturday July 11th from 8am until midnight. We would like to close Elm Street in front of the Auditorium, or from Mulberry to Pecan from 5pm until midnight.

We are planning to host a VIP Meet & Greet in Sherman Municipal Ballroom followed by a concert in Kidd Key Auditorium.

We are requesting permission to serve alcohol in front of the Auditorium during the concert. Fulbelli's has agreed to pull a temporary permit from TABC in order to serve beer & wine under their license. We plan to have off duty police officers on location to monitor perimeter and will have the street clearly marked with signs for the area that alcohol is allowed to be consumed in. We will work closely with TABC and Fulbelli's to ensure that all laws and guidelines are followed.

Thank you, in advance, for supporting this event! If you have any questions, please contact me.

Sincerely,

Lauren Roth
Celebrate In Style
903-487-6309

May 18, 2015

Steve Ayers
Director of Community and Support Services
City of Sherman
P.O. Box 1106
Sherman, TX 75091-1106

Steve,

Taylor Phelan will be performing at Kidd Key Auditorium on Saturday, July 11th. As a former classmate of Taylor at Sherman High School, he approached me to help plan a concert he wanted to hold in Sherman. I am hosting the concert as Celebrate In Style, a private event planner. The City of Sherman, Department of Tourism and the Sherman Chamber of Commerce are not affiliated with this concert.

The City of Sherman will benefit through the Ballroom and Auditorium rental fees, Hotel/Motel Tax through attendee's and managers staying in Sherman, and sales tax from purchases made for and in relation to the concert. The City of Sherman Tourism Department will not incur any expenses nor use any resources for this concert. Taylor's management company is responsible for all expenses including advertising.

Thank you for your support. I believe that this concert will have a very positive impact on our community. If you have any questions, please contact me.

