STATE OF TEXAS §

April 7, 2008

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 7, 2008.

MEMBERS PRESENT: **MAYOR BILL MAGERS; DEPUTY MAYOR CHIP ADAMI. COUNCIL MEMBERS HUGHES, SMITH, T. STEELE, W. STEELE.**

MEMBERS ABSENT: **COUNCIL MEMBER WACKER.**

CALL TO ORDER — **CALL TO ORDER**

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

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of March 17, 2008. Deputy Mayor Adami moved to approve the Minutes as presented; Second by Council Member Hughes. All present voted AYE.
MOTION CARRIED.

PROCLAMATION

"SEXUAL ASSAULT AWARENESS MONTH" – APRIL 2008 — **SEXUAL ASSAULT AWARENESS MONTH APRIL 2008**

Council Member Smith presented a proclamation to Martha Rhynes, Women's Crisis Center Volunteer Coordinator, proclaiming April 2008 as "Sexual Assault Awareness Month." Mrs. Rhynes thanked the Council for the proclamation and the community for the support given to the Women's Crisis Center.

"NATIONAL LIBRARY WEEK" – APRIL 13-19, 2008 — **NATIONAL LIBRARY WEEK APRIL 13-19, 2008**

Council Member Terrence Steele presented a proclamation to Jacqueline Banfield, Library Services Administrator, proclaiming April 13 through 19, 2008 as "National Library Week." Ms. Banfield thanked the City Council for the proclamation adding that this is the 50th year they have celebrated "National Library Week."

PUBLIC HEARING

CONDUCT THE FIRST PUBLIC HEARING CONCERNING THE ANNEXATION OF APPROXIMATELY 44.97 ACRES OF LAND AT THE INTERSECTION OF U.S. HIGHWAY 82 AND HUDGINS ROAD (STATE HIGHWAY 289) IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION — **ANNEXATION HWY 82 & HUDGINS RD**

Mayor Magers introduced the public hearing for the proposed annexation of approximately 44.97 acres of land at the intersection of Highway 82 and Hudgins Road in the City's extra territorial jurisdiction.

He said the City is "squaring off" the commercial tract of land. Rita Gaither, Development Coordinator, verified that

the annexation would include one residential house surrounded by a commercial area.

No citizens appeared before the City Council to discuss the proposed annexation of 44.97 acres of land at the intersection of U.S. Highway 82 and Hudgins Road (State Highway 289).

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5526 and called for a public hearing:

ORD 5526 AMENDING DOWNTOWN TIF-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE AMENDED FINANCING PLAN FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO (TIF-2). PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5526.

Mayor Magers introduced Ordinance 5527 and called for a public hearing:

ORD 5527 WATER METERS & METER BOXES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL," AT ARTICLE 13.07, SECTIONS 13.07.033 AND 13.07.034, TO MODIFY THE REQUIREMENTS RELATED TO THE INSTALLATION OF WATER SERVICE LINES AND THE PROVISION OF WATER METERS AND METER BOXES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABLITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5527.

Mayor Magers introduced Ordinance 5528 and called for a public hearing:

ORD 5528 SUP FOR COUNTRY CLUB

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 SHERMAN HILLS COUNTRY CLUB, LTD (OWNERS), TEAGUE, NALL AND PERKINS (ENGINEERS), AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT IN THE 2100-2200 BLOCKS OF U.S. HIGHWAY 75 SOUTH, BEING TRACT 1 – 1.325 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO KNOWN AS FUTURE LOTS 21-28, BLOCK D OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE II, AND TRACT 2 – 0.569 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO KNOWN AS FUTURE LOTS 18-22, BLOCK C OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE II; 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.

No citizens appeared before the City Council to discuss Ordinance 5528.

Mayor Magers introduced Ordinance 5529 and called for a public hearing:

ORD 5529 SUP FOR INDOOR BATTING CAGES

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 TPCR, LLC (OWNERS), VILBIG & ASSOCIATES (ENGINEERS), AND SARTIN & ASSOCIATES (SURVEYORS) TO ALLOW INDOOR BATTING CAGES IN A C-1 (RETAIL BUSINSS) DISTRICT IN THE 2100 BLOCK OF EAST LAMAR STREET, BEING 1.76 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963; 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.

No citizens appeared before the City Council to discuss Ordinance 5529.

The Ordinances were introduced and the Public Hearing was closed.

CLOSE PUBLIC HEARING

<u>ADOPTION OF ORDINANCES</u>

Ordinance 5526

ORD 5526 AMENDING DOWNTOWN TIF-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE AMENDED FINANCING PLAN FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO (TIF-2). PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

Robby Hefton, Assistant City Manager/CFO, said the staff has been working with representatives from Downtown Sherman Preservation and Revitalization on Tax Increment Financing funds that are available for the downtown area.

