

STATE OF TEXAS

§

April 19, 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 April 19, 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 5:01 p.m. The Pledge of Allegiance and the Invocation were given by Council Member Robert Softly.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 5, 2010. Council Member Adami moved to approve the Minutes as presented; Second by Council Member Steele.

APPROVE MINUTES

Council Member Wacker asked to amend the Minutes to read "Council Member Wacker asked if the project had been scaled back to include a sidewalk on one side." Council Member Adami amended his motion to approve the Minutes, as amended; Second by Council Member Steele. All present voted AYE.

MOTION CARRIED.

PROCLAMATION

"YOUNG LIFE"

Deputy Mayor Smith presented a proclamation recognizing the 25th Anniversary of "Young Life" to Alex Clark, Young Life Student Staff.

YOUNG LIFE
PROCLAMATION

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5648 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5570 IN ITS ENTIRETY; RESCINDING THE SIXTY (60) MILES PER HOUR MAXIMUM RATE OF SPEED ON U.S. HIGHWAY 82 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS, ESTABLISHED DURING THE TEXAS DEPARTMENT OF TRANSPORTATION'S CONSTRUCTION PROJECT PTF 2008 (247); PROVIDING FOR A REPEALER.

ORD 5648
RESCIND SPEED
LIMIT ON HWY 82
DURING TXDOT
PROJECT

No citizens appeared before the City Council to discuss Ordinance 5648.

Mayor Magers introduced Ordinance 5649 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, MAKING AN EMERGENCY APPOINTMENT OF ELECTION OFFICIALS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT, SHERMAN, TEXAS, ON THE 8TH DAY OF MAY, 2010, FOR THE PURPOSE OF ELECTING THREE (3) SHERMAN INDEPENDENT SCHOOL DISTRICT TRUSTEES FOR SAID SCHOOL DISTRICT.

ORD 5649
ELECTION OFFICIALS
FOR SISD ELECTION

No citizens appeared before the City Council to discuss Ordinance 5649.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5648

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5570 IN ITS ENTIRETY; RESCINDING THE SIXTY (60) MILES PER HOUR MAXIMUM RATE OF SPEED ON U.S. HIGHWAY 82 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS, ESTABLISHED DURING THE TEXAS DEPARTMENT OF TRANSPORTATION'S CONSTRUCTION PROJECT PTF 2008 (247); PROVIDING FOR A REPEALER.

ORD 5648
RESCIND SPEED
LIMIT ON HWY 82
DURING TXDOT
PROJECT

Ordinance 5649

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, MAKING AN EMERGENCY APPOINTMENT OF ELECTION OFFICIALS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT, SHERMAN, TEXAS, ON THE 8TH DAY OF MAY, 2010, FOR THE PURPOSE OF ELECTING THREE (3) SHERMAN INDEPENDENT SCHOOL DISTRICT TRUSTEES FOR SAID SCHOOL DISTRICT.

ORD 5649
ELECTION OFFICIALS
FOR SISD ELECTION

Mayor Magers said that the City is appointing Election officials for the School District's Election and he asked if the City was responsible for the Election Judges as well. Linda Ashby, City Clerk, explained that the City originally appointed the Judges however the husband of one Judge is ill and she will be unable to work. The City does appoint Election Judges for the School District even though the City canceled their Election.

ACTION TAKEN.

Motion by Council Member Wacker to approve Ordinance Nos. 5648 and 5649, 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. Robby Hefton, Assistant City Manager/CFO, requested that Item D-1 entitled “Request to Advertise – Lease Purchase Financing of Capital Equipment” be removed from the Consent Agenda for discussion in its regular order of business.

Mayor Magers confirmed that with the removal of Item D-1 from the Consent Agenda, only Item C-1 remained on the Consent Agenda.

RESOLUTIONS

RESOLUTION NO. 5483 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1413 NORTH BRENTS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1413 NORTH BRENTS AVENUE.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution 5483, as presented. Second by Council Member Adami.

