

STATE OF TEXAS

§

December 15, 2014

COUNTY OF GRAYSON

§

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 December 15, 2014.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 1, 2014. Council Member Johnson moved to approve the Minutes as presented; Second by Deputy Mayor Plyler. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5864 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A COMMERCIAL AMUSEMENT CENTER (GOLF SIMULATORS, BATTING CAGES AND RETAIL MERCHANDISE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT AT 4800 TEXOMA PARKWAY, SUITE B-12, BEING LOTS 3, 5, 7 AND PART OF LOTS 1 & 2, BLOCK 1, MIDWAY MALL ADDITION (TNP SITES, LLC, OWNERS; AND BILL CUNNINGHAM, APPLICANT); PROVIDING FOR A REPEALLER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5864
COMMERCIAL
AMUSEMENT CENTER
(4800 TEXOMA PKWY)

Bill Cunningham, 5111 N. Travis, Apt. 824

Mr. Cunningham has applied for the Specific Use Permit and said he was available to answer any questions the Council Members might have.

Joshua Shelton, 1811 W. College

Mr. Shelton asked what type of amusement center they were opening.

Mr. Cunningham said there are two simulators that project on a video screen. The participant hits into the screen and the simulator will track the ball and provide analytical data about the shot. It can be used in practice mode or the participant can play courses.

The batting cages are of the traditional type. There will be three indoor cages.

No other citizens appeared before the City Council to discuss Ordinance 5864.

Mayor Wacker introduced Ordinance 5865 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A SCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT AT 120 WEST MULBERRY STREET, BEING 0.171 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 AND ALSO PART OF BLOCK "B" OF T.J SHANNON SUPPLEMENT (TEXOMA LIBERTY LIGHTHOUSE CHURCH, INC., OWNERS; AND STAN McNUTT, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5865
SUP FOR SCHOOL
(120 W. MULBERRY)

Stan McNutt, 364 Liberty Hills Circle

Mr. McNutt asked the Council to approve the Specific Use Permit for them to operate a small, private school of 30 to 40 students that would be located at 120 W. Mulberry Street.

The vision is to provide a safe place where children can grow academically and spiritually, and to provide a low tuition for families that could not otherwise afford it.

No other citizens appeared before the City Council to discuss Ordinance 5865.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5864

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ORD 5864
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Ordinance 5865

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ORD 5865

**SUP FOR SCHOOL
(120 W. MULBERRY)**

ACTION TAKEN.

Motion by Council Member Watt to approve Ordinance Nos. 5864 and 5865, as presented. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5926 – APPROVING AN AMENDMENT BY THE GREATER TEXOMA UTILITY AUTHORITY TO THE PROJECT DESCRIPTION WITH RESPECT TO THE GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2012 (CITY OF SHERMAN PROJECT), AMENDING EXHIBIT A TO THE CITY'S RESOLUTION RELATING TO SUCH BONDS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AN AMENDMENT BY THE GREATER TEXOMA UTILITY AUTHORITY TO THE PROJECT DESCRIPTION WITH RESPECT TO THE GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2012 (CITY OF SHERMAN PROJECT), AMENDING EXHIBIT A TO THE CITY'S RESOLUTION RELATING TO SUCH BONDS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

RES 5926

**AMENDING BONDS
FOR GTUA PROJECTS**

RESOLUTION NO. 5927 – APPROVING AN AMENDMENT BY THE GREATER TEXOMA UTILITY AUTHORITY TO THE

RES 5927

AMENDING BONDS

PROJECT DESCRIPTION WITH RESPECT TO THE GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2013 (CITY OF SHERMAN PROJECT), AMENDING EXHIBIT A TO THE CITY'S RESOLUTION RELATING TO SUCH BONDS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO

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RESOLUTION NO. 5928 – APPROVING AN AMENDMENT BY THE GREATER TEXOMA UTILITY AUTHORITY TO THE PROJECT DESCRIPTION WITH RESPECT TO THE GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2013A (CITY OF SHERMAN PROJECT), AMENDING EXHIBIT A TO THE CITY'S RESOLUTION RELATING TO SUCH BONDS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO

RES 5928
AMENDING BONDS
FOR GTUA PROJECTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AN AMENDMENT BY THE GREATER TEXOMA UTILITY AUTHORITY TO THE PROJECT DESCRIPTION WITH RESPECT TO THE GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2013A (CITY OF SHERMAN PROJECT), AMENDING EXHIBIT A TO THE CITY'S RESOLUTION RELATING TO SUCH BONDS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

Drew Satterwhite, General Manager, Greater Texoma Utility Authority, explained that these Resolutions were prepared by GTUA's bond counsel, and will provide a clerical clarification on the three recent "open market" issues.

