

May 4, 2015

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

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**“MENTAL HEALTH
AWARENESS MONTH”
(MAY 2015)**

**“POLICE WEEK”
(MAY 10-16, 2015)**

Other officers attending the meeting with Chief Fair were Sergeant Kevin Garbacik, Mark Wood, Brett Mullen, Andrew Dutton, Nathan Hendrickson, Shawn Kelly, and Allen Adams.

PUBLIC HEARING

**PROPOSED AGREEMENT WITH KAISER ALUMINUM
FABRICATED PRODUCTS, LLC FOR THE ABATEMENT OF
AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS
WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER
042015-1, CITY OF SHERMAN, TEXAS**

**KAISER ALUMINUM
TAX ABATEMENT
AGREEMENT**

Mayor Wacker said this was the third public hearing on Kaiser Aluminum's request for a tax abatement. She asked if anyone in the audience would like to speak on the issue.

Robby Hefton, City Manager, said Kaiser Aluminum has been a great part of the community for many decades and he is pleased that they are choosing to expand both their employees and their investment in Sherman. The staff is recommending approval of the tax abate agreement.

No citizens appeared before the City Council to discuss the proposed tax abatement agreement with Kaiser Aluminum Fabricated Products, LLC.

The Public Hearing was closed.

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

**RESOLUTION NO. 5967 – AUTHORIZING EXECUTION OF AN
AGREEMENT WITH KAISER ALUMINUM FABRICATED
PRODUCTS, LLC FOR THE ABATEMENT OF AD VALOREM
PROPERTY TAXES FOR IMPROVEMENTS WITHIN
INDUSTRIAL REINVESTMENT ZONE, NUMBER 042015-1,
CITY OF SHERMAN, TEXAS**

**RES 5967
KAISER ALUMINUM
TAX ABATEMENT
AGREEMENT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH KAISER ALUMINUM FABRICATED PRODUCTS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES WITHIN INDUSTRIAL REINVESTMENT ZONE NO. 042015-1.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 5967, as presented. Second by Council Member Johnson.

VOTING AYE: Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

ABSTAIN: Plyler.

MOTION CARRIED.

**RESOLUTION NO. 5968 – RECOGNIZING THAT THE
PORTION OF HIGHWAY NAMED F.M. 1417, FROM U.S.
HIGHWAY 75 TO OLD LUELLA ROAD, WILL BE KNOWN AS
“VIETNAM VETERANS PARKWAY”**

**RES 5968
DESIGNATING A
PORTION OF
FM 1417 “VIETNAM
VETERANS PARKWAY”**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

SHERMAN, TEXAS, RECOGNIZING THAT THE PORTION OF HIGHWAY NAMED F.M. 1417, FROM U.S. HIGHWAY 75 TO OLD LUELLA ROAD, WILL BE KNOWN AS “VIETNAM VETERANS PARKWAY”.

Mayor Wacker recognized the Vietnam Veterans that were in attendance at the meeting and thanked them for their work moving the request forward. She said after the resolution is approved, new signage will be installed.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 5968, as presented. Second by Council Member Sofey.

VOTING AYE: Wacker, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

Mayor Wacker said it would be very meaningful for the citizens and for anyone driving on that portion of the road, to honor those who have sacrificed for our Country.

RESOLUTION NO. 5969 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH JESSIE M. HOLT FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 502 EAST CENTENNIAL STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JESSIE M. HOLT FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 502 EAST CENTENNIAL STREET.

CONSENT AGENDA.

**RES 5969
RESIDENTIAL TAX
ABATEMENT
(502 E. CENTENNIAL)**

RESOLUTION NO. 5970 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR TRANSPORTATION AND PLANNING SERVICES OF THE HERITAGE PARKWAY (FM 1417) CORRIDOR

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR TRANSPORTATION AND PLANNING SERVICES OF THE HERITAGE PARKWAY (FM 1417) CORRIDOR.

**RES 5970
TRANSPORTATION
PLANNING FOR
FM 1417 CORRIDOR**

Clay Barnett, Director of Public Works and Engineering, updated the City Council on the proposed agreement for transportation and planning services for the F.M. 1417 Corridor.

Mr. Barnett said during the budget discussion last month, one of the Council priorities was identified as the F.M. 1417 (Heritage Parkway) Corridor. The staff began preparing for a planning study with Kimley-Horn and Associates.

They were chosen primarily because they prepared the Traffic Study for the Metropolitan Planning Organization and they already had a lot of the data that would be required. Therefore it would be a cost saving measure.

During the planning process, they will look at the amount of traffic on F.M. 1417 and identify some potential connections for Taylor and McGee Streets, across F.M. 1417; update the 2009 Thoroughfare Plan that is included in the 2009 Comprehensive Master Plan; and look at the Overlay District for Heritage Parkway to make sure it is consistent with the look and feel that the Council wants for that neighborhood.

