

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, APRIL 18, 2011
5:00 P.M.**

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)
- A.2 [PLEDGE OF ALLEGIANCE](#)
- A.3 [INVOCATION BY COUNCIL MEMBER ROBERT G. SOFTLY](#)
- A.4 [APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4, 2011](#)

Public Hearing

- B.1 [INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5692](#)
Revising the Designation of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the Purpose of Residential Tax Abatement
- B.2 [INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5693](#)
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 916 North Broughton Street, being Lots 10 & 11, Block 3, W.P. Carter's Addition (Jose D. Guerrero, Owner; and Kevin D. McKibban, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Close Public Hearing and Consider Adoption of Ordinances

- B.3 [ADOPTION OF ORDINANCES](#)
Consider Adoption of Ordinance Numbers:
 - (a) 5692
 - (b) 5693
- B.4 [CONSENT AGENDA](#)
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

C.1 [* RESOLUTION NO. 5575](#)

Authorizing Continued Participation with the Atmos Cities Steering Committee; Authorizing the Payment of Five Cents (\$0.05) Per Capita to the Atmos Cities Steering Committee to Fund Regulatory and Related Activities Related to Atmos Energy Corporation, Mid-Tex Division

C.2 [RESOLUTION NO. 5576](#)

Accepting the Contract with Vessels Construction, a Division of Vescor, Inc., as Complete for the Improvement of West Lamberth Road from Heritage Parkway (FM 1417) to Shady Oaks Lane

C.3 [* RESOLUTION NO. 5571](#)

Declaring the City of Sherman's Eligibility and Intention to Participate in a Residential Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City; Establishing Guidelines and Criteria

Request to Advertise

D.1 [* REQUEST TO ADVERTISE](#)

Seal Coat Emulsified Asphalt Oil and Stone

Other Business

D.2 [* OTHER BUSINESS](#)

Replat Approval of Part of Lot 4, Block 1, Midway Industrial Park Addition; Being 11.22 Acres in the J.B. Shannon Survey, Abstract No. 1085; Joseph J. Mueller, Owner; and Sartin and Associates, Inc., Surveyors (5100 Marshall Street)

D.3 [CITIZEN REQUESTS](#)

D.4 [MEDIA QUESTIONS](#)

D.5 [COUNCIL COMMENTS](#)

D.6 [ADJOURNMENT](#)

[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Robert G. Softly, Council Member



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. A.3

INVOCATION BY COUNCIL MEMBER ROBERT G. SOFTLY



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4, 2011

STATE OF TEXAS

§

April 4, 2011

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 April 4, 2011.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS ADAMI, HOWETH, SMITH, SOFTLY.

MEMBERS ABSENT: COUNCIL MEMBER WACKER.

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 Deputy Mayor Willie Steele.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of March 21, 2011 and the Called City Council Meeting of March 28, 2011. Council Member Smith moved to approve the Minutes as presented; Second by Council Member Adami. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATIONS

RECOGNIZING DR. LIGHT T. CUMMINS, AUSTIN COLLEGE GUY M. BRYAN, JR. CHAIR OF AMERICAN HISTORY, UPON COMPLETION OF HIS TERM AS TEXAS STATE HISTORIAN

Mayor Magers presented a proclamation recognizing Dr. Light T. Cummins, Austin College Guy M. Bryan, Jr. Chair of American History, on the completion of his two-year term as Texas State Historian.

**DR. LIGHT T. CUMMINS
TEXAS STATE
HISTORIAN**

Mayor Magers praised the lectures given at Austin College by Dr. Cummins, saying he was enlightening, he was a "go-getter" and that he thoroughly enjoyed his classes.

Dr. Cummins said he was both honored and humbled by this honor and it has been his privilege over the past two years to travel all over Texas, representing both Austin College and the City of Sherman. He thanked the Mayor and City Council for the proclamation.

"NATIONAL LIBRARY WEEK" – APRIL 10-16, 2011

Council Member Howeth presented a proclamation to Jacqueline Banfield, Library Services Administrator, designating April 10 through April 16, 2011 as "National Library Week."

**NATIONAL LIBRARY
WEEK
(APRIL 10-16, 2011)**

Ms. Banfield thanked the Mayor and City Council for the proclamation adding that there are several new things at the Library. The teen children's librarian has started a Teen Library Advisory group with 14 to 15 members, the reference

librarian is spearheading downloadable books, and they have completed a major upgrade to the circulation software.

“TEXOMA EARTH DAY FESTIVAL DAY” – APRIL 16, 2011

Council Member Smith presented a proclamation to Amy Hoffman-Shehan, Texoma Earth Day Festival Committee, designating April 16, 2011 as “Texoma Earth Day Festival Day.”

TEXOMA EARTH
DAY FESTIVAL DAY
(APRIL 16, 2011)

Ms. Hoffman-Shehan thanked the Mayor and City Council for the proclamation and for their support for the Texoma Earth Day Festival activities. The project is a grassroots effort to celebrate Earth Day and she outlined several activities and services that will be offered at the event.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5573 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WASTEWATER TREATMENT PLANT HEADWORKS PUMP AND VARIABLE FREQUENCY DRIVE UPGRADES PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WASTEWATER TREATMENT PLANT HEADWORKS PUMP AND VARIABLE FREQUENCY DRIVE UPGRADES PROJECT.

CONSENT AGENDA.

RES 5573
WASTEWATER
TREATMENT PLANT
PROJECTS

RESOLUTION NO. 5574 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BLUESTONE PARTNERS LLC. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN THE CRESCENT OAKS ADDITION TO THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BLUESTONE PARTNERS LLC. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN THE CRESCENT OAKS ADDITION TO THE CITY OF SHERMAN.

CONSENT AGENDA.

RES 5574
DEVELOPER'S
AGREEMENT
CRESCENT OAKS
ADDITION

CHANGE ORDER NO. 1

U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT “B”; TRI-CON SERVICES, INC.; \$6,476.52 INCREASE

The City Council approved Change Order No. 1 to adjust project quantities and approve project changes on the U.S. Highway 75 North Sewer Improvement Project, to accommodate property owner requests.

CHANGE ORDER
HWY 75 NORTH
SEWER
IMPROVEMENTS

During construction of this project it became necessary to realign the sewer, force main, and a manhole at Loy Lake Road, and provide drainage through a berm for property owners along the sewer route. The change order results in an increase of \$6,476.52 to the contract price, yielding a revised contract amount of \$1,157,101.39.

Mayor Magers verified that the project is still within the budgeted amount.
CONSENT AGENDA.

CHANGE ORDER NO. 1

SHEPHERD DRIVE #1 WOODBINE WELL REPAIRS;
WEISINGER WATER WELL, INCORPORATED; \$720.25
INCREASE

WATER WELL
REPAIRS

The City Council approved Change Order No. 1, which is a final reconciliatory change order to adjust the final project quantities for the Shepherd Drive #1 Woodbine Well repair project. The project required repairs and a pump replacement.

The change order results in an increase of \$720.25 to the contract amount, yielding a final contract price of \$115,121.75.

Mayor Magers verified that the project is still within the budgeted amount.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVE THE AIRPORT ADVISORY BOARD'S
PRESENTATION ON A MUNICIPAL AIRPORT BUSINESS
PLAN

AIRPORT ADVISORY
BOARD – AIRPORT
BUSINESS PLAN

Carlos Rivas, a Member of the Airport Advisory Board, presented a Business Plan for the Municipal Airport. He recognized what an asset the airport is to the community and said one business currently operates out of the facility.

Mr. Rivas added that North Texas Regional Airport is located near Sherman but is geared to larger aircraft and has a control tower. General aviation pilots typically prefer a non-controlled airport. The aviation community is growing every year and both airports complement each other.

He felt that the Municipal Airport is close to downtown Sherman and could be developed as an economic force within the City.

Currently the airport features 18 hangars which result in approximately \$52,000 annually in revenue. Fuel sales result in approximately \$346,000 of which about \$15,000 a year is actual profit. This number does fluctuate based on fuel sales and the pricing structure. They try to stay competitive in fuel pricing and pilots come from as far away as McKinney and Greenville to purchase fuel because of the price.

The North Texas area has one-third of all registered aircrafts in the State of Texas and this number grows annually. Pilots are attracted to the Sherman Municipal Airport because of its proximity to Dallas. Typically there are about 700 take-offs and landings at the airport each year. About ten visitors also use the courtesy car available through the airport.

Mr. Rivas said that the Texas Department of Transportation has provided pads for 14 hangars, or two seven-unit T-hangars to be built at the airport. Currently there are 18 hangars which are at capacity, and there is a waiting list of over 20 people. He added that other airports in the region are full.

He estimated that for every seven hangars that could be leased at \$250 per month, annual revenue could be \$23,000 to \$50,000. The pads and taxiways are already in place, but the hangar slabs and actual hangar construction would be needed.

Mr. Rivas asked that the City join with the Airport Advisory Board in developing the land. It is an asset to the City and there is a great potential. They would also like to take advantage of TxDOT's RAMP grant which provides 50/50 funding for any qualified improvements to the airport.

He urged the City Council to move forward with the hangar construction. If the economy was better, Mr. Rivas said the City should fund the development, construction, and building of the hangars. However, because of the economy, there are several potential investors that would be interested in a ground lease to develop and maintain the hangars.

The Airport Board would also like a marketing plan to be developed for the airport so it would be included with tourism.

Mayor Magers said this is not the first time the Airport Advisory Board has appeared before the Council with this request. These are issues that would be appropriate for the upcoming budget discussions.

Mr. Rivas said if a private ground lease is used it would bring in thousands of dollars and would reduce any shortfall the City might have. Currently the airport costs the City about \$2,000 annually. A ground lease would more than cover that amount and would not cost the citizens anything if it was privatized.

