

STATE OF TEXAS

§

April 15, 2013

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 15, 2013.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR PAM HOWETH.
COUNCIL MEMBERS JOHNSON, PLYLER, SMITH, SOFEY,
SOFTLY.

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 1, 2013. Deputy Mayor Howeth moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"NATIONAL LIBRARY WEEK" – APRIL 14-20, 2013

Council Member Plyler presented a proclamation to Jacqueline Banfield, Library Services Administrator, designating April 14 through 20, 2013 as "National Library Week."

NATIONAL
LIBRARY WEEK
(APRIL 14-20, 2013)

Ms. Banfield outlined several of the recent activities sponsored by the Sherman Public Library including the 24th Authorfest which featured author Gordon Korman. Mr. Korman presented several programs and writing workshops for local students.

The Library also sponsors such events as the Pajama Storytime and Sleepover, where children leave a favorite stuffed animal overnight in the Library and the AARP tax assistance program for seniors. The Friends Book Sale is scheduled for April 20 and they are getting ready for the Annual Summer Reading Club.

Ms. Banfield added that circulation for children and young adults and for downloadable and audio books has increased at the Library. She said there are over 20,000 Internet computer uses per year, and the Library has increased the number of Internet computers from 12 to 17 due to demand.

Mayor Wacker thanked the Library staff saying they are not taken for granted for the services they provide to the community.

“TEXOMA EARTH DAY FESTIVAL DAY” – APRIL 20, 2013

Deputy Mayor Howeth presented a proclamation to Marla Loturco, Texoma Earth Day Festival Committee, designating April 20, 2013 as “Texoma Earth Day Festival Day.”

TEXOMA EARTH
DAY FESTIVAL DAY
(APRIL 20, 2013)

Ms. Loturco thanked the Mayor and City Council for the proclamation and invited everyone to attend the Texoma Earth Day Festival and take part in the workshops and activities.

Mayor Wacker said the Festival would be held on Saturday, April 20, from 8:30 a.m. to 5:00 p.m. on the Municipal Building Grounds.

PUBLIC HEARING

**PROPOSED AGREEMENT WITH TEXAS INSTRUMENTS
INCORPORATED FOR THE ABATEMENT OF AD VALOREM
PROPERTY TAXES FOR IMPROVEMENTS WITHIN
INDUSTRIAL REINVESTMENT ZONE, NUMBER 042013-1,
CITY OF SHERMAN, TEXAS**

INDUSTRIAL TAX
ABATEMENT
TEXAS INSTRUMENTS

Mayor Wacker called for a Public Hearing on the proposed agreement with Texas Instruments Incorporated for the abatement of ad valorem property taxes for improvements within Industrial Reinvestment Zone, Number 042013-1.

Texas Instruments plans to warehouse equipment to be relocated to its Sherman plant from other locations within the company. The equipment will be stored locally until it can be relocated to other facilities, repositioned within the Sherman plant, or otherwise liquidated. Texas Instruments expects the value of the equipment to be between \$10 and \$300 million and expects the equipment to be on site for up to five years.

No citizens appeared before the City Council to discuss the Proposed Agreement with Texas Instruments Incorporated for the abatement of ad valorem property taxes.

PUBLIC HEARING OF ORDINANCES

Mayor Wacker called for the Public Hearing of Ordinance 5771:

ORD 5771
STOP SIGNS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “STOP” SIGNS AT THE INTERSECTIONS OF SHERBROOKE PLACE AND PEGGY’S COVE, SHERBROOKE PLACE AND SOUTHRIDGE LANE, SOUTHRIDGE LANE AND PORTSMOUTH PLACE, AND PORTSMOUTH PLACE AND PEGGY’S COVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5771.

Mayor Wacker called for the Public Hearing of Ordinance 5772:

ORD 5772
SUP FOR TIRE
SALES & SERVICE

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 TIRE SALES AND SERVICE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 804 E. LAMAR STREET, BEING LOTS 1, 2, 3, AND THE WEST 22 FEET OF LOT 4, BLOCK A, H.M. SUMNER'S FIRST ADDITION (ISIDORO LOPEZ, OWNER; AND FRANK LEAL, 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.

Frank Leal appeared to represent the request of Mr. Isidoro Lopez for a specific use permit to allow tire sales and service at 804 E. Lamar Street. He said that all requirements from the Planning and Zoning Commission Meeting have been fulfilled. The fencing has been erected and the permits are in order and they are requesting approval from the City Council.

Deputy Mayor Howeth confirmed that they plan to open the store as soon as possible.

Council Member Smith asked Scott Shadden, Director of Development Services, if all requirements have been met. Mr. Shadden said that would be verified after tonight's City Council Meeting.

Council Member Softly expressed his concern for the specific use permit since his church is located directly across the street from the proposed site. He asked for a copy of the requirements that had been placed on the permit.