Mayor Wacker said even though this was brought forward for next year's budget, the Council realized that with some current growth potential, it was important enough to accelerate the process, putting the City in good shape going into next year's budget.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution No. 5970, as presented. Second by Deputy Mayor Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

Mayor Wacker verified that the start date of the study would be this month and would take several months to complete.

CHANGE ORDER NO. 1

DORCHESTER TRINITY NO. 10 WELL REPAIRS; WEISINGER INCORPORATED; \$9,828.00 INCREASE

The City Council approved Change Order No. 1 for an increase of \$9,828, to Weisinger Incorporated for well repairs on the Dorchester Trinity No. 10 Well.

The change order is a final reconciliatory change order to adjust the final project quantities. After pulling the pump from the well, inspection of the pump revealed problems that needed to be addressed. The repair required wear rings, bearings, impellers, and the suction screen, which added to the final project cost.

After the change order, the final contract amount is \$148,880.

CONSENT AGENDA.

OTHER BUSINESS

RECEIVE DIRECTOR OF PUBLIC WORKS AND ENGINEERING CLAY BARNETT'S UPDATE ON THE LOY LAKE BRIDGE PROJECT

Mr. Barnett presented an update on the Loy Lake Bridge Project. The new bridge is still closed because they are

CHANGE ORDER
WATER WELL
REPAIRS

LOY LAKE BRIDGE
PROJECT UPDATE

working on the area west of the bridge. They are also working on the traffic signals and are progressing as the weather allows.

The project is a public/private partnership totaling \$5.66 million. The Texas Department of Transportation is paying for the major part, \$3.95 million. UCR, the owner of the shopping center east of the highway, contributed \$1.35 million, and the City of Sherman paid \$360,000.

The City's part of the project begins where TxDOT left off, extending a four-lane median divided section to Sara Swamy Drive. It also includes the installation of a traffic signal at Sara Swamy Drive. This project was originally budgeted at \$400,000, but came in about 10% under budget.

Mr. Barnett said the City had a great opportunity to take a \$360,000 investment and turn it into a \$5.66 million project.

He presented a timeline of the project from the MPO approval of funding in June 2012, to discussions with UCR about raising the intersection and constructing a "direct connect" into the shopping center, to the start of TxDOT's construction in January 2014, and then the City's construction.

The project is currently in the fifth and final phase of construction. The City's portion has been complete since about October 2014, with the exception of the median. The City did not want to pour the concrete, which is colored and patterned, until TxDOT decides on their color and pattern. The City will then contract with the same contractor so the areas will match.

Currently TxDOT is finishing up on the west side of the bridge with lime stabilization and pouring the asphalt. When finished, the project should be complete and the bridge should be reopened. They will still need to complete some landscaping and signal installation.

Mr. Barnett said the project had already had to endure some intense weather. Between the frozen weather in February and the rain in March and April, the project has been delayed by a couple of months. The anticipated completion date is mid June 2015, subject to the weather.

For the City's part of the project, Mr. Barnett said the only part that is outstanding is the median paving. The staff will be presenting a change order to the Council. The change order will include the replacement of a concrete panel for \$4,673.17, sidewalk replacement for \$165.50, traffic signal adjustments for \$1,851; and the adjustment of a vault lid for \$1,606.

Mr. Barnett said the next phase for Loy Lake Road would be a Capital Improvement Project to complete a four-lane median divided section between Sara Swamy Drive and U.S. Hwy 82. This project would improve the Gallagher Street intersection and the entrance to Sam's Club. Estimated cost of the project would be over \$2 million.

He reminded everyone to vote in the November 3, 2015 Election, which will include a measure to continue the Street Maintenance Sales Tax.

Mr. Hefton said if you look at what has been constructed at Sara Swamy Drive and U.S. Hwy 75, that is the City's vision for Loy Lake Road all the way to U.S. Hwy 82. As far as the width of the lanes, the turn lanes, the signalization, and the lighting, the proposed project will look like it does now on the north part of the road.

The remainder of the project will be financed through Street Sales Tax and Tax Increment Financing dollars, as well as the budget.

Mr. Barnett added that the new project does include some landscaping and decorative lighting in the median, where the current project does not.

RECEIVE STAFF REPORT ON THE REGULATION OF LIQUEFIED PETROLEUM GAS IN THE CITY LIMITS

LP GAS IN THE CITY LIMITS

Mr. Hefton briefed the City Council on possible regulation of liquefied petroleum gas in the City limits. He said the staff reviewed what other cities are doing. Sherman currently has an ordinance on the books that addresses LPG use within the City, but it is a restrictive ordinance.