Council Member Adami said last time the Council considered this they were looking at a 20 year ground lease, however when the proposals went out no one was interested unless it was a 30 year ground lease. He asked if that was the term being considered now. Mr. Rivas said the builders would have to answer that question, but he felt they would probably want a 30 year lease.

Mr. Rivas added that currently with the RAMP projects that have been completed in previous years, the airport would be required to remain open for at least 20 years or the City would owe the State "a few million dollars."

Mayor Magers said he thought it was actually 20 years from 2005, which was the last time significant capital was invested in the airport. Mr. Rivas said capitalizing on that money, even if it extends the time, would be better than allowing the asset to sit there.

CONSIDER REQUEST OF ST. MARY'S CATHOLIC SCHOOL TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "TIGER TRAIL 5K FUN RUN" ON SATURDAY, MAY 7, 2011
ACTION TAKEN.

Motion by Council Member Smith to approve the request of St. Mary's Catholic School to temporarily close certain streets for the "Tiger Trail 5K Fun Run" to be held on May 7, 2011. Second by Deputy Mayor Steele.

VOTING AYE: Howeth, Smith, Softly, Steele.

VOTING NAY: None.

ABSTAIN: Adami.

MOTION CARRIED.

CLOSE STREETS
ST. MARY'S CATHOLIC
SCHOOL FUN RUN

CITIZENS REQUESTS
SHERMAN MUNICIPAL AIRPORT HANGAR PROPOSAL

Robert Bond, 1424 Lotus Circle, is a partner and co-founder of NT Aviation LLC, which is currently the largest owner of T-hangars in Grayson County. They have 30 units operating out of North Texas Regional Airport.

AIRPORT HANGAR
PROPOSAL

The company was founded in 1997 and has been constructing and leasing hangars since that time. They have approached the City of Sherman twice about constructing hangars, prior to the construction of the pad.

Mr. Bond added that his son currently serves on the Airport Advisory Board.

There are currently two other partners in NT Aviation LLC and they have both declined to participate with the City of Sherman. Their company's board did give Mr. Bond full approval to proceed with proposing potential construction at Sherman Municipal Airport.

Mr. Bond said their company has been very successful at constructing hangars and have been in business for 14 years. He felt that such a venture could be accomplished in conjunction with the City of Sherman, given the right business model.

He understood that with the current economic conditions, the City did not want to invest any capital outlays at the present time. He said that fact severely restricts their ability to make a favorable return as a private investor. However, he still felt they could be creative to accommodate the needs

of both a private investor and the City of Sherman. Mr. Bond said the single most important factor was to determine the long-term viability of the airport to achieve a fair return.

With an investment of over \$200,000, Mr. Bond said they would want to be sure they could get a fair return. In all the business models they have done, he said a 15 year payback to break even is about right. A 20 year lease doesn't give much return for the risk associated with the investment.

Currently NT Aviation currently has a 20 year option on one piece of property at the Regional Airport, with four options of five years, therefore it is a 40 year lease. They also have two other leases that have 30 year terms.

Mr. Bond wanted to reaffirm to the City Council that there are parties that are interested and private investors that are interested in seeing growth take place at the Airport, and that it could be beneficial to both the City and to investors.

He asked the Council for permission to proceed with presenting a business proposal to the City Manager within the next 60 days.

Mayor Magers told Mr. Bond he did not need the Council's permission to make a proposal. He reiterated that this would really need to be a budget item to discuss during the June Budget Work Session. In years past there has been a lot of talk, but nothing ever moved forward.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

LIBRARY BOARD (3)

ACTION TAKEN.

Motion by Council Member Adami to reappoint Ron Roberts and Darlene Schweizer to the Library Board for a term from April 8, 2011 to April 8, 2014. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

LIBRARY BOARD

COUNCIL COMMENTS

WASHINGTON STREET PROJECT

Mayor Magers recognized Don Keene, Executive Director of Planning and Public Works, the Street Department, and all the other City employees that have been involved with the Washington Street Project, thanking them for their work on the project. The bridge had a "soft opening" last week and he has received positive feedback on the new bridge.

WASHINGTON
STREET PROJECT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:34 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



Sherman Municipal Airport

Economic Impact & Future Outlook

Airport Overview

Sherman Municipal Airport, owned by the City of Sherman, is a general aviation community service airport located in Grayson County, Texas.

The airport, which is situated approximately one mile southeast of Sherman, operates one asphalt runway, Runway 16/34, which measures 4,006 feet in length and 75 feet in width, is lighted and has a non-precision instrument approach.

The airport is within minutes of the downtown area, which includes the County Courthouse, Federal Building, Austin College, and many businesses.



North Texas Regional Airport (Grayson County)

North Texas Regional Airport's focus is on larger commercial aviation operations.

Sherman Municipal Airport is an attractive facility for General Aviation and is a compliment to the North Texas Regional Airport, not a competing business.

Together both facilities will provide the ever expanding demand for commercial and general aviation related services in our growing county.



Hangar / Fuel Sales



- The current hangar revenue is in excess of \$52K per year
- Airport had \$346K in fuel sales for 2010
- Fuel income averages \$15K per year

Hangar Expansion

In order to take advantage of the anticipated growth of General Aviation in the Sherman/Denison area, we must be poised to respond by adding additional hangars.

TxDOT has already provided ramp and hangar pads for an additional two, 7 unit T hangars during a previous reconstruction project. There is currently 23 people on our hangar waiting list. Each 7 unit hangar is projected to generate from \$21,000 to \$23,000 annually in additional airport revenue.



Available taxiway access and hangar pads for the proposed hangar units at Sherman Municipal Airport

Airport Action Plan

- Continue maintenance on runway and taxiways (safety related issues) by the use of the 50-50 RAMP grants from TxDOT
- Begin hangar construction, using airport funds / private investments (ground lease)
 - Seek bids for construction of one seven unit hangar.
- Develop an airport marketing plan





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. B.1

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5692
**Revising the Designation of Residential Reinvestment Zone, Number 041811-1,
City of Sherman, Texas, for the Purpose of Residential Tax Abatement**

Issue

To revise Residential Reinvestment Zone, Number 041811-1 created for the City of Sherman's Residential Tax Abatement Program

Background

The City currently maintains a Residential Tax Abatement Program to promote reinvestment in economically declining sections of the City. To qualify for the Program, a property is required to have residential zoning. Every five years, the City is required to renew the Abatement Program's Reinvestment Zone. This Zone designates the geographic boundaries of properties eligible for benefit under the Program. The Zone was last renewed by Ordinance No. 5537, adopted at the June 2, 2008 Council meeting.

The Reinvestment Zone has been revised to include those areas designated as low-to-moderate income tracts by the U. S. Census Bureau and set forth in the City of Sherman's Consolidated Plan and Strategy for Community Planning & Development Programs for 2010-2014.

Origination

Mayor and City Council

Financial Consideration

There is no direct cost to revising the Reinvestment Zone for Sherman's Residential Tax Abatement Program.

Staff Recommendation

The staff recommends approval of this ordinance and the revised Reinvestment Zone.

Alternatives

- The Council could decide to renew the current Reinvestment Zone.
- The Council could decide to discontinue the Residential Tax Abatement Program.

Attachments

Ordinance No. 5692 and Map of Proposed Reinvestment Zone

Ordinance No. 5537 and Map of Current Reinvestment Zone

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

ORDINANCE NO. 5692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVISING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman has heretofore established Guidelines and Criteria and a Reinvestment Zone for the Residential Tax Abatement Program, pursuant to the provisions of Chapter 312, Tax Code, Vernon's Texas Codes Annotated; and

WHEREAS, the Reinvestment Zone created for residential tax abatement expires five years after the date of designation and may be renewed for periods not to exceed five years; and

WHEREAS, said Reinvestment Zone was last renewed by Ordinance No. 5537 at the City Council's June 2, 2008 meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the hereinafter described real property is hereby established as Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the purposes of and pursuant to Chapter 312, Tax Code, Vernon's Texas Codes Annotated. Such Reinvestment Zone is hereby described as follows:

That tract of land situated in the City of Sherman, Grayson County, Texas, being described as follows, to-wit:

BEGINNING at a point in the centerline of the intersection of U.S. Hwy. 82 and Hwy. 91; **THENCE** east along U.S. Hwy. 82 to its intersection with Skaggs Road;

THENCE south along Skaggs Road to Tuck Street; **THENCE** west along Tuck Street to Ellington Avenue; **THENCE** in a southerly direction from Ellington Avenue to Elliot Avenue; **THENCE** south along Elliot Avenue to Mulberry Street; **THENCE** west on Mulberry Street to Colbert Avenue; **THENCE** south along Colbert Avenue to Lamar Street; **THENCE** west on Lamar Street to Wanda Street; **THENCE** south and east along Wanda Street, Hillbrook Street and Patricia Drive to its intersection with Wells Avenue; **THENCE** west along Wells Avenue to Loving Avenue; **THENCE** south along Loving Avenue to the north point of McCall Drive; **THENCE** west on McCall Drive to Gribble Street; **THENCE** south along Gribble Street to Rosedale Street;

THENCE west along Rosedale Street to First Street; **THENCE** south and east along First Street to Lake Avenue; **THENCE** west in a straight line to the City Limits Line; **THENCE** along the City Limits Line to Sherman Street; **THENCE** west along Sherman Street and Mercer Drive to Crockett Street; **THENCE** north along Crockett Street to Wilson Avenue; **THENCE** west along Wilson Street to U.S. Hwy 75;