GTUA is proposing to broaden the project descriptions that will allow the City to utilize the remaining funds leftover from the original projects. In the future, Mr. Satterwhite said they will make sure that the bond resolutions include the necessary language to cover this scenario.

He said these are just clerical adjustments and do not require any bondholder consent. They will appear before the City Council and the GTUA Board before expending any of these funds.

Mayor Wacker confirmed that, due to the amount of money, it would be available only for emergency projects. Mr. Satterwhite said the 2012 bonds were issued for water and wastewater and the remaining money could be used for a water or wastewater project. The other two bonds were issued just for wastewater.

COUNCIL MINUTES – DECEMBER 15, 2014

ACTION TAKEN.

Motion by Deputy Mayor Plyler to approve Resolution Nos. 5926, 5927, and 5928, as presented. Second by Council Member Johnson.

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

VOTING NAY: None.

MOTION CARRIED.

REQUEST TO ADVERTISE

CITY RIGHT-OF-WAY AND PROPERTY MOWING

The City Council approved the request to advertise for the annual mowing of City boulevards, island, street right-of-ways and other City property.

CONSENT AGENDA.

REQ TO ADVERTISE
ROW & PROPERTY
MOWING

OTHER BUSINESS

FINAL PLAT APPROVAL OF NORWOOD ADDITION, BEING 5.23 ACRES IN THE BACON FIELDING SURVEY, ABSTRACT NO. 120; CHARLES FELLENBAUM, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS (2400 BLOCK OF NORWOOD DRIVE)

The City Council approved the Final Plat of the Norwood Addition, being 5.23 acres in the Bacon Fielding Survey, Abstract No. 120, located in the 2400 block of Norwood Drive, off of West Lamberth Road. The owner would like to plat the property into four lots for residential development.

APPROVE FINAL PLAT
NORWOOD ADDITION
(2400 BLOCK OF
NORWOOD DR.)

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

REPLAT APPROVAL OF LOT 1R, BLOCK 9, HIGHLAND PARK SUBDIVISION, LOTS 1-3 AND 10-12, BLOCK 9, HIGHLAND PARK 1ST ADDITION; SHERMAN RESTAURANT LLC AND FRANCHISE REALITY INTERSTATE CORPORATION (OWNERS), JPH LAND SURVEYING, INC. (SURVEYOR), AND ADAMS ENGINEERING (ENGINEERS)

The City Council approved the Replat of Lot 1R, Block 9, of the Highland Park Subdivision, Lots 1 through 3 and 10 through 12, of the Highland Park 1st Addition, located at 2217 Texoma Parkway and 1512 East Nall Street, at the southeast corner of Texoma Parkway and Nall Street. The owners would like to replat the property into one lot for commercial development.

APPROVE REPLAT
HIGHLAND PARK
SUBDIVISION

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

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

MERRY CHRISTMAS

Council Member Davis wished everyone a safe and Merry Christmas.

MERRY CHRISTMAS

MERRY CHRISTMAS

Council Member Johnson wished everyone a Merry Christmas and asked them to be safe.

MERRY CHRISTMAS

HAPPY HANUKKAH AND MERRY CHRISTMAS

Deputy Mayor Plyler wished everyone a Happy Hanukkah, starting tomorrow at sunset, and a Merry Christmas.

HAPPY HANUKKAH
& MERRY CHRISTMAS

MERRY CHRISTMAS AND HAPPY NEW YEAR

Council Member Sofey said Merry Christmas and Happy New Year.

MERRY CHRISTMAS
& HAPPY NEW YEAR

MERRY CHRISTMAS

Council Member Watt wished everyone a Merry Christmas and encouraged them to keep the soldiers, sailors, and airmen that are still in “harm’s way” in their prayers.

MERRY CHRISTMAS

MERRY CHRISTMAS

Council Member Steele wished a Merry Christmas to the staff, Council Members, and the citizens. He also encouraged any citizens drinking during the holidays, to utilize the services available to get home safely.

MERRY CHRISTMAS

ANNOUNCEMENTS

Mayor Wacker announced the following:

ANNOUNCEMENTS

- “The Nutcracker” will be presented on December 23, 2014, at 7:00 p.m., in Kidd-Key Auditorium by local students of the Denison Dance Academy. The program will feature guest performers Anton and Darli Lakovlev, from the Russian Ballet.
- Christmas Day and New Year’s Day are both City holidays. Trash and recycling pickup originally scheduled for Thursday will move to Wednesday, and there will be no pickup on Thursday. Friday pickup will not change.
- On behalf of the City Council and the City staff, she wished the community a wonderful, safe, and blessed holiday, with family and friends.

COUNCIL MINUTES – DECEMBER 15, 2014

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:13 p.m.

ADJOURNMENT

MAYOR

CITY CLERK