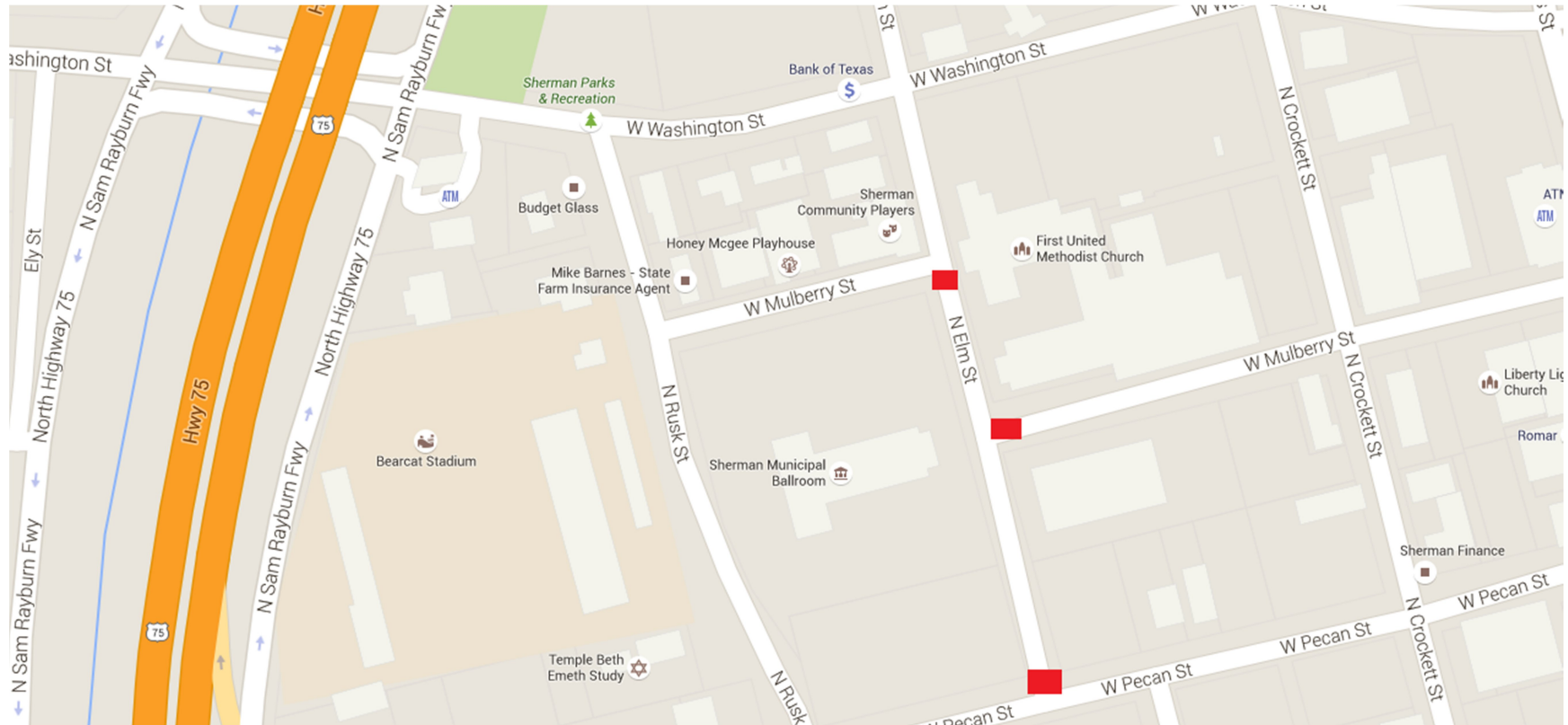
Sincerely,

A handwritten signature in black ink, appearing to read 'Lauren Roth', written over the word 'Sincerely,'.

Lauren Roth
Celebrate In Style
903-487-6309

Celebrate In Style

July 11, 2015





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 2.

Meeting Date: 06/01/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Request of United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 15, 2015

Issue:

United Way of Grayson County will kick off its 2015 annual campaign with the "United Way Hustle for Health" on Saturday, August 15th, and is requesting the City of Sherman's assistance with traffic control and street closures.

Background:

United Way of Grayson County, in conjunction with multiple sponsors, will hold its annual campaign kickoff with the "Hustle for Health", a 5K/10K and Mini K on Saturday, August 15th. The race will begin at 8:00 a.m. and will follow the route displayed on the attached map. The run will require traffic control assistance and cones from City of Sherman.

United Way is also requesting the closure of Rusk Street in front of the Municipal Building from 8:00 a.m. to 9:00 a.m. Barricades will be provided by City of Sherman Street Department.

Origination:

Kim Ramey, Director of Resource Development

Financial Consideration:

Labor and equipment to provide traffic control assistance and place/remove barricades and cones.

Staff Recommendation:

It is recommended that the City Council approve this request and authorize the necessary traffic control and assistance to accommodate the event.

Alternatives:

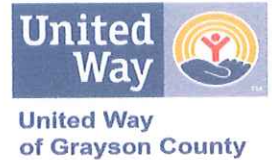
None recommended

Attachments

United Way Request Letter

"Hustle for Health" Route Map

713 E. Brockett, Post Office Box 1112
Sherman, TX 75091
Tel 903 893-1920 Fax 903 893-4141
www.unitedwaygrayson.org



May 4, 2015

Robby Hefton
City of Sherman
220 West Mulberry Street
Sherman, TX 75090-5832

Dear Mr. Hefton,

Last year's United Way Campaign Kickoff featured a 10k/5k/1k fun run that was a huge success. With over 600 people in attendance and over 500 race participants, we could not have been more pleased.

We are requesting from the city, traffic support and cones to be placed along the course. We are estimating seven hundred (700) runners to participate. Please find below the details and attached the proposed course map.

What: CIGNA "Hustle for Health" Run & United Way Annual Campaign Kickoff
Who: United Way of Grayson County
When: Saturday, August 15th 2014
Time: Race Start 8:00 a.m. finish 11:00 a.m.
Where: Sherman Municipal Grounds