THENCE north along U.S. Hwy 75 to the south ROW of Center Street; **THENCE** west along the south ROW of Center Street to the east ROW of Bryant Avenue; **THENCE** south along the east ROW of Bryant Avenue to Steadman Street; **THENCE** west along Steadman Street to Moore Street; **THENCE** northeast along Moore Street to Holly Avenue; **THENCE** north along Holly Avenue to the north ROW line of Center Street; **THENCE** east along the north ROW of Center Street to Binkley Street; **THENCE** north along Binkley Street to King Street; **THENCE** east along King Street to Woods Street; **THENCE** north along Woods Street to Lamar Street; **THENCE** west along Lamar Street to Tolbert Avenue; **THENCE** north along Tolbert Avenue to Mulberry Street; **THENCE** East along Mulberry Street to Carl Street; **THENCE** South along Carl Street to Pecan Street; **THENCE** East along Pecan Street to Ricketts Street; **THENCE** North along Ricketts to Freeman Street; **THENCE** East along Freeman and Washington Street to U.S. Hwy 75;

THENCE Northeasterly with U.S. Highway 75 to Travis Street; **THENCE** Northerly along Travis Street to Taylor Street; **THENCE** Westerly along Taylor Street to Woods Street; **THENCE** North along Woods Street to Lamberth Road; **THENCE** East along Lamberth Road to Woods Street; **THENCE** North along Woods Street to McLain Drive; **THENCE** East along McLain to Travis Street; **THENCE** Northerly along Travis Street to Canyon Grove Road; **THENCE** North easterly along Canyon Grove Road to Loy Lake Road;

THENCE South along Loy Lake Road to La Salle Drive; **THENCE** Easterly along LaSalle Drive to Versaille Drive; **THENCE** Northeasterly along Versaille Drive to Gallagher Road; **THENCE** East along Gallagher Road to State Highway 91 (Texoma Parkway); **THENCE** Northerly along State Highway 91 (Texoma Parkway) to Woodlake Road; **THENCE** East along Woodlake Road to the intersection of the Southern Pacific Railroad; **THENCE** Southerly with the Centerline of the Southern Pacific Railroad to the **PLACE OF BEGINNING.....**

Unless otherwise indicated, all lines are along the centerline of referenced streets.

SECTION 2. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2011.

ADOPTED on this the _____ day of _____, 2011.

EFFECTIVE DATE on this the _____ day of _____, 2011.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

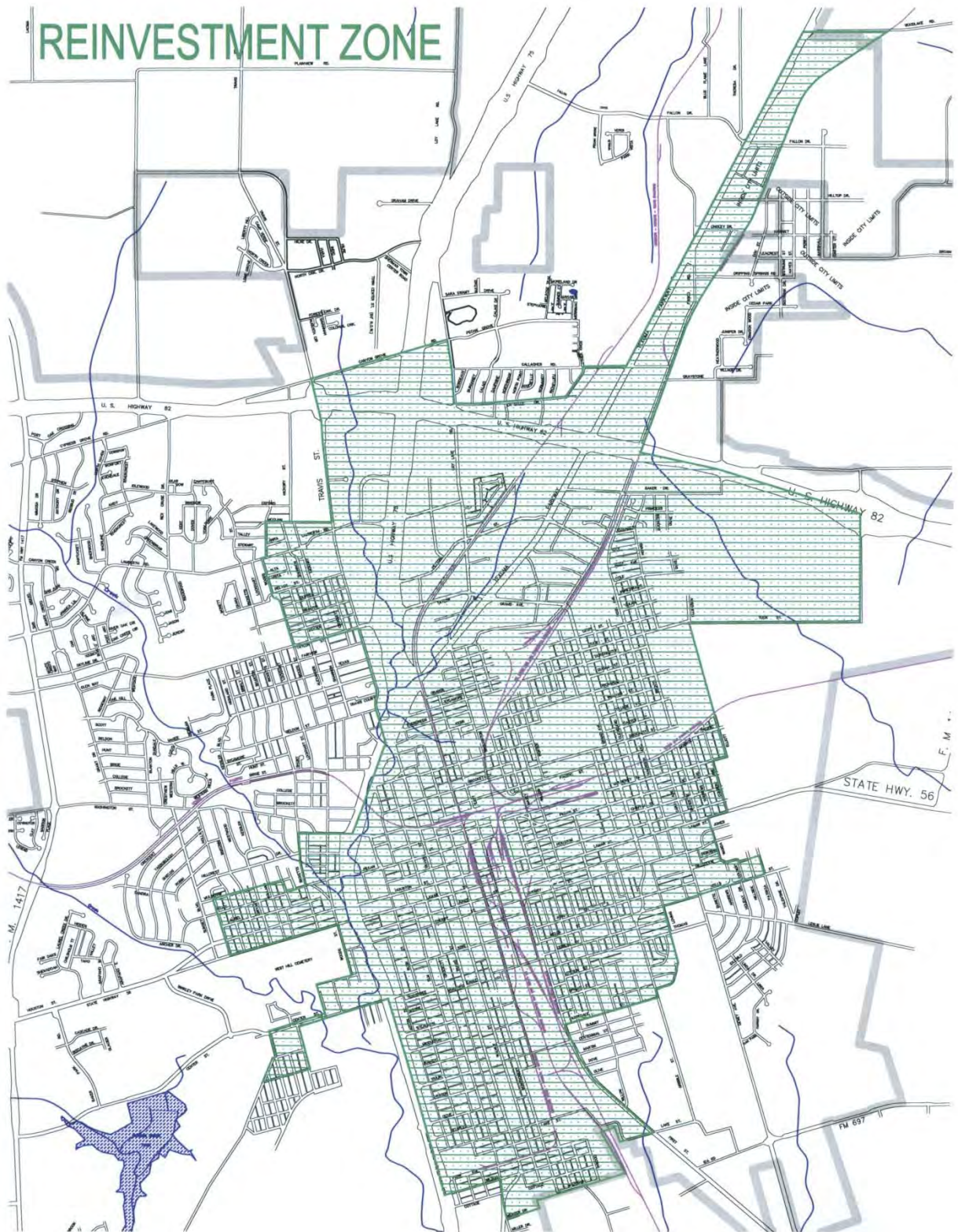
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas



Reinvestment zone for the
purpose of a residential
tax abatement

ORDINANCE NO. 5537

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING THE DESIGNATION OF A REINVESTMENT ZONE FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman has heretofore established Guidelines and Criteria and a Reinvestment Zone for the Residential Tax Abatement Program, pursuant to the provisions of Chapter 312, Tax Code, Vernon's Texas Codes Annotated; and

WHEREAS, the Reinvestment Zone created for residential tax abatement expires five years after the date of designation and may be renewed for periods not to exceed five years; and

WHEREAS, said Reinvestment Zone was last renewed by Ordinance No. 5136 at the City Council's June 16, 2003 meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the hereinafter described real property is hereby established as a Reinvestment Zone of the City for the purposes of and pursuant to Chapter 312, Tax Code, Vernon's Texas Codes Annotated. Such Reinvestment Zone is hereby described as follows:

That tract of land situated in the City of Sherman, Grayson County, Texas, being described as follows, to-wit:

BEGINNING at a point in the centerline of the intersection of U.S. Hwy. 82 and Hwy. 91; **THENCE** east along U.S. Hwy. 82 to its intersection with Skagg Road;

THENCE south along Skagg Road to Tuck Street; **THENCE** west along Tuck Street to Ellington Avenue; **THENCE** in a southerly direction from Ellington Avenue to Elliot Avenue; **THENCE** south along Elliot Avenue to Mulberry Street; **THENCE** west on Mulberry Street to Colbert Avenue; **THENCE** south along Colbert Avenue to Lamar Street; **THENCE** west on Lamar Street to Wanda Street; **THENCE** south and east along Wanda Street, Hillbrook Street and Patricia Drive to its intersection with Wells Avenue; **THENCE** west along Wells Avenue to Loving Avenue; **THENCE** south along Loving Avenue to the north point of McCall Drive; **THENCE** west on McCall Drive to Gribble Street; **THENCE** south along Gribble Street to Rosedale Street;

THENCE west along Rosedale Street to First Street; **THENCE** south and east along First Street to Lake Avenue; **THENCE** west in a straight line to the city Limits Line; **THENCE** along the City Limits Line to Sherman Street; **THENCE** west along Sherman Street and Mercer Drive to Crockett Street; **THENCE** north

along Crockett Street to Wilson Avenue; **THENCE** west along Wilson Street to U.S. Hwy 75;

THENCE north along U.S. Hwy 75 to the south ROW of Center Street; **THENCE** west along the south ROW of Center Street to the east ROW of Bryant Avenue; **THENCE** south along the east ROW of Bryant Avenue to Steadman Street; **THENCE** west along Steadman Street to Moore Street; **THENCE** northeast along Moore Street to Holly Avenue; **THENCE** north along Holly Avenue to the north ROW line of Center Street; **THENCE** east along the north ROW of Center Street to Binkley Street; **THENCE** north along Binkley Street to King Street; **THENCE** east along King Street to Woods Street; **THENCE** north along Woods Street to Lamar Street; **THENCE** west along Lamar Street to Tolbert Avenue; **THENCE** north along Tolbert Avenue to Pecan Street; **THENCE** east along Pecan Street to Ricketts Street; **THENCE** north along Ricketts to Freeman Street; **THENCE** east along Freeman Street and Washington Street to U.S. Hwy 75; **THENCE** north and east along U.S. Hwy 75 and Hwy 91 to the **POINT OF BEGINNING**.

Unless otherwise indicated, all lines are along the centerline of referenced streets.

SECTION 2. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the 2nd day of June, 2008.

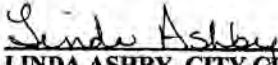
ADOPTED on this the 2nd day of June, 2008.

EFFECTIVE DATE on this the 2nd day of June, 2008.

