

STATE OF TEXAS §
COUNTY OF GRAYSON §

May 21, 2007

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 May 21, 2007.

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

MEMBERS ABSENT: COUNCIL MEMBERS HUGHES, MARKL.

CALL TO ORDER

Mayor Bill Magers called the meeting to order at 5:02 p.m. The Pledge of Allegiance and Invocation were given by Council Member Chip Adami.

Mayor Magers extended condolences to the family of Retired Police Chief Johnny Burleson who passed away on May 16, 2007 at the age of 93.

APPROVE MINUTES

**The Council reviewed the Minutes of the Regular Meeting of May 7, 2007. Deputy Mayor Steele moved to approve the Minutes as presented; Second by Council Member Adami. All present voted AYE.
MOTION CARRIED.**

PROCLAMATION

“NATIONAL PUBLIC WORKS WEEK” – MAY 20-26, 2007
Mayor Magers presented a proclamation to Aubrey Henderson, Solid Waste Superintendent, and Jim Cullen, Street Superintendent, proclaiming May 20 through 26, 2007 as “National Public Works Week.”

Mr. Cullen and Mr. Henderson presented the City Council with a poster for “National Public Works Week” signed by employees of the Public Works Departments.

CONSENT AGENDA

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

RESOLUTIONS

**RESOLUTION NO. 5018 - AWARDING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH
RUSHING PAVING COMPANY, LTD. FOR CONSTRUCTION
OF THE FAIRVIEW PARK AND MARTIN LUTHER KING, JR.
PARK HIKE/BIKE TRAIL PROJECTS**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AWARING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH
RUSHING PAVING COMPANY, LTD. FOR CONSTRUCTION**

CALL TO ORDER

APPROVE MINUTES

**NATIONAL PUBLIC
WORKS WEEK
MAY 20-26, 2007**

CONSENT AGENDA

**RES 5018
FAIRVIEW & MARTIN
LUTHER KING, JR.
PARK HIKE/BIKE
TRAILS**

COUNCIL MINUTES – MAY 21, 2007

OF THE FAIRVIEW PARK AND MARTIN LUTHER KING, JR. PARK HIKE/BIKE TRAIL PROJECTS.

George Olson, Acting City Manager, explained that the project will add approximately 5,000 liner feet of trail to the west side of Fairview Park which will link the park to the neighborhoods of Turtle Creek South and Rex Cruse.

An additional 2,200 liner feet of trail will be added to Martin Luther King, Jr. Park which will tie the park together and provide a loop system of approximately 3,100 liner feet.

Resolution 5018 includes only the concrete work for the trails. Completion of the initial part of the project will be 150 days for both trails. Specifications will now be developed for lighting the trails.

Council Member Smith felt the trail at Martin Luther King, Jr. Park would be a great addition to the neighborhood and he expressed hope that the trail would be used like the Fairview Park trail is used.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5018, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Adami, Smith, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5019 – AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO UPDATE FLOOD PLAIN MAPS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO UPDATE FLOOD PLAIN MAPS.

**RES 5019
FEMA UPDATE OF
FLOOD PLAIN MAPS**

Council Member Smith verified that the flood plain maps were last updated in July of 1995, after Dean Gilbert Lake was constructed.

Council Member Adami asked if there was grant money to help offset the cost, but Mr. Olson said the project will be completed at no cost to the City.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Resolution No. 5019, as presented. Second by Council Member Wacker.

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

RESOLUTION NO. 5020 – EXPRESSING THE CITY'S
SUPPORT FOR THE TRANSPORTATION, COMMUNITY, AND
SYSTEM PRESERVATION PROGRAM GRANT APPLICATION
MADE BY THE SHERMAN-DENISON METROPOLITAN
PLANNING ORGANIZATION (F.M. 691 AND U.S. HIGHWAY
75)

RES 5020
MPO GRANT
APPLICATION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXPRESSING THE CITY'S SUPPORT FOR THE TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION PROGRAM GRANT APPLICATION MADE BY THE SHERMAN-DENISON METROPOLITAN PLANNING ORGANIZATION.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5020, as presented. Second by Council Member Adami.

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

RESOLUTION NO. 5021 – AUTHORIZING EXECUTION OF A
DEVELOPER'S AGREEMENT WITH FRIENDSHIP RANCH
JOINT VENTURE FOR THE CONSTRUCTION OF FRIENDSHIP
RANCH ADDITION TO THE CITY OF SHERMAN

RES 5021
FRIENDSHIP RANCH
DEVELOPER'S
AGREEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH FRIENDSHIP RANCH JOINT VENTURE FOR THE CONSTRUCTION OF FRIENDSHIP RANCH ADDITION TO THE CITY OF SHERMAN.
CONSENT AGENDA.