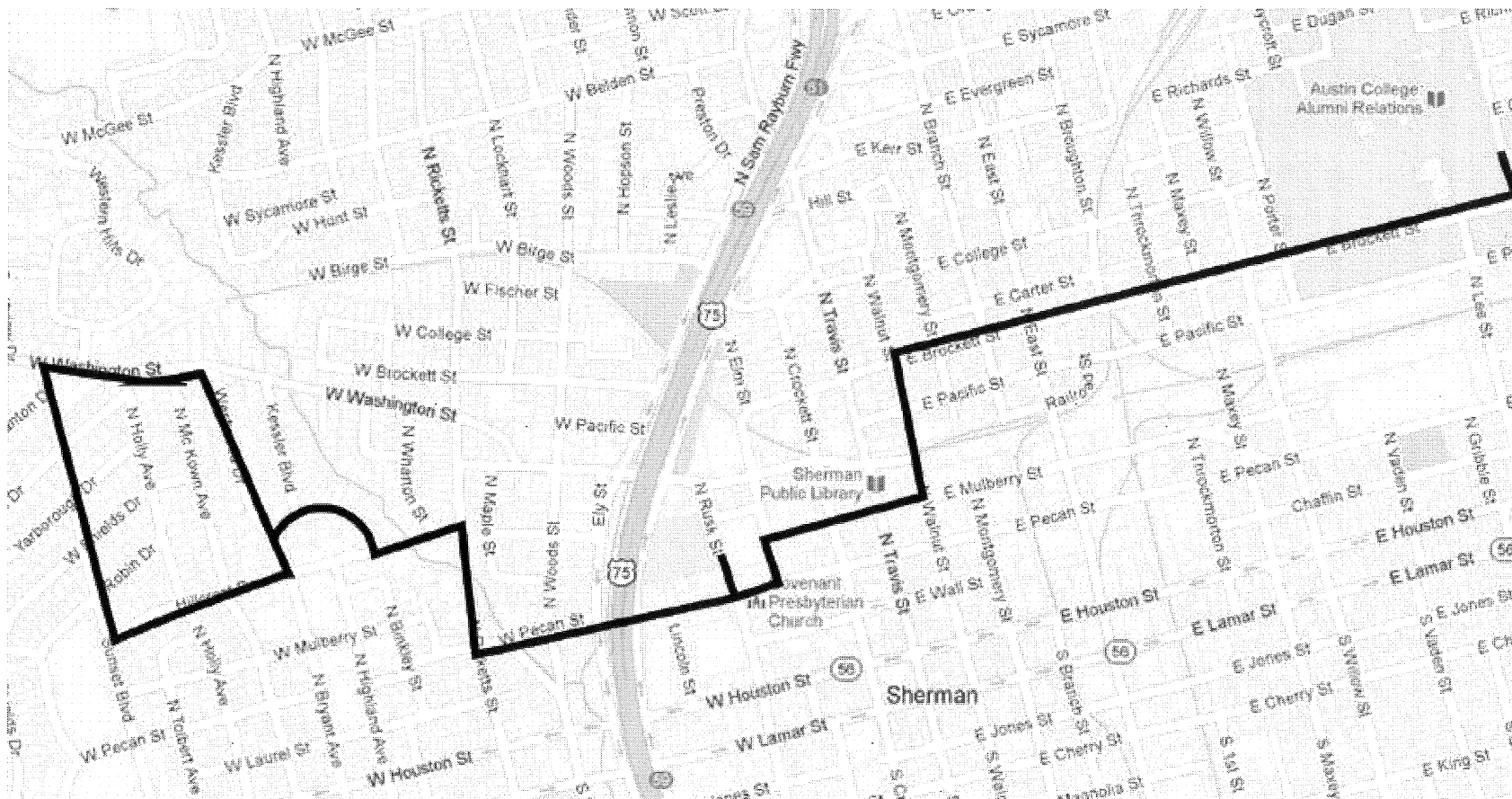
We want to thank you in advance for your consideration of this event. If we can be of any assistance please give me a call at 903-893-1920. We look forward to working with the city on this endeavor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Ramey".