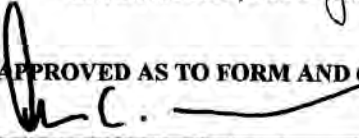
CITY OF SHERMAN, TEXAS

ATTEST:

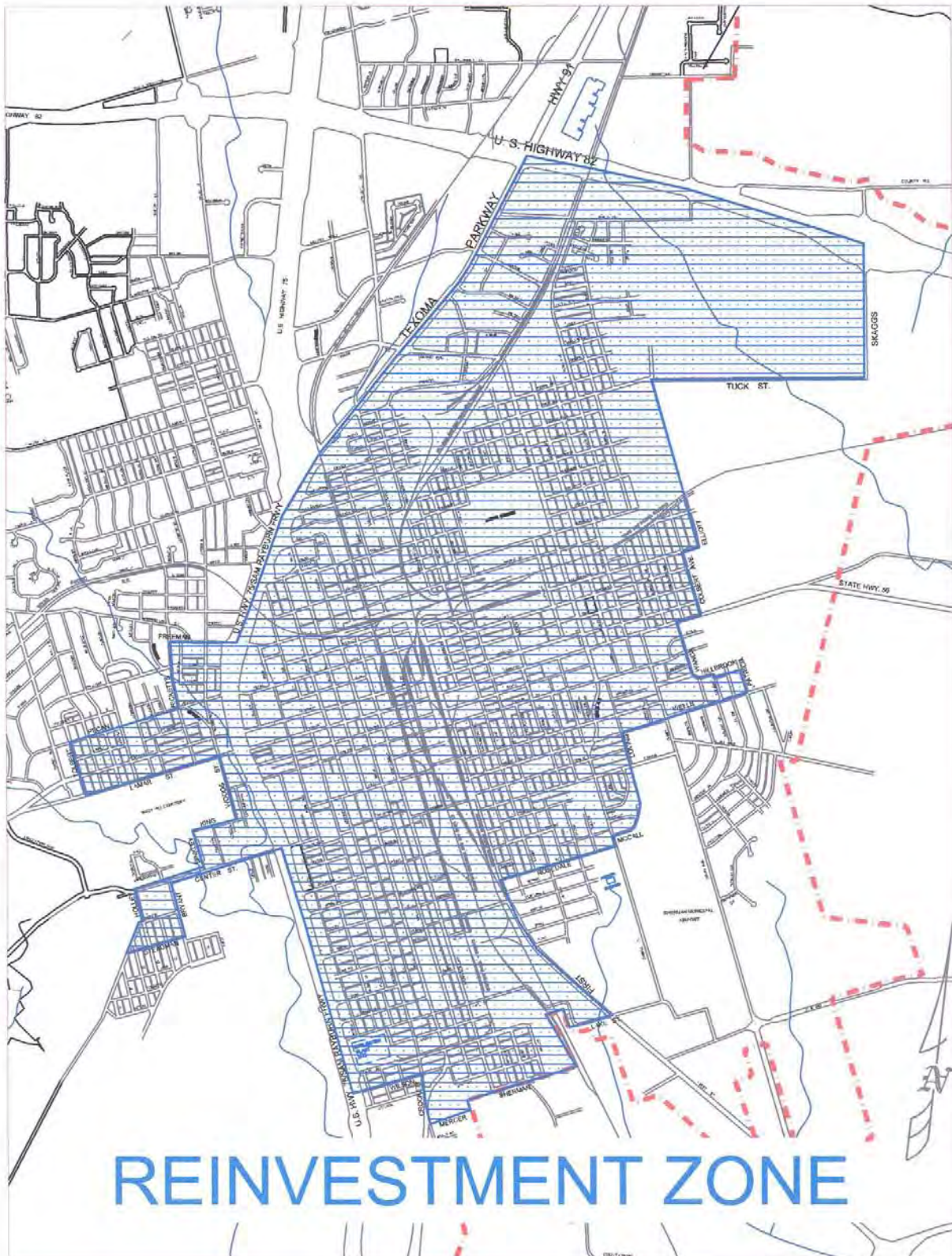
BY: 
BILL MAGERS, MAYOR

BY: 
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:


DOREEN E. MCGOOKEY,
CITY ATTORNEY

Current Reinvestment Zone adopted by Ordinance No. 5537





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. B.2

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5693

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 916 North Broughton Street, being Lots 10 & 11, Block 3, W.P. Carter's Addition (Jose D. Guerrero, Owner; and Kevin D. McKibban, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue

To consider the request of Jose D. Guerrero (Owner) and Kevin D. McKibban (Representative) concerning the property located at 916 North Broughton Street, being Lots 10 & 11, Block 3, W.P. Carter's Addition, to allow automobile repair and tire sales and service in a C-2 (General Commercial) District

Background

The property is located at 916 North Broughton Street, a vacant lot between College and Richards Streets. Martin Luther King Park is located to the north of this tract. The owner is proposing to construct an 1,800 square foot concrete block building to be used for automobile repair and tire sales and service. Six parking spaces will be provided on a concrete surface; and a 6' wood privacy fence will surround the building.

Origination

Jose D. Guerrero (Owner) and Kevin D. McKibban (Representative)

Board Recommendation

At the March 22, 2011 regular meeting, the Planning and Zoning Board voted 5/2 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and Engineering Comments. Commission Members Jacobs and Tankersley voted against the request because of concerns with noise from the tire business being next door to a City park.

Attachments

Ordinance No. 5693, Location Map, Photograph, Site Plan, P&Z Communication Form, Staff Review Letter and Engineering Comments

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5693

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 AUTOMOBILE REPAIR AND TIRE SALES AND SERVICE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 916 NORTH BROUGHTON STREET, BEING LOTS 10 & 11, BLOCK 3, W.P. CARTER'S ADDITION (JOSE D. GUERRERO, OWNER; AND KEVIN D. MCKIBBAN, 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; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Jose D. Guerrero (Owner) and Kevin D. McKibban (Representative) are granted a Specific Use Permit to allow automobile repair and tire sales and service in a C-2 (General Commercial) District at 916 North Broughton Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lots 10 & 11, Block 3, W.P. Carter's Addition.

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be

masonry or equivalent on the sides of all buildings visible from front street right-of-way unless an exception is granted.

2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. No outside parking or storage of dismantled vehicles, wrecks or parts are allowed.
4. All parking shall be on private property and shall not encroach into the Broughton Street right-of-way.
5. Parking is permitted on paved surfaces only.
6. Screening shall be provided adjacent to any residentially zoned property.
7. A screened garbage and trash dumpster shall be provided within the main building area of the lot.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Drive approaches and sidewalks shall conform to the City of Sherman standards. No head-in parking will be allowed.
10. No permanent structures are to be placed within the utility easement.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2011.

ADOPTED on this the _____ day of _____, 2011.

EFFECTIVE DATE on this the _____ day of _____, 2011.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



916 North Broughton



1 inch = 86 feet



916 North Broughton

Legend

- | | |
|--|---------------------------------------|
| --- C L SHERMAN CITY LIMITS | R-2 Multi-Family Residential District |
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT | CO Office District |
| O 1.1 FM 1417 OVERLAY DISTRICT | C-1 Retail Business District |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | C-2 General Commercial District |
| C B D DOWNTOWN BUSINESS DISTRICT | M-1 Light Manufacturing District |
| C P O COLLEGE PARK OVERLAY DISTRICT | M-1.5 Medium Manufacturing District |
| A & C ARTS & CULTURAL OVERLAY DISTRICT | M-2 Heavy Manufacturing District |
| Blalock Commercial District | MH Manufacturing Housing District |
| R-A Single Family Agricultural District | BIP Blalock Industrial Park |
| SF-1 Single Family Residential District | City Limits |
| R-1 One Family Residential District | |



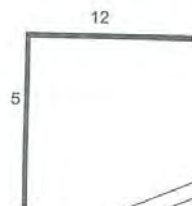
City of Sherman, Texas
Developmental Services Department



