

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