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May 3, 2010

COUNTY OF GRAYSON

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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 3, 2010.

MEMBERS PRESENT:

**MAYOR BILL MAGERS; DEPUTY MAYOR JOE SMITH.
COUNCIL MEMBERS ADAMI, HOWETH, SOFTLY, STEELE,
WACKER.**

MEMBERS ABSENT:

NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 19, 2010. Deputy Mayor Smith moved to approve the Minutes as presented; Second by Council Member Wacker. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

WELCOME

Mayor Magers welcomed Susan Thomas, Executive Director of the Texoma Council of Governments. He thanked her for attending the meeting.

WELCOME

PROCLAMATION

“NATIONAL TOURISM WEEK” – MAY 8-16, 2010

Council Member Wacker presented a proclamation to April Patterson, Tourism Director, proclaiming May 8 through 16, 2010 as "National Tourism Week." She also thanked everyone who worked tirelessly on behalf of Sherman and the region to promote attractions in the community.

**NATIONAL
TOURISM WEEK**

Ms. Patterson introduced Dick and Sue Malnory, representing Friends of Hagerman National Wildlife Refuge; Clint Giliam, Sales Manager for Hampton Inn and Comfort Suites; Stacie Esteban, Regional Director of Sales for Premier Hospitality Management, Inc.; Jenel McGrath, owner of Jenel McGrath Realtors, representing Downtown Sherman Preservation & Revitalization, Inc.; and Ivert and Jeanette Mayhugh, owners of A Touch of Class Antiques, who also house and manage the City's Visitor's Center.

Ms. Patterson discussed statistics on how the Sherman-Denison MSA stands up to other Texas cities. Total direct travel spending in 2008 was \$208.8 million and 1,480 jobs were generated by direct travel spending. Grayson County ranks number 30 out of 254 Texas Counties in visitor spending. From 2007 to 2008 there was a 7.5% increase in

visitor spending in Grayson County, which was more than twice that of Dallas, Galveston, and Travis Counties.

She also informed the City Council that the Sherman Jazz Museum will open this weekend and will be a big tourism draw for Sherman. Hagerman Wildlife Refuge will hold their Third Super Saturday on May 29, 2010, with lots of free nature activities. Also, Hot Summer Nights will begin on June 3, 2010 on the Municipal Building Grounds and the Highway 82/287 Yard Sale is scheduled for June 4 and 5, 2010, throughout the Red River Valley. The Tourism Center will have activities that coincide with the “National Tourism Week.”

Mrs. Malnory said a temporary office/trailer was delivered to Hagerman Wildlife Refuge today and will be in use for the next year until the new Visitor’s Center/Office is completed. The Center itself will become a destination and she felt Hagerman will play an even more important tourism role in Sherman in the future.

Mayor Magers thanked those in attendance adding that he felt the Tourism Department was moving in the right direction and putting money on projects, where it does some good.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5650 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “NO PARKING” SIGNS RESTRICTING PARKING ALONG THE NORTH AND SOUTH SIDES OF SPARROW LANE AND MORAVEC LANE, FROM TRAVIS STREET TO CROCKETT STREET, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY.

ORD 5650
NO PARKING SIGNS

No citizens appeared before the City Council to discuss Ordinance 5650.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5650

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “NO PARKING” SIGNS RESTRICTING PARKING ALONG THE NORTH AND SOUTH SIDES OF SPARROW LANE AND MORAVEC LANE, FROM TRAVIS STREET TO CROCKETT STREET, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY.

ORD 5650
NO PARKING SIGNS

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ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance No. 5650, as presented. Second by Council Member Softly.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY:

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5484 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY’S INTENTION TO CONTRACT WITH HOWARD-ESTRUCT JV, LLC. FOR CONSTRUCTION OF THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT “D”

RES 5484
HWY 75 NORTH
SEWER
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY’S INTENTION TO CONTRACT WITH HOWARD-ESTRUCT JV, LLC. FOR CONSTRUCTION OF THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT “D”.

CONSENT AGENDA.