As Sherman develops toward the west with larger one acre lots, the cost would be on either the developer or on ATMOS to extend utilities and it is very expensive. There are already several developments to the west that use one acre lots.

After reviewing what other cities, such as Fairview, Little Elm, and Greenville are doing with LP gas, the staff found that some cities allow LPG and some don't. For the cities that do allow it, there is a wide variety of parameters in effect. The staff kept in mind the safety of the citizens and the property owners, and the safety of the emergency response personnel in the event of an emergency involving LPG.

Some of the parameters that seemed to be important were the requirement that there be at least an acre in the parcel; that natural gas was not available within a specified distance; restrictions on the tank size for a residence, generally the 500 to 1,000 gallon range; and that the buried tank be inspected by the Fire Marshal initially, and then inspected by the LPG providers.

Mr. Hefton said if the Council does want to consider moving forward with an LPG ordinance, the staff would propose that the tank be buried with cathodic protection, which would help minimize the risk of loss of life or injury, and loss of property.

He asked for City Council direction of what they would like for the staff to do going forward.

Council Member Sofey said he asked for the issue to be brought forward and he thanked the staff for looking at the issues. He felt the proposed ordinance was very comparable to ordinances from other cities south of Sherman. He liked the recommendations and felt it was developer friendly. Council Member Sofey would like to see the Council move forward with an ordinance.

Mr. Hefton said the staff will bring back an ordinance at the next meeting for Council consideration.

CONSIDER REQUEST OF THE 2015 NEIGHBORHOOD RECREATIONAL COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE ANNUAL “JUNETEENTH CELEBRATION” AND “JUNETEENTH PARADE” ON SATURDAY, JUNE 20, 2015

The City Council approved the request of the 2015 Neighborhood Recreational Committee to temporarily close certain streets for the Annual “Juneteenth Celebration” and “Juneteenth Parade” on Saturday, June 20, 2015.

CLOSE STREET
ANNUAL JUNETEENTH
CELEBRATION &
PARADE
(JUNE 20, 2015)

The Celebration will be held at Martin Luther King, Jr. Park from 8:00 a.m. until 8:00 p.m. To accommodate the event, the Committee has requested delivery and pick up of barricades for the closure of East Street, between Vernon Holland Street and College Street. Even though East Street will be closed with barricades, accessibility through the street by emergency vehicles must be maintained at all times.

The “Juneteenth Parade” will begin at 11:00 a.m. and will follow a specific route from First Baptist Church to Martin Luther King Jr. Park. The parade will require traffic control assistance and barricades from the City.

CONSENT AGENDA.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2015

The City Council approved the Quarterly Investment Report for the quarter ended March 31, 2015.

QUARTERLY
INVESTMENT
REPORT

As of March 31, 2015, the portfolio was in compliance with applicable State laws and the Investment Policy. The operating investment portfolio had a book value of about \$21.2 million, an increase of about \$3.2 million from the prior

quarter of \$17.0 million. This increase was due to the purchase of State of Texas political subdivision obligations, U.S. Agencies and a Certificate of Deposit during the period.

The underlying investments were adequately diversified among five different types of securities. This portfolio is appropriately liquid; and its weighted-average maturity was about 490 days, up from 420 days last period. The portfolio yield of 0.605% for the quarter is higher than the benchmark yield of 0.26%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.
CONSENT AGENDA.

SITE PLAN APPROVAL FOR KAISER ALUMINUM FABRICATED PRODUCTS, LLC, OWNERS; DANA MANN, REPRESENTATIVE; COFFMAN ENGINEERS, ENGINEERS; AND ROBERT KASBERGER APPLIED SERVICES, ARCHITECT; UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410(2)(J) FOR AN EXPANSION OF THEIR ALUMINUM EXTRUSION PRESS FACILITIES FOR A NEW PRESS LINE BUILDING FOR KAISER ALUMINUM IN THE BLALOCK INDUSTRIAL PARK DISTRICT AT 4300 SOUTH U.S. HIGHWAY 75

SITE PLAN APPROVAL
KAISER ALUMINUM
EXPANSION

The City Council approved the Site Plan for Kaiser Aluminum Fabricated Products, LLC, for an expansion of their Aluminum Extrusion Press Facilities for a new Press Line Building. The new building will be located at this industrial site at 4300 South U.S. Highway 75.

Kaiser Aluminum is expanding their aluminum extrusion press facilities and is adding a new 4400T press line to be located in a separate building, west of the current building. They currently have 122 employees and would also like to add 30 employees, for a total of 152.