No other citizens appeared before the City Council to discuss Ordinance 5772.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5771

ORD 5771
STOP SIGNS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS AT THE INTERSECTIONS OF SHERBROOKE PLACE AND PEGGY'S COVE, SHERBROOKE PLACE AND SOUTHRIDGE LANE, SOUTHRIDGE LANE AND PORTSMOUTH PLACE, AND PORTSMOUTH PLACE AND PEGGY'S COVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 5772

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 TIRE SALES AND SERVICE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 804 E. LAMAR STREET, BEING LOTS 1, 2, 3, AND THE WEST 22 FEET OF LOT 4, BLOCK A, H.M. SUMNER'S FIRST ADDITION (ISIDORO LOPEZ, OWNER; AND FRANK LEAL, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5772

**SUP FOR TIRE
SALES & SERVICE**

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance Nos. 5771 and 5772, as presented. Second by Council Member Johnson.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTIONS

RESOLUTION NO. 5760 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER 042013-1, CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES WITHIN INDUSTRIAL REINVESTMENT ZONE NO. 042013-1.

RES 5760

**TEXAS INSTRUMENTS
AD VALOREM TAX
ABATEMENT**

Mayor Wacker thanked Texas Instruments for their continued investment in the community.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 5760, as presented. Second by Council Member Softly.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5761 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF

RES 5761

NORTHBOUND

SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH (RECONSTRUCTION OF THE NORTHBOUND FRONTAGE ROAD OF US 75 AT LOY LAKE)

FRONTAGE ROAD
OF US 75 AT LOY
LAKE ROAD

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH (RECONSTRUCTION OF THE NORTHBOUND FRONTAGE ROAD OF US 75 AT LOY LAKE).

Mayor Wacker explained that the project is a \$5.6 million Texas Department of Transportation bridge project that will add three lanes to the Loy Lake Road Bridge and will make improvement and grade changes at the intersection. Clay Barnett, City Engineer, presented a map of the project.

Council Member Smith expressed concern about the traffic issues with the project during the holiday season. George Olson, City Manager, said bids would be let in August and the project would take 12 to 18 months to complete. Mr. Barnett said the bridge would be closed for about one month so the approaches could be poured.

Mayor Wacker said the project would significantly improve traffic flow at that intersection and probably help development on both sides of the highway.

Deputy Mayor Howeth asked about the signage that will be used during the project. Mr. Barnett said TxDOT will be in charge of signage.

Council Member Sofey asked if there will be an additional traffic signal at Loy Lake Road and Sara Swamy Drive. Mr. Barnett said they are working with the developer to plan for four lanes on Loy Lake Road, south of the TxDOT project and there will be a traffic signal at Sara Swamy Drive.

Council Member Johnson confirmed that the advance funding agreement will include \$1.3 million in escrow from UCR, the realty company that represents the development.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5761, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5762 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO SAXTON SHERMAN, LLC FOR THE PLACEMENT OF FOUR LIGHT POLES OVER A SANITARY SEWER EASEMENT AND TWO UTILITY EASEMENTS ON LOT 1-R, BLOCK “C” OF THE SHERMAN COMMONS ADDITION WITHIN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO SAXTON SHERMAN, LLC FOR THE PLACEMENT OF FOUR LIGHT POLES OVER A SANITARY SEWER EASEMENT AND TWO UTILITY EASEMENTS ON LOT 1-R, BLOCK “C” OF THE SHERMAN COMMONS ADDITION WITHIN THE CITY OF SHERMAN. CONSENT AGENDA.

RES 5762
ENCROACHMENT IN
THE SHERMAN
COMMONS
ADDITION

RESOLUTION NO. 5763 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSH WILLEFORD FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSH WILLEFORD FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT. CONSENT AGENDA.

RES 5763
AG LEASE AT
WWTP

RESOLUTION NO. 5764 – 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

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.

RES 5764
RESIDENTIAL TAX
ABATEMENT
GUIDELINES &
CRITERIA

Mayor Wacker said the Residential Tax Abatement Program was first initiated in November 1996. Since that time there have been 207 residential tax abatement agreements and \$13.8 million in real property added to the tax rolls because of new construction or remodels in the abatement zone. She said this program is great for renewal and reinvestment in some of the older neighborhoods.

ACTION TAKEN.

Motion by Council Member Smith to approve Resolution No. 5764, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Howeth, Johnson, Plyler, Smith, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

**RECEIVE QUARTERLY PROGRESS REPORT FROM
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD CHAIRMAN DEAN GILBERT, JR. AND SEDCO
PRESIDENT SCOTT CONNELL**

**SEDCO QUARTERLY
REPORT**

Scott Connell, Sherman Economic Development Corporation President, presented the quarterly progress report of their activities. He distributed an update on SEDCO's Work Plan also outlining some successes based on the Plan.

Mr. Connell said this had been a busy quarter and he highlighted a couple of projects. The US Aviation Group is located at the North Texas Regional Airport and their agreement is for new hangar space for maintenance operations for their aircraft. The agreement is for \$45,000 paid over two years for 30 new jobs.

Consolidated Container is reinvesting \$1.1 million in their present facility during this calendar year. This will add six new jobs over their current 70 jobs. The incentive for the project is \$60,000 that will be paid when their project is completed.