1 inch = 86 feet

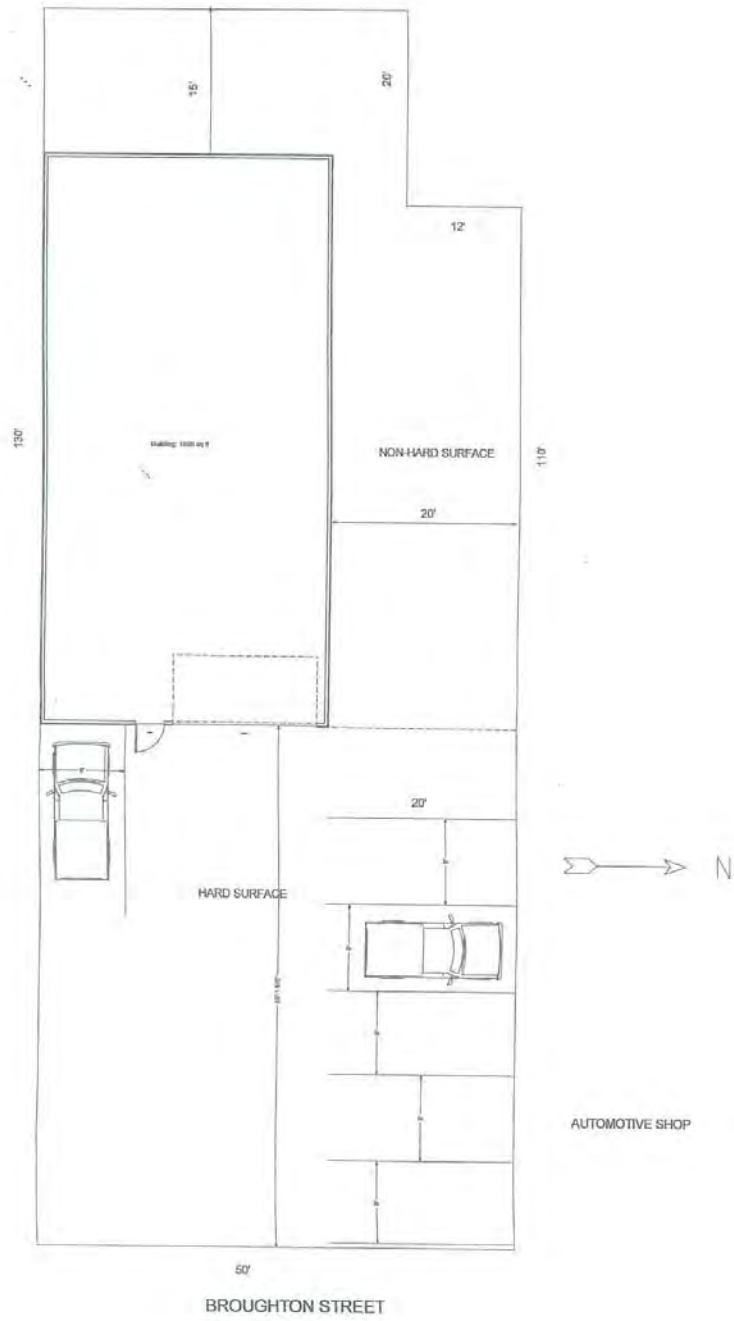
916 N. Broughton





Outside is all concrete Block -

6 Ft wood Fence on all sides as needed "



City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
March 22, 2011
Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman
Robin Atherton, Commissioner
Ron Barton, Commissioner
Don Hicks, Commissioner

Brad Morgan, Commissioner
David Plyler, Commissioner
Darren Tankersley, Commissioner
Richard Barber, Commissioner

916 North Broughton
Being Lots 10 & 11, Block 3, W.P. Carter's Addition
Specific Use Permit & Site Plan

Requested Action/Proposed Use:

Planning and Zoning Commission

Specific Use Permit and site plan approval to allow automobile repair and tire sales and service in a C-2 (General Commercial) District.

Background:

The property is located at 916 North Broughton; a vacant lot between College and Richards Streets. The owner is proposing to construct a 1,800 square foot concrete block building to be used for automobile repair and tire sales and service. Six parking spaces will be provided on a concrete surface, a 6' wood privacy fence will surround the building.

Adjacent Zoning:

C-2 (General Commercial) District and R-1 (One Family Residential) District

Origination:

Jose D. Guerrero (Owner) and Kevin D. McKibban (Representative)

Master Plan Designation:

Auto-Urban Commercial

Number of notices mailed:

8

Objections Received:

0

Attachments:

Location map, Photographs, Site Plan, Staff Review Letter

Prepared by:

Patsy Reeves,
Developmental Services Secretary

Approved by:

Scott Shadden,
Director of Developmental Services

SHERMAN



STAFF REVIEW LETTER

March 17, 2011

Jose D. Guerrero
825 E. Cherry
Sherman, TX 75090

Kevin D. McKibban
2409 Gibbons Rd.
Sherman, TX 75092

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow automobile repair and tire sales and service in a C-2 (General Commercial) District for the property located at 916 North Broughton Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 22, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way unless an exception is granted.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. No outside parking or storage of dismantled vehicles, wrecks or parts are allowed.
4. All parking shall be on private property and shall not encroach into the Broughton Street right-of-way.
5. Parking is permitted on paved surfaces only.
6. Screening shall be provided adjacent to any residentially zoned property.
7. A screened garbage and trash dumpster shall be provided within the main building area of the lot.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission.

You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

Engineering Comments

Item #7 – 916 North Broughton, being Lots 10 & 11, Block 3, W.P. Carters Addition, Jose D. Guerrero (Owner) and Kevin D. McKibban (Representative) – **SUP and site plan** approval to allow automobile repair and tire sales and service in a C-2 District.

1. Drive approaches and sidewalks shall conform to the City of Sherman standards. No head-in parking will be allowed.
2. No permanent structures are to be placed within the utility easement.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. B.3

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5692 and 5693

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5692

Revising the Designation of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the Purpose of Residential Tax Abatement

B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5693

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 916 North Broughton Street, being Lots 10 & 11, Block 3, W.P. Carter's Addition (Jose D. Guerrero, Owner; and Kevin D. McKibban, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. B.4

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

C.1 * RESOLUTION NO. 5575

Authorizing Continued Participation with the Atmos Cities Steering Committee; Authorizing the Payment of Five Cents (\$0.05) Per Capita to the Atmos Cities Steering Committee to Fund Regulatory and Related Activities Related to Atmos Energy Corporation, Mid-Tex Division

C.3 * RESOLUTION NO. 5571

Declaring the City of Sherman's Eligibility and Intention to Participate in a Residential Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City; Establishing Guidelines and Criteria

D.1 * REQUEST TO ADVERTISE

Seal Coat Emulsified Asphalt Oil and Stone

D.2 * OTHER BUSINESS

Replat Approval of Part of Lot 4, Block 1, Midway Industrial Park Addition; Being 11.22 Acres in the J.B. Shannon Survey, Abstract No. 1085; Joseph J. Mueller, Owner; and Sartin and Associates, Inc., Surveyors (5100 Marshall Street)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. C.1

*** RESOLUTION NO. 5575**

**Authorizing Continued Participation with the Atmos Cities Steering Committee;
Authorizing the Payment of Five Cents (\$0.05) Per Capita to the Atmos Cities Steering
Committee to Fund Regulatory and Related Activities Related to
Atmos Energy Corporation, Mid-Tex Division**

Issue

This resolution authorizes continued participation with the Atmos Cities Steering Committee (ACSC) and authorizes the payment of the Committee's annual assessment.

Background

The original Gas Cities Steering Committee was formed several years ago in response to a gas rate filing by Lone Star Gas Company (TXU Gas and Atmos Energy's predecessor). Over the past several years, the gas distribution systems have been consolidated; and the gas company has filed rate cases annually. In 2006, a formal organizational structure was adopted for the Committee, which includes 154 member cities. The Committee's activities have focused on minimizing the impact of rate increases on consumers and increasing transparency in the way that Atmos reports its results and pays franchise fees. The Committee will have authority to act for members, with each member retaining the ability to opt out of any proposed rate case action.

Origination

Jay Doegey and Odis Dolton, Co-Chairs, Atmos Cities Steering Committee

Financial Consideration

A participation fee of five cents (\$0.05) per capita, based upon the City of Sherman's population figures reflected in the latest TML Directory of City Officials (38,521), is required totaling \$1,926.05. This participation fee increased from two cents (\$0.02) per capita last year, an increase of over \$1,000 annually. However, this fee is still reasonable at five cents (\$0.05); and funds are available to pay this fee in the current budget.

Staff Recommendation

The staff recommends approval of this resolution and authorization of the required payment.

Alternatives

The City Council could deny this resolution.

Attachments

Resolution No. 5575; ACSC Co-Chairs Memorandum on 2011 Membership Assessment; Staff Report on ACSC Assessment Resolution; List of ACSC Cities

Prepared by:
Brandon Shelby, City Attorney

Approved by:
George Olson, City Manager

RESOLUTION NO. 5575

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AUTHORIZING THE PAYMENT OF FIVE CENTS (\$0.05) PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos), within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings, affecting gas utility rates; and

WHEREAS, the City of Sherman is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Sherman and to protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division, residing and conducting business within the city limits.

SECTION 2. That the City is further authorized to pay its 2011 assessment to the ACSC in the amount of five cents (\$0.05) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

SECTION 3. That a copy of this Resolution and the approved assessment fee payable to “Atmos Cities Steering Committee” shall be sent to:

Mary Bunkley, Treasurer
Atmos Cities Steering Committee
% Arlington City Attorney's Office
Mail Stop 63-0300
Post Office Box 90231
Arlington, Texas 76004-3231

SECTION 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2011.

CITY OF SHERMAN, TEXAS

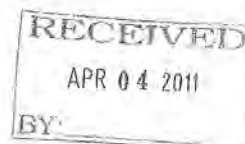
BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



MEMORANDUM

TO: Atmos Cities Steering Committee
FROM: Jay Doegey and Odis Dolton, Co-Chairs, Atmos Cities Steering Committee
DATE: April 1, 2011
RE: 2011 Membership Assessment

On February 17, 2011 the Atmos Cities Steering Committee ("ACSC") held a quarterly meeting with representatives from Atmos Energy. During the meeting, the group held a discussion of upcoming natural gas issues and approved the assessment for ACSC membership. Based upon the population-based assessment protocol previously adopted by the ACSC, the assessment for 2011 is a per capita fee of \$0.05 based upon the population figures for each city shown in the latest TML Directory of City Officials. In addition, the budget was amended by \$12,000 to pay \$1,000 per month to the City of Arlington for administrative services.

ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of the residential and small commercial customers within the cities. Cities are the only consumer advocates that work to keep natural gas rates reasonable. The work undertaken by ACSC has saved ratepayers millions of dollars in unreasonable charges. The past year, in particular, has been an active one for ACSC.

On April 1, 2011 Atmos will be filing its fourth Rate Review Mechanism ("RRM") application. As you may recall, the RRM process arose out of a settlement of Atmos' 2007 rate case as an alternative to the GRIP filings which allow utilities to increase rates with little or no regulatory review. Through this RRM process cities can conduct a more comprehensive review of the changes to Atmos' revenues, expenses, and invested capital than would otherwise be afforded through the limitations of the GRIP process. As agreed to in the settlement of the third RRM, the RRM process will continue for an additional two filings, with the elimination of the true-up component. Under the agreement, Atmos must file a system-wide rate case for the Mid-Tex Division on or before June 1, 2013. Atmos claims that capital expenditures, which are on the order of \$180-\$185 million per year, and decreased consumption are driving the requested increases. According to Atmos, operation and maintenance expenses continue to decrease but are not at a level to offset the need for rate relief. Atmos expects to request approximately a \$20-\$30 million increase in the fourth RRM which they stated is "similar to the past RRMs."