The consensus was to change directions slightly and use the money accumulated to date to perform immediate improvements, such as park benches, trash receptacles, and planters. The remaining revenue from the TIF zone would be leveraged to do long-term debt in 2009 to perform more substantial improvements instead of waiting on a pay as you go basis. Using the "pay as you go" method, it would take up to 20 years to perform major improvements.

Mayor Magers said in 2005 the Council approved a downtown TIF to provide capital improvements for downtown instead of using General Fund money. As the downtown residences and businesses improved their property, their property taxes go into the TIF. This allows the bonding of the money to provide capital improvements that are paid over time.

Mayor Magers thanked Council Member Smith for working with the DSP&R to design this plan. Council Member Smith said it was a long process to design the plan and he thanked Mr. Hefton and the City staff for designing a plan that can be approved by the State Comptroller's Office.

He felt the projects that would be completed over the next two years would really enhance the downtown and lead to a good economic impact.

Mayor Magers reiterated that the plan would cost Sherman taxpayers zero dollars. Council Member Smith said the funding comes from taxes paid in that TIF zone.

Ordinance 5527

ORD 5527 WATER METERS & METER BOXES (TABLED)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL," AT ARTICLE 13.07, SECTIONS 13.07.033 AND 13.07.034, TO MODIFY THE REQUIREMENTS RELATED TO THE INSTALLATION OF WATER SERVICE LINES AND THE PROVISION OF WATER METERS AND METER BOXES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABLITY; PROVIDING FOR A REPEALER.

Deputy Mayor Adami asked what other cities provide similar requirements. Angela Gurley, Customer Services Manager, said Frisco, McKinney, and Plano have similar requirements.

Mr. Hefton said the problem is there is not enough room in the meter box to work. The meter itself is 13 inches wide and the meter box is also 13 inches wide. He added that there are only about 12 meters from March 2007 to March 2008 of this size that were installed. Less than two dozen of the total number of these meters are residential meters. They are mainly used by very small businesses.

Deputy Mayor Adami asked about the cost differential on the meters. Ms. Gurley said the City does not provide the vaults, they are provided by a third party. The meter lid itself is approximately $450. The commercial companies deal directly with the third party vendor. Mayor Magers said he was told the additional cost was about $200.

Mr. Hefton said it varies on the situation. For example, if the meter is located in the driveway, a special meter and box are required, instead of the regular type that would be located in a grassy area.

Mayor Magers expressed his concerns. He has been told it will be a small increase to the business or residence that wants a larger pipe for pressure.

Mr. Hefton said many cities have a policy to provide meters and boxes for residences, and businesses will be charged

for everything else. He said additional information could be brought back on what is typical for cities to provide, if that is the question.

Council Member Willie Steele verified that the vault is a concrete 3x3 vault, which would be the smallest needed to work on the meter. The City must special order a meter lid for those vaults.

Deputy Mayor Adami wanted to see costs associated with the proposed change in the size of the meter box. He also verified that the size of the meter would be a choice that a customer makes. Mr. Hefton said the requirement would only be for customers in the future that chose a 1½ inch meter.

ACTION TAKEN.

Motion by Deputy Mayor Adami to table Ordinance No. 5527, until costs are provided to the Council. Second by Council Member Hughes.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED TO TABLE

Ordinance 5528 — **ORD 5528 SUP FOR COUNTRY CLUB**

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 SHERMAN HILLS COUNTRY CLUB, LTD (OWNERS), TEAGUE, NALL AND PERKINS (ENGINEERS), AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT IN THE 2100-2200 BLOCKS OF U.S. HIGHWAY 75 SOUTH, BEING TRACT 1 – 1.325 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO KNOWN AS FUTURE LOTS 21-28, BLOCK D OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE II, AND TRACT 2 – 0.569 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO KNOWN AS FUTURE LOTS 18-22, BLOCK C OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE II; 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.

Ordinance 5529 — **ORD 5529 SUP FOR INDOOR BATTING CAGES**

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 UE PERMIT TO TPCR, LLC (OWNERS), VILBIG & ASSOCIATES (ENGINEERS), AND SARTIN & ASSOCIATES (SURVEYORS) TO ALLOW INDOOR BATTING CAGES IN A C-1 (RETAIL BUSINSS) DISTRICT IN THE 2100 BLOCK OF EAST LAMAR STREET, BEING 1.76 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963; 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.

ACTION TAKEN.

Motion by Deputy Mayor Adami to approve Ordinance Nos. 5526, 5528, and 5529, as presented. Second by Council Member Hughes.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA — **CONSENT AGENDA**

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

RESOLUTIONS

RESOLUTION NO. 5188 – APPROVING AND ADOPTING THE CENTER STREET PARK MASTER PLAN — **RES 5188 CENTER ST. PARK MASTER PLAN**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING THE CENTER STREET PARK MASTER PLAN.