RESOLUTION NO. 5022 – 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 535 EAST EVERGREEN STREET

RES 5022
RESIDENTIAL TAX
ABATEMENT
(535 E. EVERGREEN)

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 535 EAST EVERGREEN STREET.

RESOLUTION NO. 5023 – AUTHORIZING THE EXECUTION
OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR
THE ABATEMENT OF AD VALOREM PROERTY TAXES FOR
THE CONSTRUCTION OF A NEW SINGLE-FAMILY
RESIDENCE AT 1119 SOUTH MONTGOMERY STREET

RES 5023
RESIDENTIAL TAX
ABATEMENT
(1119 S.
MONTGOMERY)

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 1119 SOUTH MONTGOMERY STREET.

RESOLUTION NO. 5024 – 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 508 SOUTH BRANCH STREET

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 508 SOUTH BRANCH STREET.

RES 5024
RESIDENTIAL TAX
ABATEMENT
(508 S. BRANCH)

RESOLUTION NO. 5025 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS, INC. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 314 WEST JONES STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS, INC. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 314 WEST JONES STREET.

RES 5025
RESIDENTIAL TAX
ABATEMENT
(314 W. JONES)

RESOLUTION NO. 5026 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS, INC. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 610 EAST SCOTT STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS, INC. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 610 EAST SCOTT STREET.

RES 5026
RESIDENTIAL TAX
ABATEMENT
(610 E. SCOTT)

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Resolution Nos. 5022, 5023, 5024, 5025, and 5026, as presented. Second by Council Member Adami.

VOTING AYE: Adami, Smith, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5027 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TAMMY GLASS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE SECOND STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE AT 1502 NORTH HOARD AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TAMMY GLASS FOR THE ABATEMENT

RES 5027
RESIDENTIAL TAX
ABATEMENT
(1502 N. HOARD)

OF AD VALOREM PROPERTY TAXES FOR THE SECOND STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE AT 1502 NORTH HOARD AVENUE.
CONSENT AGENDA.

REQUEST TO ADVERTISE
PURCHASE OF SELF-CONTAINED BREATHING APPARATUS
(SCBA) COMPRESSOR

The City Council approved the request to advertise for the purchase of a high-pressure air compressor used to fill the Self-Contained Breathing Apparatus (SCBA) equipment that is worn by the Fire Department in hazardous breathing environments.

The Fire Department currently has two of the high-pressure air compressors, but one was purchased in 1990 and needs to be replaced.

CONSENT AGENDA.

PAYMENT APPROVAL
WEISINGER WATER WELLS, INC.; FAIRVIEW #1 TRINITY
WELL REPAIRS; \$65,400.40

The City Council approved payment in the amount of \$65,400.40 to Weisinger Water Wells, Inc. for Fairview #1 Trinity Well repairs.

The Council originally awarded the contract for repairs to the well based on a lump sum cost for pulling and inspecting the pump equipment plus unit price items and all extra work required for completing necessary repairs and putting the well back in service. Total contract costs would not exceed \$76,467.40 without a change order.

After the pump was pulled, they determined the need to replace the pump and motor along with the associated cable and supporting hardware. Combining the lump sum cost of \$10,970 for pulling and inspecting the pump equipment with the replacement hardware and installation cost of \$54,430.40, the project total cost was \$65,400.40, which was less than the not-to-exceed contract cost of \$76,467.40.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizens requests.

COUNCIL COMMENTS
LIGHTING ON GRAND AVENUE BRIDGE

Deputy Mayor Steele commended the Street Department for the lights over Grand Avenue Bridge.

GRAND OPENING OF THE SPLASH

Council Member Adami reminded everyone that the grand opening of The Splash will be held on Wednesday, May 23, 2007. The Splash is the result of the renovation project on Fairview Swimming Pool.

REQ TO ADVERTISE
SCBA COMPRESSOR

PAYMENT APPROVAL
FAIRVIEW #1
TRINITY WELL
REPAIRS

CITIZENS REQUESTS

GRAND AVENUE
BRIDGE LIGHTING

GRAND OPENING
OF THE SPLASH

COUNCIL MINUTES – MAY 21, 2007

POLICE AND FIRE DEPARTMENTS OPEN HOUSE

Council Member Wacker thanked the Police and Fire Departments for the Open House held last week at the facilities.

POLICE & FIRE
DEPARTMENTS
OPEN HOUSE

CANVASS OF THE ELECTION

Mayor Magers invited everyone to the Called Council Meeting tomorrow to canvass the Regular and Special Elections held on May 12, 2007. He emphasized the importance of voting.

CANVASS OF
THE ELECTION

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

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

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

EXECUTIVE SESSION

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

Mayor Magers advised the City Council that there was no need for an Executive Session.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:14 p.m.

ADJOURNMENT

MAYOR

CITY CLERK