Kim Ramey
Resource Development Director
United Way of Grayson County

United Way Hustle for Health 5K/10K and Mini-K August 15, 2015



5K Start

N. Rusk St.
Turn left on W. Pecan
Turn left on N. Elm
Turn right on W. Mulberry
Turn left on N. Walnut
Turn right on E. Brockett
Turn left on N. Grand
*Turn around 5K Marker
Back to Start

10K Start

N. Rusk St
Turn right on W. Pecan
Over pedestrian bridge.
Turn right on N. Ricketts
Turn left on Hillcrest
Turn right on Kessler/Bryant
Turn left on Bryant
Turn right on Hillcrest
Turn right on Sunset Blvd.
Turn right on Washington
Turn right on Westwood

Turn left Kessler/Bryant
Turn Left on Hillcrest
Turn right on Ricketts
Turn left on W. Pecan
Over pedestrian bridge
Turn left on N. Elm
Turn right on W. Mulberry
Turn left on N. Walnut
Turn right on E. Brockett
Turn left on N. Grand
*Turn around 10K Marker
Back to Start



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 3.

Meeting Date: 06/01/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Update on Proposed Amendments to the City's Animal Control Code Provisions

Issue:

A briefing on the City's current Animal Control code provisions as they pertain to the keeping of livestock within the city limits; and a briefing on proposed modifications to the current code provisions and the resulting impact on enforcement, citizen rights, etc.

Background:

At the June 2, 2014, October 6, 2014, and December 1, 2014 meetings, the City Council heard concerns from a citizen regarding her neighbor's pygmy goats. At the December 1st meeting, in response, the City Council directed staff to research the practices and ordinances of neighboring municipalities as guidance for keeping livestock within the City limits. Research has revealed that there is no uniform model to look to for guidance. Each municipality seems to have developed an ordinance that best fits its own needs; and these ordinances vary greatly from municipality to municipality. A proposed draft ordinance revising the City's current livestock ordinance was recently presented to a Council subcommittee and, based on that feedback and the research performed by City staff, the staff recommends the following modifications to the livestock ordinance contained in the Sherman Code of Ordinances at Sections 2.01.010 and 2.01.011:

Sec. 2.01.010 Livestock in residential areas

It shall be unlawful for any person to keep or cause to be kept any livestock including but not limited to horses, mules, donkeys, cattle, goats, sheep, swine or llamas regardless of *size*, age, breed or sex on any lot, tract or parcel of land of less than one (1) acre within the city.

Sec. 2.01.011 ~~Small livestock and fowl~~ *Fowl* in residential areas

(a) It shall be unlawful to keep or cause to be kept more than ten (10) ~~small livestock or~~ fowl including but not limited to ~~rabbits~~, chickens, turkeys, ducks, geese, peacocks or pheasants regardless of age, breed or sex on any lot, tract or parcel of land of less than one (1) acre within the city.

(b) ~~Small livestock/fowl~~ *Fowl* must be contained within a pen or enclosure at all times. Enclosures and pens shall be located a minimum of fifteen (15) feet inside the property line of the keeper, owner or possessor of such ~~small livestock or~~ fowl.

Origination:

City Council

Financial Consideration:

Negligible

Staff Recommendation:

The staff seeks the City Council's direction.

Alternatives:

Council may direct staff to bring forward revisions to the current code or direct staff to leave code unchanged.

Attachments

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL," AT ARTICLE 2.01, ENTITLED "GENERAL PROVISIONS," AT SECTIONS 2.01.010 AND 2.01.011; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; 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 Chapter 2, Article 2.01 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 2.01.010 to read as follows:

Sec. 2.01.010 Livestock in residential areas

It shall be unlawful for any person to keep or cause to be kept any livestock including but not limited to horses, mules, donkeys, cattle, goats, sheep, swine or llamas regardless of *size*, age, breed or sex on any lot, tract or parcel of land of less than one (1) acre within the city.

SECTION 2. That Chapter 2, Article 2.01 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 2.01.011 to read as follows:

Sec. 2.01.011 ~~Small livestock and fowl~~ *Fowl* in residential areas

(a) It shall be unlawful to keep or cause to be kept more than ten (10) ~~small livestock or fowl~~ including but not limited to ~~rabbits~~, chickens, turkeys, ducks, geese, peacocks or pheasants regardless of age, breed or sex on any lot, tract or parcel of land of less than one (1) acre within the city.