In order to continue to be an effective voice at the Railroad Commission, at the Legislature, and in the courts, ACSC must have your support. Please take action to pay the membership assessment as soon as possible. Payment of the membership assessment fee shall be deemed to be agreement with the terms of the ACSC participation agreement.

Although ACSC does not require that your city take action by resolution to approve the assessment, some members have requested a model resolution authorizing payment of the 2011 membership assessment. To assist you in the assessment process, we have attached several documents to this memorandum for your use: 1) *Model resolution approving the 2011*

assessment; 2) *Model staff report supporting the resolution*; 3) *List of ACSC members*; and 4) *assessment invoice*.

Forward the membership assessment fee and, if applicable, the signed resolution to Mary Bunkley, Treasurer, Atmos Cities Steering Committee, c/o City Attorney's Office, Mail Stop 63-0300, P.O. Box 90231, Arlington, Texas 76004-3231. Checks should be made payable to: *Atmos Cities Steering Committee*.

If you have any questions, please contact ACSC Co-Chairmen Jay Doegey (817/459-6878), or Odis Dolton (325/676-6496.) ACSC's counsel, Geoffrey Gay (ggay@lglawfirm.com) and Thomas Brocato (tbrocato@lglawfirm.com) at 512/322-5857 are also available to assist you.

MODEL STAFF REPORT ON ATMOS CITIES STEERING COMMITTEE ASSESSMENT RESOLUTION

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division regardless of whether original jurisdiction has been retained. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Gas-Mid Tex. There are 154 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

1. This paragraph authorizes the continuation of the City's membership in ACSC.
2. This paragraph authorizes payment of the City's assessment to the ACSC in the amount of five cents (\$0.05) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.
3. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to "*Atmos Cities Steering Committee*" and mailed to Mary Bunkley, Treasurer, Atmos Cities Steering Committee, c/o Arlington City Attorney's Office, Mail Stop 63-0300, PO Box 90231, Arlington, Texas 76004-3231.

ATTACHMENT A

ACSC Cities (154 Total)

Abilene	Fate	Palestine
Addison	Flower Mound	Pantego
Allen	Forest Hill	Paris
Alvarado	Fort Worth	Parker
Angus	Frisco	Pecan Hill
Anna	Frost	Plano
Argyle	Gainesville	Ponder
Arlington	Garland	Pottsboro
Bedford	Garrett	Prosper
Bellmead	Grand Prairie	Quitman
Benbrook	Grapevine	Red Oak
Beverly Hills	Haltom City	Reno (Parker County)
Blossom	Harker Heights	Richardson
Blue Ridge	Haskell	Richland
Bowie	Haslet	Richland Hills
Boyd	Hewitt	River Oaks
Bridgeport	Highland Park	Roanoke
Brownwood	Highland Village	Robinson
Buffalo	Honey Grove	Rockwall
Burkburnett	Hurst	Roscoe
Burleson	Iowa Park	Rowlett
Caddo Mills	Irving	Royse City
Carrollton	Justin	Sachse
Cedar Hill	Kaufman	Saginaw
Celeste	Keene	Seagoville
Celina	Keller	Sherman
Cisco	Kemp	Snyder
Cleburne	Kennedale	Southlake
Clyde	Kerrville	Springtown
College Station	Killeen	Stamford
Colleyville	Krum	Stephenville
Colorado City	Lakeside	Sulphur Springs
Comanche	Lake Worth	Sweetwater
Coolidge	Lancaster	Temple
Coppell	Lewisville	Terrell
Corinth	Lincoln Park	The Colony
Corral City	Little Elm	Trophy Club
Crandall	Lorena	Tyler
Crowley	Madisonville	University Park
Dalworthington Gardens	Malakoff	Venus
Denison	Mansfield	Vernon
DeSoto	McKinney	Waco
Duncanville	Melissa	Watauga
Eastland	Mesquite	Waxahachie
Edgecliff Village	Midlothian	Westlake
Emory	Murphy	Whitesboro
Ennis	Newark	White Settlement
Eules	Nocona	Wichita Falls
Everman	North Richland Hills	Woodway
Fairview	Northlake	Wylie
Farmers Branch	Oak Leaf	
Farmersville	Ovilla	



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. C.2

RESOLUTION NO. 5576

**Accepting the Contract with Vessels Construction, a Division of Vescor, Inc.,
as Complete for the Improvement of West Lamberth Road from Heritage Parkway
(FM 1417) to Shady Oaks Lane**

Issue

To consider acceptance of the contract with Vessels Construction, a Division of Vescor, Inc., as complete for the improvement of West Lamberth Road from Heritage Parkway (FM 1417) to Shady Oaks Lane

Background

Vessels Construction has completed all work required under their contract to improve West Lamberth Road, west of Heritage Parkway, by constructing the south side of a median divided boulevard. When the north side was constructed in 2000, West Lamberth Road was planned as a boulevard and is considered a major arterial in the Comprehensive Plan. This project included construction of approximately 2,700 linear feet of concrete paving and installation of approximately 3,500 linear feet of storm drain improvements. The project is complete. The total cost of the construction was \$34,870.00 less than the contract award price.

Origination

Department of Public Works

Financial Consideration

This project was funded through the CIP budget.

Staff Recommendation

It is recommended that the attached resolution be approved by the City Council.

Alternatives

As may be directed by the City Council

Attachments

Resolution No. 5576

Project Location Map

Prepared by:

Don Keene, Exec. Director of Planning/Public Works

Approved by:

George Olson, City Manager

RESOLUTION NO. 5576

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC., AS COMPLETE FOR THE IMPROVEMENT OF WEST LAMBERTH ROAD FROM HERITAGE PARKWAY (FM 1417) TO SHADY OAKS LANE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman has entered into a Contract for the Improvement of West Lamberth Road from Heritage Parkway (FM 1417) to Shady Oaks Lane with Vessels Construction, a Division of Vescor, Inc.; and

WHEREAS, representatives of the City of Sherman and the project engineer have inspected the improvements to West Lamberth Road from Heritage Parkway (FM 1417) to Shady Oaks Lane and found the project to be complete;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman hereby formally accepts the contracted work of Vessels Construction, a Division of Vescor, Inc., for the improvement of West Lamberth Road from Heritage Parkway (FM 1417) to Shady Oaks Lane as complete.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2011.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



City of Sherman, Texas
Engineering Department

**Lamberth Rd. West from FM 1417
to Shady Oaks Lane**



Scale: 1 inch = 320 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. C.3

*** RESOLUTION NO. 5571**

Declaring the City of Sherman's Eligibility and Intention to Participate in a Residential Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City; Establishing Guidelines and Criteria

Issue

This resolution shows the intent of the City Council to participate in residential tax abatements in a targeted area within the city.

Background

Every two years, the City of Sherman is required to pass such a resolution in order to keep this program active. The goal of the program is to spur re-development in the older sections of the community. Building within this area uses existing streets, water mains and sewer mains, rather than extending them on the outskirts of the city. It also tends to minimize the area that must be covered by police officers, street maintenance crews, and other City employees.

The City Council granted four residential tax abatements in year 2009 and five residential tax abatements in 2010.

Origination

City Manager's Office

Financial Consideration

There is no direct cost to approving this resolution. Costs would vary as residential tax abatements are actually granted. In 2009 and 2010 combined, abatements have been granted on new construction and improvements with an estimated value of \$587,840 for a total of approximately \$1,881 in abated taxes. This was partially off-set by \$525 in application fees.

Staff Recommendation

The staff recommends approval of this resolution.

Alternatives

The City Council could revise the terms of the abatements that are granted, or it could discontinue the program completely.

Attachments

Resolution No. 5571; Map of Residential Tax Abatement Zone

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

RESOLUTION NO. 5571

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN A RESIDENTIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY; ESTABLISHING GUIDELINES AND CRITERIA; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas, desires to promote the development/redevelopment of certain contiguous geographic areas within its jurisdiction; and

WHEREAS, the City of Sherman, Texas, is authorized to enter into Tax Abatement Agreements for commercial-industrial or residential purposes as authorized by Chapter 312 of the Texas Property Tax Code; and

WHEREAS, the Code requires the City of Sherman, Texas, to establish guidelines and create criteria for the designation of reinvestment zones and the entering into Residential Tax Abatement Agreements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman, Texas, declares it is eligible for and intends to participate in a Residential Tax Abatement Program.

SECTION 2. That the City of Sherman, Texas, hereby adopts the following Guidelines and Criteria for Tax Abatement for use in its Residential Tax Abatement Program:

CITY OF SHERMAN RESIDENTIAL TAX ABATEMENT GUIDELINES AND CRITERIA

GENERAL PURPOSE AND OBJECTIVES

The City of Sherman is committed to an expansion of its tax base, an increase to its population, the promotion of development in all parts of the City, and to an ongoing improvement in the quality of life for its citizens. As these objectives are generally served by the enhancement and expansion of the local economy, the City of Sherman will offer residential tax abatement as a stimulus for economic development in Sherman. The policy of the City of Sherman is to make residential tax abatement available to new structures and to the modernization of existing structures. Likewise, residential tax abatement is intended for residential structures built upon vacant lots within existing subdivisions as well as within new subdivisions of the City. It is the policy of the City of Sherman that such tax abatement will be

provided in accordance with the procedures and criteria outlined in this document and as permitted by State statute. The guidelines and criteria herein adopted shall expire two (2) years from and after adoption. The provisions herein are severable, and if any provision or requirement of these guidelines or criteria is declared or found to be illegal or invalid, such illegality or invalidity shall not affect the remaining provisions, since the City Council would have adopted these guidelines and criteria without the incorporation of the portions found to be invalid.