RESOLUTION NO. 5485 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY’S INTENTION TO CONTRACT WITH ITT FLYGT CORPORATION FOR THE ACQUISITION OF PUMPING EQUIPMENT FOR THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT “D”

RES 5485
HWY 75 NORTH
SEWER
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY’S INTENTION TO CONTRACT WITH ITT FLYGT CORPORATION FOR THE ACQUISITION OF PUMPING EQUIPMENT FOR THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, “CONTRACT D”.

CONSENT AGENDA.

RESOLUTION NO. 5486 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MARTIN ASPHALT COMPANY FOR THE PURCHASE OF AN ANNUAL SUPPLY OF EMULSIFIED ASPHALT OIL FOR THE 2010 SEAL COAT PROGRAM

RES 5486
ANNUAL SEAL
COAT PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MARTIN ASPHALT COMPANY FOR THE PURCHASE OF AN ANNUAL SUPPLY OF EMULSIFIED ASPHALT OIL FOR THE 2010 SEAL COAT PROGRAM.

CONSENT AGENDA.

RESOLUTION NO. 5487 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ROBERT W. McNINCH FOR CONSTRUCTION OF A MODULAR BLOCK RETAINING WALL IN THE STREET RIGHT-OF-WAY OF CATALINA CIRCLE AND CANYON CREEK DRIVE LOCATED AT LOT 16, BLOCK 2 OF THE CANYON CREEK ADDITION, REPLAT OF SECTION ONE TO THE CITY OF SHERMAN (1801 CATALINA CIRCLE)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ROBERT W. McNINCH FOR CONSTRUCTION OF A MODULAR BLOCK RETAINING WALL IN THE STREET RIGHT-OF-WAY OF CATALINA CIRCLE AND CANYON CREEK DRIVE LOCATED AT LOT 16, BLOCK 2 OF THE CANYON CREEK ADDITION, REPLAT OF SECTION ONE TO THE CITY OF SHERMAN (1801 CATALINA CIRCLE).

CONSENT AGENDA.

RES 5487
ENCROACHMENT
EASEMENT FOR
RETAINING WALL
(1801 CATALINA
CIRCLE)

RESOLUTION NO. 5488 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH GONZALO NAVARRO RAMIREZ AND CREWS FELIPE RAMIREZ FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1616 SOUTH ELM STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH GONZALO NAVARRO RAMIREZ AND CREWS FELIPE RAMIREZ FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1616 SOUTH ELM STREET.

CONSENT AGENDA.

RES 5488
RESIDENTIAL TAX
ABATEMENT
(1616 S. ELM)

OTHER BUSINESS

RECEIVE PARKS AND RECREATION UPDATE FROM ADMINISTRATOR KEVIN WINKLER

Kevin Winkler, Parks and Recreation Administrator, updated the City Council on the status of park projects.

PARKS & REC
UPDATE

The staff was given notice to proceed on Pecan Grove Park, Phase II last August and since that time the project has proceeded on time and under budget. The contractor started to erect the amphitheater last week. Mayor Magers verified that the lake would form the backdrop for the amphitheater.

The project also includes six pavilions with stone fascia and a floating fishing pier with connecting walkway. There will be two playgrounds, one for ages two to five and another for ages four to twelve. The walking trail will be 6,300 feet long and 8 feet wide, constructed of concrete. There is also a wooded area that can be used for nature walking trails.

Council Member Steele verified that the 6,300 feet of walking trail was just in Pecan Grove West and the east side of the

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park included a little over 1,000 feet of additional trail. The two trails are not connected by concrete but there will be a walking trail across the dam that connects the two trails. Pecan Grove Park, Phase II also includes a restroom / concession building.

Mr. Winkler said “kick off” for the park will be held July 3, 2010 and will include a fireworks show and a concert featuring Deryl Dodd, a country and western singer. The Tourism Department is assisting with plans for the event.

Council Members said the park looks great and will be a terrific asset to the community.

The Splash will be opening May 29, 2010. Mr. Winkler reminded the Council that prices were increased last year, but there were still 42,926 entries into The Splash during the 2009 season. Visitors were not deterred by the price increase. There were also 35 rentals last year and 65 cabana rentals. The staff sold 724 passes to The Splash for 2009.

The 2009 Learn to Swim Program provided 496 swim lessons and 202 children have already signed up for lessons this year. The staff opened up for private rentals this past Saturday and they have already booked 13 events.