(b) ~~Small livestock/fowl~~ *Fowl* must be contained within a pen or enclosure at all times. Enclosures and pens shall be located a minimum of fifteen (15) feet inside the property line of the keeper, owner or possessor of such ~~small livestock or fowl~~.

SECTION 3. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

SECTION 8. 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 _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

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. D. 4.

Meeting Date: 06/01/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Discuss the Proposed Amendment of the City's Smoking Code Provisions

Issue:

At the March 16, 2015 City Council meeting, Mr. Joshua Loe presented his request to ban smoking in all bars and restaurants in Sherman. Following the presentation, staff was directed to collect information from local bars and restaurants, seek out sample ordinances and regulations from Sherman's peer cities and draw up ordinance options, check into pending State Legislation, and possibly arrange a work session with local bar and restaurant owners.

Background:

The attachment reflects the City's current regulations regarding smoking in public. The staff will present the findings from the research on the practices of other cities and from the inquiries made of all restaurants and bars within the City.

Origination:

Councilman Tom Watt
Mr. Joshua Loe

Financial Consideration:

Negligible

Staff Recommendation:

Staff seeks Council direction in this matter.

Alternatives:

As may be directed by Council.

Attachments

Sherman's Smoking Regulations

City of Sherman Smoking Policy

The City of Sherman regulates smoking through its Code of Ordinances and its Personnel Rules and Regulations. The following are highlights of the regulations:

- Prohibits smoking in any City facility unless designated and signed as a smoking area *(Code of Ordinances Section 8.06.002)*
- Prohibits a City of Sherman employee smoking, including the use of electronic cigarettes, in any City vehicle or while operating motor equipment or in any interior space owned, rented or leased by the City of Sherman *(Personnel Rules & Regs Sections 6.08 and 6.11)*
- Prohibits smoking in the common areas of theaters, movie theaters, concert halls and cultural facilities such as the Kidd-Key Auditorium (unless part of a performance) *(Code Sections 1.11.246 and 1.11.247)*
- Prohibits smoking in municipal swimming pools, including the pool and the pool area *(Code Section 1.11.147)*
- Prohibits smoking within 150' of any fuel tank, fuel pump or fuel truck at the Municipal Airport *(Code Section 1.07.095)*
- Prohibits smoking in a library or museum *(Code Section 8.06.002)*
- Prohibits smoking in public elevators *(Code Section 8.06.002)*
- Prohibits smoking in any facility of a public primary or secondary school *(Code Section 8.06)*
- Prohibits smoking in a hospital or nursing home *(Code Section 8.06.002)*
- Prohibits smoking in areas signed "No Smoking" in hospitals, nursing homes, public places, retail or service establishments serving the general public *(Code Section 8.06.002)*
- Prohibits smoking in all enclosed retail or service establishments and financial institutions serving the general public *(Code Section 8.06.002)*
- Prohibits smoking in the nondining (i.e., food order, food service, restroom, cashier) areas of a food establishment; and requires separate smoking and nonsmoking dining areas for a food establishment with indoor or enclosed dining *(Code Section 8.06.004)*
- Prohibits smoking in the public areas and waiting rooms of public transportation facilities with indoor or enclosed dining *(Code Section 8.06.002)*
- Prohibits smoking in transportation vehicles unless chartered buses for private hire or taxicabs clearly designated as smoking areas *(Code Section 8.06.002)*
- Prohibits smoking within 150' of an oil or gas drilling well *(Code Section 4.10.075)*
- Does not prohibit smoking in a workplace – an employer may designate any workplace or a portion thereof as a smoking area *(Code Section 8.06.005)*
- Establishes penalties ranging from \$25.00 to \$500.00, with each day considered a separate offense *(Code Section 8.06.006)*
- Does not require the incurrence of any expense to make structural or other physical modifications other than signage or ashtrays *(Code Section 8.06.008)*

The City of Sherman does not specifically provide protection in the enclosed areas of a child-care or adult daycare facility; in the common areas of multiple-unit residential facilities; in the enclosed areas of a sports arena; in the seating areas of an outdoor arena, stadium or amphitheater and the bleachers or grandstands used by spectators at sporting or other public events; in bars in restaurants and bars not in restaurants; and provides only minimal protection in a place of employment.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 5.