Mr. Connell said SEDCO began the analysis on their Master Plan for Progress Park. A key element for SEDCO is to manage their real estate, especially working with the private sector real estate community and the adjacent land owners. They are looking at infrastructure improvements in the area and how they can support the industry.

There were some railroad crossing improvements completed this quarter in Progress Park. Panda Project has completed a contract to upgrade the main rail line that enters Progress Park north-south, behind Tyson Fresh Meats to accommodate some very heavy equipment that will be delivered to Sherman during the construction project.

The crossing, over Dorsett Drive, is very heavily traveled and SEDCO is fortunate to add to their contract for a new concrete improvement for a smoother transition for trucks and passenger rail. The panels used for the crossing are actually made in Sherman by Delta Crossing, a local company.

Mr. Connell said SEDCO has done a lot of marketing during the last couple of months. The focus has been on building relationships with real estate companies throughout the country as well as in Dallas. They now maintain a new website, www.ShermanSites.com to manage local real estate for retail, industrial, and office needs.

He added that they will continue to look at infrastructure projects and how SEDCO can work with the City staff for opportunities to partner to improve the infrastructure.

COUNCIL MINUTES – APRIL 15, 2013

He highlighted the U.S. Hwy 75 ramp project at F.M. 1417 saying they are excited for that project to begin later this year. They want to continue to look at “creative financing” ways to make these projects happen.

Mayor Wacker thanked Mr. Connell for the information, adding that it would be helpful to determine SEDCO’s priorities and what they are working on.

Council Member Smith verified that the exit ramp at Hwy 75 should be underway by the summer and construction should take less than a year. He added that the financing is in place to move forward with the project.

Deputy Mayor Howeth asked about the status of the helicopter plant and the rumors that it was coming to the North Texas Regional Airport. Mr. Connell said the plant was originally located in Phoenix, Arizona and decided to stay at that location. He added that Sherman also encourages reinvestment from industries that are already located here.

REPLAT APPROVAL OF LOT 22, BLOCK 2, O’HANLON RANCH ADDITION, PHASE 2 AND LOT 21, BLOCK 2 OF THE REPLAT OF LOTS 18, 20, AND 21, BLOCK 2, O’HANLON RANCH ADDITION, PHASE 2, CONTAINING 0.59 ACRES; DGR DEVELOPMENT GROUP LTD AND DEAN GILBERT, INC. OWNERS; SARTIN & ASSOCIATES, INC., SURVEYORS (2908 AND 2912 SEDALIA TRAIL)

The City Council approved the Replat of Lot 22, Block 2 of the O’Hanlon Ranch Addition, Phase 2, and Lot 21, Block 2 of the Replat of Lots 18, 20, and 21, Block 2 of the O’Hanlon Ranch Addition, Phase 2.

The area contains 0.59 acres and is located at 2908 and 2912 Sedalia Trail, off of FM 1417 (Heritage Parkway). The owners would like to replat two lots into one for residential development.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen’s requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

UPCOMING EVENTS

Mayor Wacker reminded everyone about the Kite and Bike Festival this weekend from 10 a.m. until 4 p.m. at Pecan Grove West. There will be many activities, along with live music for the event.

The Texoma Earth Day Festival will also be held on Saturday from 8:30 a.m. until 5 p.m. on the Municipal Grounds.

REPLAT APPROVAL
O’HANLON RANCH
ADDITION
(2908 & 2912
SEDALIA TRAIL)

CITIZEN’S REQUESTS

MEDIA QUESTIONS

UPCOMING EVENTS

COUNCIL MINUTES – APRIL 15, 2013

Mayor Wacker said the City will soon be launching a redesigned Keep Sherman Beautiful Commission and will be discussing projects and prioritizing parts of the City that need work. She asked Council Members to start thinking about how the board should be set up and about projects that might be needed.

FIRE ENGINE DEDICATION

Council Member Johnson said he attended the dedication ceremony for the new Fire Engine 83 and it is a very nice piece of equipment of which the citizens should be proud. The new safety features will help improve everyone's safety.

He added that he is proud that Sherman can stay on the cutting edge of technology and he felt the new equipment would serve the citizens well.

KEEP SHERMAN BEAUTIFUL COMMISSION

Council Member Johnson felt the Keep Sherman Beautiful Commission was a great program and he was glad Council was going to re-launch the program. He encouraged any interested citizens to get involved in the Commission.

FIRE ENGINE DEDICATION

Council Member Plyler felt the new fire engine was a great benefit to the City and felt Sherman was really moving forward.

FIRE ENGINE DEDICATION

Council Member Sofey said it was nice to see the citizens at the fire engine dedication.

REDEVELOPMENT THROUGH TAX ABATEMENTS

Council Member Sofey said he was proud of the tax abatements that were being approved for redevelopment of the older parts of Sherman. This adds to the tax base, but it also helps upgrade the peripheral parts of the City.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:35 p.m.

FIRE ENGINE
DEDICATION

KEEP SHERMAN
BEAUTIFUL

FIRE ENGINE
DEDICATION

FIRE ENGINE
DEDICATION

REDEVELOPMENT
THROUGH TAX
ABATEMENTS

ADJOURNMENT

MAYOR

CITY CLERK