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

VOTING NAY:

MOTION CARRIED.

REQUEST TO ADVERTISE

LEASE-PURCHASE FINANCING OF CAPITAL EQUIPMENT

Mr. Hefton asked that Item D-1 be removed from the Consent Agenda for discussion in its regular order of business.

He explained that the staff originally drafted the request to advertise to be only a lease-purchase type of financing and they want to expand that so if there are some banks that want to provide a conventional, 7 year, commercial loan, it would be acceptable too. They are not so concerned about the form of the loan, but are more concerned about financing it over the life of the unit.

Mayor Magers verified that the request would read “financing of capital equipment” instead of “lease-purchase financing.”

ACTION TAKEN.

Motion by Council Member Wacker to approve the request to advertise for Lease-Purchase Financing of Capital Equipment, with the change to read “financing of capital equipment.” Second by Council Member Adami.

CONSENT AGENDA

**RES 5483
RESIDENTIAL TAX
ABATEMENT
(1413 N. BRENTS)**

**REQ TO ADVERTISE
LEASE-PURCHASE
OF CAPITAL
EQUIPT.**

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY:
MOTION CARRIED.

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD MEMBER KELLY BICKERSTAFF AND SEDCO
PRESIDENT JOHN BOSWELL

SEDCO QUARTERLY
REPORT

Kelly Bickerstaff, Sherman Economic Development Corporation Board Member, presented the Quarterly Progress Report for the Board.

He said the economy has extended to Sherman but SEDCO continues to work with existing employers to try and maintain their employment levels and their success. They have also completed mandatory Board training.

Mr. Bickerstaff said SEDCO extended their land option agreement with Panda Energy and that project continues to move forward, although not as quickly as was hoped. They have also completed a performance agreement with West Asset Management that was approved in 2005. They complied with all requirements.

This year, Folgers and MEMC announced that they would cease operations during the first quarter of 2011. SEDCO continues to work with those companies to find alternative uses for the facilities.

They are currently discussing with some companies potential expansion to Sherman and there is hope for a positive turn around in the economy.

Mayor Magers asked if he knew the status of GlobiTech's air permit. Mr. Bickerstaff did not know the status.

RECEIVE CHIEF ANIMAL CONTROL OFFICER SCOTT
PARKER'S REPORT ON THE SHERMAN ANIMAL SHELTER'S
ADOPT-A-THON SCHEDULED FOR SATURDAY, MAY 1, 2010

ANIMAL CONTROL
ADOPT-A-THON

Scott Parker, Chief Animal Control Officer, and Steve West, Animal Control Officer, displayed a kitten and puppy to announce this year's Annual Adopt-A-Thon.

Mr. Parker said this is the 14th year that the City has participated in the national event. The event will be held Saturday, May 1, 2010 from 10 a.m. to 4 p.m. at the Animal Shelter.

The adoption fee for that day is \$44 for dogs and puppies and \$33 for cats and kittens. The fee includes spay or neutering, vaccination against rabies, and a free examination by the veterinarian.

Mayor Magers thanked the Animal Control Officers for their hard work and the great job they do.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

YOUNG LIFE

Council Member Adami said he grew up with Young Life and really enjoyed it. He encouraged citizens to attend their banquet and support the organization.

YOUNG LIFE

YOUNG LIFE

Council Member Wacker and Council Member Softly both echoed Council Member Adami's comments about Young Life and said they are proud of the organization.

YOUNG LIFE

PARKS AND THE SPLASH

Mayor Magers said this past Saturday the park was packed and his sons know that The Splash opens on May 29 and are excited.

**PARKS AND
THE SPLASH**

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 551.072

**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 5:15 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:35 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

COUNCIL MINUTES – APRIL 19, 2010

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:36 p.m.

ADJOURNMENT

MAYOR

CITY CLERK