Meeting Date: 06/01/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Calling an Election for Charter Amendment for the November 3, 2015 Regular and Special Election

Issue:

This item is to deliberate and form a consensus on what charter amendments should be presented to the voters by ordinance and assess the timeline for doing so.

According to the Secretary of State's calendar, the last day to order a general election or election on a measure is Monday, August 24, 2015 (the 71st day before the Election), per Election Code Section 3.005, see attached. The last regular Council meeting date that the election may be timely called is Monday, August 17, 2015.

Background:

Only a home-rule city may have a city charter. By state law, a city charter, once amended, is law that the city must follow in carrying out its duties, except as limited by state or federal law. As deficiencies appear in the charter, either new law must be added or old unusable law must be deleted. A municipality must wait a minimum of two years between Charter Amendment elections. Sherman last amended the Charter in 2010.

Chapter 9 of the Local Government Code authorizes the governing body of a municipality to submit proposed charter amendments to the voters for their approval at an election. The manner in which a Council determines proposed charter amendments is considered discretionary. In the past, we have used an ad hoc committee of Council Members appointed by the Mayor. This is an efficient manner to review proposed amendments before approving an election ordinance to be submitted to the voters. The Mayor should appoint this committee at a regularly called Council meeting in June. The committee would meet regularly to formulate potential amendments based on their own assessment and the recommendations of City management and staff.

Once the committee has determined the nature of the proposed amendments, the City Attorney will draft the necessary language and present the committee's proposed amendments to the full Council in early August. The Council will make recommendations for the formal election ordinance and vote on said ordinance at the regular City Council meeting on August 17, 2015.

Origination:

Councilman Jason Sofey

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

The staff seeks the Council's direction on the proposed amendment of the City Charter. Staff recommends the Council adopt by motion and order the following timeline for ordering a Charter Amendment Election:

- June 15 – Mayor Appoints Ad Hoc Committee for Charter Amendment Review
- August 3 – Committee recommendations are presented to full Council
- August 17 – Ordinance ordering election is presented

Alternatives:

The Council could consider not amending the City Charter.

Attachments

Election Code Provisions

(b) If a law providing for an election relating to the affairs of a political subdivision does not designate the authority responsible for ordering the election, the governing body of the political subdivision shall order the election.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 2001, 77th Leg., ch. 340, Sec. 1, eff. Sept. 1, 2001.

Sec. 3.005. TIME FOR ORDERING ELECTION. (a) Except as provided by Subsections (c) and (d), an election ordered by an authority of a political subdivision shall be ordered not later than the 62nd day before election day.

(b) This section supersedes a law outside this code to the extent of any conflict.

(c) For an election to be held on:

(1) the date of the general election for state and county officers, the election shall be ordered not later than the 78th day before election day; and

(2) a uniform election date other than the date of the general election for state and county officers, the election shall be ordered not later than the 71st day before election day.

(d) An election under Section 26.08, Tax Code, to ratify a tax rate adopted by the governing body of a school district under Section 26.05(g) of that code shall be ordered not later than the 30th day before election day.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 2003, 78th Leg., ch. 925, Sec. 1, eff. Nov. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1109 (H.B. 2339), Sec. 2, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 1328 (H.B. 3646), Sec. 78, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 1318 (S.B. 100), Sec. 3, eff. September 1, 2011.

Sec. 3.006. CONTENTS OF ELECTION ORDER. In addition to any other elements required to be included in an election order by other law, each election order must state the date of the election and the



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. K.

Meeting Date: 06/01/2015

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2015 Council Calendar

2015

JANUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
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FEBRUARY						
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MARCH						
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APRIL						
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MAY						
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JUNE						
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JULY						
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AUGUST						
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SEPTEMBER						
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OCTOBER						
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NOVEMBER						
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DECEMBER						
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27	28	29	30	31		

1/5/2015	Regular City Council Meeting - Cancelled
4/21/2015	Called Budget Planning Meeting in Council Chambers
06/25-26/2015	Called Budget Workshop in Council Chambers
9/8/2015	Labor Day/Called Council Meeting on 09/8/2015