DEFINITION OF TERMS

Act — means the Property Redevelopment and Tax Abatement Act, Texas Tax Code Ann. 312.001, et seq., as amended from time to time.

Agreement — means a contractual agreement between a property owner and the City of Sherman for the purposes of tax abatement.

Applicant — means an owner of real property who requests tax abatement in accordance with these guidelines.

Base Year Value — means the assessed value of eligible property on January 1 preceding the date of execution of the agreement.

Economic Life — means the number of years a property improvement is expected to be in service.

Modernization — means the replacement, expansion and upgrading of residential improvements for purposes of reconditioning, refurbishing or expanding.

New Structure — means residential improvements made to a property previously undeveloped which is placed into use by means other than or in conjunction with expansion or modernization.

Reinvestment Zone — means a contiguous geographic area in the jurisdiction of the municipality in which tax abatements may be granted to promote residential development or redevelopment if the governing body determines that residential development or redevelopment would not occur solely through private investment in the reasonably foreseeable future.

Residential Improvements — means the construction of residential building(s), and all the appurtenances thereto, single-family in purpose, and includes modernization and new structures. This does not include duplexes or multi-family structures.

Total Facility — means all buildings and structures along with the appurtenances thereto.

ELIGIBILITY

All residentially zoned property is eligible for designation as a Reinvestment Zone. A new structure or modernization of a structure anywhere within the corporate limits of a value in

excess of \$15,000.00 may receive abatement. As provided in the Act, abatement may only be granted for the value of eligible property subsequent to and listed in an abatement agreement between the City of Sherman and the property owner. Abatement will be granted for residential improvements only.

Eligible Property — Abatement will be extended to the increased value of real estate, buildings, structures, and site improvements along with the appurtenances thereto for properties which are single-family in purpose. This does not include duplexes or multi-family structures.

Value and Term of Abatement — Upon determination that all requirements for tax abatement have been satisfied by the applicant, the value and terms of the abatement will be for a period of ten (10) years in accordance with the following schedule for the abatement of taxes on the added value above the base year value. Abatement shall be granted effective with the January 1 valuation date immediately following the date of completion of the improvements.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	80%
8	60%
9	40%
10	20%

CRITERIA

Any request for tax abatement shall be reviewed for completeness. The City staff shall determine whether the application satisfies the guidelines and criteria. Tax abatement shall be based upon an evaluation of the following criteria which each applicant will be requested to address in narrative format:

Fiscal Impact

Addition of real property improvements to the tax rolls.

No utility construction by the City would be required other than routine.

Community Impact

The project is compatible with the City's comprehensive plan.

No adverse environmental impact will be created by the project.

PROCEDURES

Any person, partnership, organization, corporation or other entity desiring that the City of Sherman consider providing tax abatement to encourage location of residential improvements within the City limits of Sherman shall be required to comply with the following procedural guidelines:

1. Preliminary Application Steps

A. Applicant shall submit an "Application for Tax Abatement" contemporaneously with the application for a building permit, and shall pay a filing fee of \$75.00 to cover publication, notice cost, review and processing. If the applicant for the building permit is not the owner of the real estate and does not make application for residential tax abatement on behalf of the owner, the City staff shall notify the owner by certified mail, return receipt requested, that residential tax abatement must be filed with the City within ten (10) business days of receipt of the notice.

B. If the applicant does not wish to apply for residential tax abatement at the time that the building permit is issued, or if the owner fails to respond to the written notice of availability for residential tax abatement, the opportunity for residential tax abatement is waived. The staff shall prepare forms necessary to reflect the refusal of an applicant to participate and to document the lack of response by the owner to the written notice. The refusal or waiver to participate in residential tax abatement by the owner or applicant shall be binding on subsequent owners of the real property.

C. The City may request applicant to provide substantiation of economic feasibility of the overall project to assist in determining the long-term benefit to the City.

D. A complete legal description shall be provided.

E. Applicant shall complete all forms and information detailed above and submit them to the City of Sherman.

2. All information in the application package detailed above will be reviewed for completeness and accuracy. Additional information may be requested as needed.

If necessary, applicant will meet with City to discuss details of the application and prepare for presentation of application to the City Council.

3. The application shall include the total capital investment for real property improvements and type of project.

LEGAL DOCUMENTATION PREPARATION

The City will be responsible for drafting the proposed agreement pursuant to the approved Tax Abatement, as well as all associated documentation.

The legal document is to include the following:

1. Estimated value of modernization or new construction to be abated.
2. Percent of value to be abated each year.
3. Commencement date and the termination date of abatement.
4. Proposed use of the facility, nature of construction, time schedule, map, property description and improvements list as provided in the application.
5. Contractual obligations in the event of default, violation of terms or conditions, delinquent taxes, recapture and administration.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2011.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

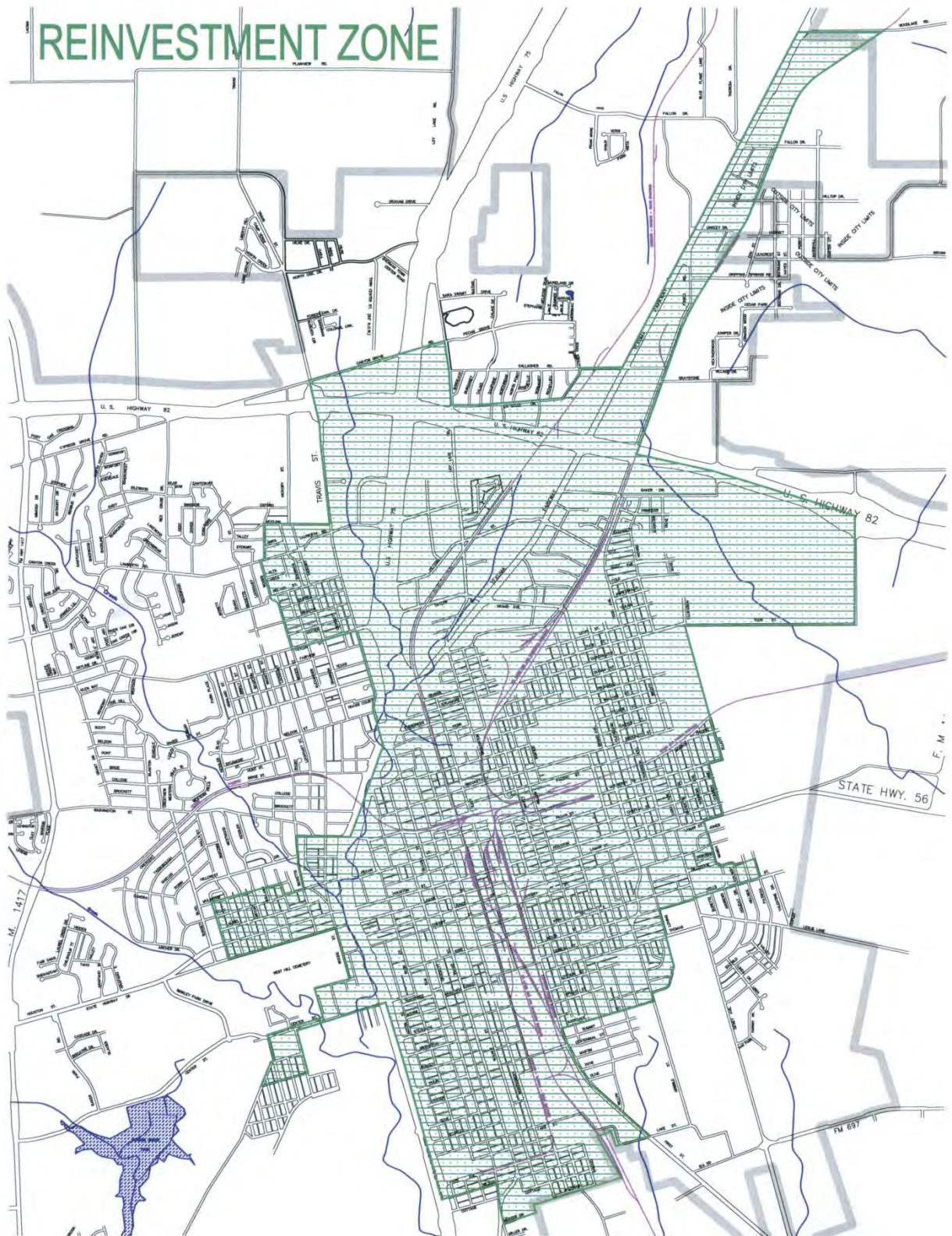
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.1

*** REQUEST TO ADVERTISE**
Seal Coat Emulsified Asphalt Oil and Stone

Issue

Approve advertising for bids that will provide the City with seal coat stone and emulsified asphalt oil for annual street maintenance work

Background

Each year, the Street Department evaluates and ranks all city streets to determine their need for maintenance. From the street evaluation process, a priority list of streets to be seal coated is prepared. The Street Department's goal each year is to seal coat 25-30 miles of streets depending on material costs and the annual budget. This year's budget will allow for 15-20 miles of seal coat. Advertising for seal coat materials early in the construction season helps assure that adequate materials are available and can be purchased at the lowest possible price.

Origination

Department of Public Works

Financial Consideration

Funds to purchase seal coat stone and emulsified asphalt oil are provided in this year's Street Department budget. Cost of advertising is expected to be less than \$200.00.

Staff Recommendation

Proceed with advertising for vendors to provide seal coat stone and emulsified asphalt oil for the 2011 Street Maintenance Program.