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

CITIZENS REQUESTS
SETTING SUN ESTATES

SETTING SUN
ESTATES

Reverend Charles H. Brown, Sr., 4900 Navajo Road, said he has lived in Setting Suns Addition for 31 years and there has been a problem with the area for 25 years. He said the addition is a "ghetto" and a "lost neighborhood." He said it is flat, nasty, dirty, and muddy.

The addition was annexed 25 years ago and they were told they would get curb and guttering and lights. The only thing they got was two lights on Cimmaron.

There is a water problem in the addition and there is nowhere for it to drain. Reverend Brown said it drains into his yard. He asked that the City open up the gutters along Navaho and Cimmaron to help facilitate the drainage.

He said his lawn is a mess and it smells bad from excess water. He said the problems have been going on for 25 years and he is upset with the City. He challenged the City Council and the staff to visit Setting Suns Addition tomorrow to see the problems.

Mayor Wacker said they would make sure that the staff is following up with the issues. Reverend Brown said previous Council Members and staff have said they would do something, but they never did. He urged them to bring the equipment to open the gutters so the water can run off and to install some lighting.

Mayor Wacker asked the staff to set up a meeting with Reverend Brown to see what can be done. She said it takes more than one entity, for example, the lights come from Oncor.

LIGHTING ON F.M. 1417

Reverend Brown said on F.M. 1417 near Pebblebrook there is no lighting and he expressed concern that someone will be killed. The F.M. 1417 intersection with Quail Run is also very dark at night and it is a divided street. He said it is very easy to turn onto the wrong side of that divided street. He asked the staff to look at that area.

LIGHTING ON
F.M. 1417

JUNETEENTH CELEBRATION

Reverend Brown said Juneteenth is not just a Black celebration and he urged the City Council to participate in the parade and the celebration. He said it is a Citywide event and all Sherman citizens should participate.

JUNETEENTH
CELEBRATION

Mayor Wacker confirmed that the Juneteenth Celebration is June 20, 2015.

MEDIA QUESTIONS

PROPOSED LP GAS ORDINANCE

Nate Strauch, Herald Democrat Reporter, asked about the size of the LPG tank that would be proposed for residential areas.

PROPOSED LP
GAS ORDINANCE

Mr. Hefton said the staff would probably recommend the 500 gallon LPG tank, which seems to be the typical size for similar cities.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

RED RIVER GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS (1)

ACTION TAKEN.

Motion by Council Member Sofey to reappoint Mark Gibson to the Red River Groundwater Conservation District Board of Directors for a term from August 31, 2015 through August 31, 2019. Second by Council Member Johnson.

COUNCIL MINUTES – MAY 4, 2015

VOTING AYE: Johnson, Plyler, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

VIETNAM VETERANS PARKWAY

Deputy Mayor Plyler said he was thrilled to be able to rename a portion of F.M. 1417 to Vietnam Veterans Parkway. Mayor Wacker also asked representatives to give her regards to Nancy Knapp, who spearheaded the project.

VIETNAM VETERANS
PARKWAY

VIETNAM VETERANS PARKWAY AND POLICE WEEK

Council Member Sofey addressed the renaming of F.M. 1417 to Vietnam Veterans Parkway adding that it is very important to recognize those that have served to protect us. He also felt it was important to recognize “Police Week” for those that protect us locally.

VIETNAM VETERANS
PARKWAY & POLICE
WEEK

VIETNAM VETERANS PARKWAY

Council Member Watt thanked Charles Holcomb, President of the Vietnam Veterans of America Chapter 973, and the other representatives for attending the meeting for the renaming of Vietnam Veterans Parkway. He also thanked the Council Members for approving the ordinance

VIETNAM VETERANS
PARKWAY

POLICE WEEK

Council Member Watt said Chief Fair did a great job of representing Police Chief Otis Henry by accepting the “Police Week” proclamation, and he thanked him for bringing the other officers with him.

POLICE WEEK

RIDE ALONG WITH POLICE DEPARTMENT

Council Member Steele said when he was on the City Council in 2002, he rode along with Police Officer Shawn Kelly. He was new on the force then, but did a good job.

RIDE ALONG WITH
POLICE DEPT.

ANNOUNCEMENTS

Mayor Wacker announced the following:

- The City is seeking applications to fill a vacancy on the Parks and Recreation Advisory Board. Applications are available on the City’s website or from the City Clerk’s Office.
- The Summer Musical production of “Les Miserables” by the Community Players will begin soon, with many partners in the community participating. The Sherman Museum will also feature an open Lunch Lecture on May 8, 2015 featuring the background story of Victor Hugo’s novel, “Les Miserables.” A vocal performance of the music from “Les Miserables” will be held on May 9, 2015.

ANNOUNCEMENTS

COUNCIL MINUTES – MAY 4, 2015

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:48 p.m.

ADJOURNMENT

MAYOR

CITY CLERK