Mr. Winkler said on the sports side of Parks and Recreation, there were 418 sports games scheduled this Spring for the youth. A tournament was also held on April 24 and 25, 2010 that featured 54 teams, many from out of town. Another tournament is scheduled for May 15 and 16, 2010 and 51 teams are already registered.

There are currently 25 adult softball teams that play at Fairview Park and they are trying to build the softball program up again.

At the Center Street Soccer Complex there are 136 youth teams that played 584 games. Sixty of the teams were from Sherman. There are also six adult teams that played 29 games.

There is an adult flag football league that plays at the Center Street Soccer Complex. This year eight teams participated in 31 games.

Council Member Howeth said the citizens of Sherman should appreciate the City’s efforts to keep the facilities open. In order to start balancing their budget, the City of Fort Worth was closing six out of seven of their City swimming pools and would greatly restrict the hours of the remaining pool while cancelling most of the swimming lessons.

She commended the City staff for their efforts to keep the facilities open and the projects going.

Mr. Winkler presented the new Parks and Recreation Guide and thanked Theresa Hutchinson, Recreation Coordinator, for her work on putting the Guide together.

APPROVE QUARTERLY INVESTMENT REPORTS FOR PERIOD ENDING MARCH 31, 2010

The City Council approved the Quarterly Investment Report for the period ending March 31, 2010. As of March 31, 2010, all portfolios were in compliance with applicable State laws and the City's internal Investment Policy.

The Operating Portfolio had a book value of about \$22.9 million, up about \$4 million from three months ago. This portfolio is appropriately liquid and its weighted-average maturity increased to about 147 days, from about 47 days last period, because of maturity purchases during the quarter.

The portfolio yield of 0.6% for the quarter is higher than the benchmark yield of 0.24%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The CO Debt Proceeds Portfolio balance decreased about \$1.3 million due to payments for construction during the period. The portfolio remains appropriately liquid, with all of the funds available within one day. Its yield of 0.16% for the quarter is less than the benchmark yield of 0.24%. Also, the portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

LOCAL GOVERNMENT CLASS IN SCHOOL

Mayor Magers recognized a project that his 10 year old son Kennon did for a local government class in school. He made banners for three key things happening in Sherman that set Sherman apart from other Cities. The banners illustrated the great parks Sherman has and Austin College. After talking about the importance of water in the community, the third banner highlighted The Splash.

BUDGET CHALLENGES IN SHERMAN

Mayor Magers said the City recently held a Budget Work Session where they discussed how tight things were in Sherman. However the main challenge in Sherman is now to sell the excess water available. Another challenge is how to balance the budget while still moving forward with capital improvements.

**QUARTERLY
INVESTMENT
REPORT**

CITIZENS REQUESTS

MEDIA QUESTIONS

**LOCAL GOVERNMENT
CLASS IN SCHOOL**

**BUDGET CHALLENGES
IN SHERMAN**

Sherman's problems are not the same problems that other Cities have such as who will be laid off this week or what service will be cut.

Mayor Magers said Sherman does have challenges, but is still in a lot better shape than many Cities.

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 CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON POTENTIAL
LITIGATION

SECTION 551.072 DELIBERATIONS REGARDING
REAL PROPERTY:
DELIBERATE REGARDING THE
PURCHASE, EXCHANGE, LEASE,
OR VALUE OF REAL PROPERTY:
BLALOCK INDUSTRIAL PARK /
COMMERCIAL OVERLAY
DISTRICT

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:25 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:45 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

DELIBERATE REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY:
BLALOCK INDUSTRIAL PARK / COMMERCIAL OVERLAY DISTRICT

**BLALOCK INDUSTRIAL
PARK / COMMERCIAL
OVERLAY DISTRICT**

ACTION TAKEN.

Motion by Deputy Mayor Smith to authorize the Mayor to sign a termination of restrictions as it relates to the Blalock Fire Station in the 100 block of F.M. 1417 East.
Second by Council Member Wacker.

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VOTING AYE: Magers, Adami, Howeth, Smith, Softly, Steele, Wacker.

VOTING NAY:

MOTION CARRIED.

ADJOURNMENT

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

ADJOURNMENT

MAYOR

CITY CLERK