Alternatives

As may be directed by the City Council

Attachments

None

Prepared by:
Don Keene, Exec. Director of Planning/Public Works

Approved by:
George Olson, City Manager



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.2

*** OTHER BUSINESS**

**Replat Approval of Part of Lot 4, Block 1, Midway Industrial Park Addition;
Being 11.22 Acres in the J.B. Shannon Survey, Abstract No. 1085; Joseph J. Mueller,
Owner; and Sartin and Associates, Inc., Surveyors (5100 Marshall Street)**

Issue

To consider Replat approval of part of Lot 4, Block 1 of Midway Industrial Park Addition located at 5100 Marshall Street, being 11.22 acres in the J.B. Shannon Survey, Abstract No. 1085

Background

The property is located at 5100 Marshall Street. The owner would like to plat the property into two lots for industrial development.

Origination

Joseph J. Mueller (Owner) and Sartin and Associates, Inc. (Surveyors)

Board Recommendation

At the March 22, 2011 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved.

Attachments

Location Map

Photos

Plat

P&Z Communication

Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

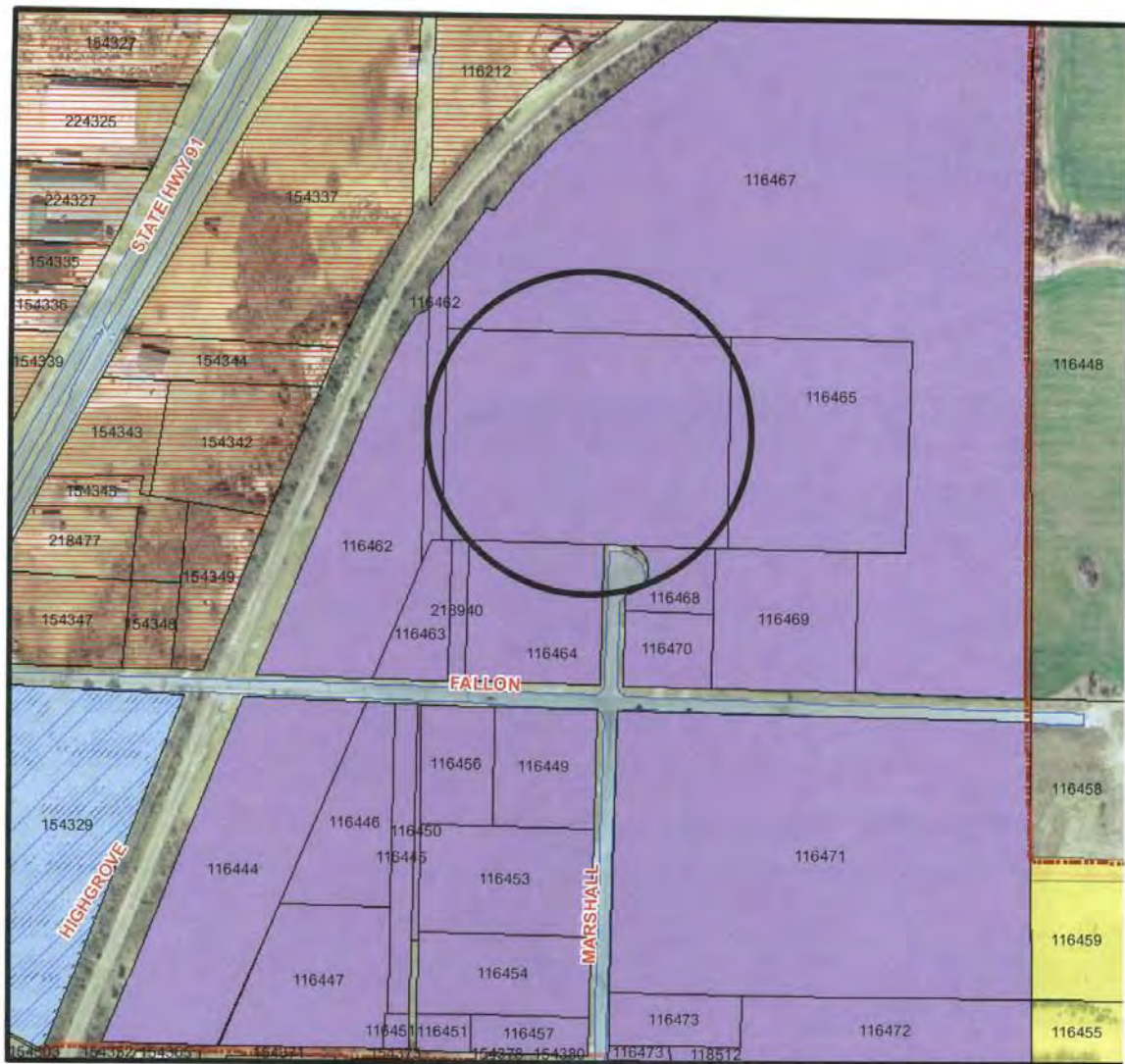


City of Sherman, Texas
Developmental Services Department

5100 Marshall Street



1 inch = 400 feet



5100 Marshall Street

Legend

- | | |
|--|---------------------------------------|
| C L SHERMAN CITY LIMITS | R-2 Multi-Family Residential District |
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT | CO Office District |
| O 1.1 FM 1417 OVERLAY DISTRICT | C-1 Retail Business District |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | C-2 General Commercial District |
| C B D DOWNTOWN BUSINESS DISTRICT | M-1 Light Manufacturing District |
| C P O COLLEGE PARK OVERLAY DISTRICT | M-1.5 Medium Manufacturing District |
| A & C ARTS & CULTURAL OVERLAY DISTRICT | M-2 Heavy Manufacturing District |
| Blaylock Commercial District | MH Manufacturing Housing District |
| R-A Single Family Agricultural District | BIP Blalock Industrial Park |
| SF-1 Single Family Residential District | City Limits |
| R-1 One Family Residential District | |



City of Sherman, Texas
Developmental Services Department



1 inch = 400 feet



a REPLAT of
PART of LOT FOUR, BLOCK ONE, of
MIDWAY INDUSTRIAL PARK ADDITION

Volume 6, Page 11, Plat Records, Grayson County,
to the
CITY of SHERMAN, TEXAS
being 11.22 Acres



Owner & Developer
Joseph J. Mueller
8100 Marshall St.
Sherman, Texas 75090

SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
909 S. Tryon, P.O. Box 1842 Sherman, Texas 75081-1842
Ph: (903) 960-0200 Fax: (903) 960-0275 Email: sartin@spwva.com

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
March 22, 2011
Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman
Robin Atherton, Commissioner
Ron Barton, Commissioner
Don Hicks, Commissioner

Brad Morgan, Commissioner
David Plyler, Commissioner
Darren Tankersley, Commissioner
Richard Barber, Commissioner

5100 Marshall Street
Being 11.22 acres in the J.B. Shannon Survey, Abstract No. 1085
Replat

Requested Action/Proposed Use:

Approval of the Replat of Part of Lot 4, Block 1, Midway Industrial Park Addition.

Background:

This is a final plat proposing the division of a portion of one lot into two lots for the purpose of development.

Adjacent Zoning:

M-1 (Light Manufacturing) District.

Origination:

Joseph J. Mueller (Owner) and Sartin & Associates, Inc. (Surveyor)

Master Plan Designation:

Auto Urban Commercial

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared by:
Lisa Whitfield,
Engineering & Development Coordinator

Approved by:
Scott Shadden,
Director of Developmental Services

**STAFF REVIEW LETTER**

March 15, 2011

Joseph J. Mueller
5100 Marshall Street
Sherman, TX 75090

Dear Applicants,

The request for approval of the Replat of the Midway Industrial Park Addition for the property located at 5100 Marshall Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 22, 2011 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

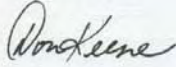
City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks shall conform to the City of Sherman and TxDOT standards.
4. Detention in accordance with City criteria is required.
5. All lots shall have separate water and sewer services.
6. A water easement shall be dedicated by separate instrument from Lots 4A and 4B to serve Lot 4.
7. A sewer easement shall be dedicated by separate instrument from Lots 4 and 4B to serve Lots 4B and 4A.
8. A utility service plan shall be submitted showing water and sewer service to lots 4, 4A and 4B.
9. Future development of Lot 4 will require approval for no street frontage.
10. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Don Keene,
Exec. Dir. of Planning & Public Works

cc:	George Olson, City Manager	Scott Shadden, Director of Development Services
	Brandon Shelby, City Attorney	Mark Gibson, Dir. of Engineering & Public Works
	Nathan Huffman, Fire Marshal	Lisa Whitfield, Engineering & Development Coordinator
	Scott Taylor, Asst. Director of Engineering & Public Works	Sartin & Associates, PO Box 1843 Sherman, TX 75091



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.3

CITIZEN REQUESTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.4

MEDIA QUESTIONS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.5

COUNCIL COMMENTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.6

ADJOURNMENT

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 4-18-2011

Subject: Agenda Item No. D.7

COUNCIL CALENDAR

2011 CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
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30	31					

FEBRUARY

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MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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01/03/11 - January 3rd Council meeting cancelled
01/17/11 - M.L.K., Jr. Birthday / Regular Council Meeting
02/21/11 - Washington's Birthday / Regular Council Meeting
03/03/11 - 12 Noon Long-Term Planning Meeting
03/28/11 - 12 Noon Called Meeting for PH & Adoption of Ord. #
(Annexation of 23.065 acres south of Dripping Springs Road and
west of Cedar Park Village)
04/21/11 - 12 Noon Budget Planning Meeting in Council Chambers
06/17/11 - 8:00 AM Budget Workshop in Council Chambers
07/04/11 - Independence Day - Called Council Meeting on 07/05/11

09/05/11 - Labor Day / Called Council Meeting on 09/06/11