Larry Wortham, Director of Parks and Community Services, said funds were allocated in the 2007-2008 Budget for a Master Plan for the Center Street Park property. The City contracted with Dunkin Sims Stoffels, Inc. to provide the Master Plan and the Parks and Recreation Advisory Board recently approved and recommended their submission.

Dennis Sims, Principal with Dunkin Sims Stoffels, Inc., presented the Center Street Park Master Plan. The plan includes two athletic fields, which could be used for multiple use including soccer, football, youth soccer or flag football; lighting poles to individually light the fields; restroom/ concession building; playground; two shade shelters; parking lot with approximately 100 spaces; and a concrete hike/bike trail.

The trail would be a minimum of eight feet wide and is recommended ten feet wide. It would be approximately 2,500 linear feet, which is just under ½ mile long. The trail would connect to a "tot lot" so residents of the adjacent subdivision would have access to the trail and to the park. A pedestrian bridge would also connect Center Street Park to Binkley Park.

The City does not own the buffer area between the park and Center Street. Mr. Sims also distributed cost estimates for the entire Master Plan and for Phase I of the Plan.

Deputy Mayor Adami asked if they had considered locating the restroom more central to both Binkley Park and Center Street Park. Mr. Sims said he did not present a proposal for

that location. He was considering the location of amenities in Center Street Park. George Olson, City Manager, added that there is also no water located on the back side of Binkley Park. Mr. Sims added that the restroom would also need to be out of the 100-year flood plain, which is located on the back side of Center Street Park.

Deputy Mayor Adami said the current trend is to design a soccer field that is easily converted into smaller soccer fields. Mr. Sims said they could have three soccer fields on each big field.

Council Member Willie Steele asked if they looked at softball fields. Mr. Sims said they did, but two full sized softball fields did not fit on the property. The fences were located underneath power lines and into the flood plain.

Mr. Sims said Phase I would cost approximately $1 million and would include two fields, bleachers, ADA sidewalk from the parking lot to the restroom, the parking lot, and lighting.

For an additional $500,000, the plan would include two pavilions, playground, hike/bike trail, bridge, picnic units, and the connection to the neighborhood.

Mr. Olson said that funds are available for the plan, they are just not appropriated at this time. Bond money will be used for the project. He added that if the Council is in favor, they need to approve the Master Plan. If they want, the staff can move forward with the plan and begin the pre-construction process. An amendment would need to be considered for the appropriation of funds. Mr. Olson said the first consideration is Phase I at a cost of $1.1 million.

Council Member Smith asked if the Council decided to fund the entire $1.6 million project, would funding come from other projects scheduled for the bond money.

Mayor Magers verified that $575,000 was set aside for the Union Pacific right-of-way purchase. He did not feel the City would spend that amount on the project.

Council Member Willie Steele said the cost of the lighted soccer fields is $390,000 and he asked what the cost would be if the fields were not lighted. Mr. Sims said about $370,000 is for lighting and approximately $20,000 is for location of a transformer. Lighting for Phase I is only for the fields and not for the hike/bike trail.

Council Member Willie Steele asked if the entire package could be completed minus the lighting and then come back at a future date and add lighting.

Mayor Magers said the original idea was to tie Center Street Park together with Binkley Park and Herman Baker Park.

With the location of the new elementary school, there would be a network of green space. A first class area.

Mr. Olson said the plan can be approved without being specific on the detail. When the plan has been approved, the City can apply for grand funding. The Council would be considering the entire plan for approval.

Mr. Hefton said by separating the plan into two projects, the staff can apply for a grant for the hike/bike trail with a greater possibility of obtaining the funding.

Deputy Mayor Adami verified that the proposed trail would increase the distance of the Binkley Park trail to a total length of 2½ to 3 miles and gives an option to link the areas.

ACTION TAKEN.

Motion by Council Member Hughes to approve Resolution No. 5188, as presented. Second by Council Member Willie Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED.

RES 5189
AERATION BASINS AT WWTP

RESOLUTION NO. 5189 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH ITT FLYGT CORPORATION FOR AERATION BASIN LIFT STATION PUMPING EQUIPMENT MODIFICATIONS AT THE 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 ITT FLYGT CORPORATION FOR AERATION BASIN LIFT STATION PUMPING EQUIPMENT MODIFICATIONS AT THE WASTEWATER TREATMENT PLANT.

CONSENT AGENDA.

RES 5190
RESIDENTIAL TAX ABATEMENT (1302 S. AUSTIN)

RESOLUTION NO. 5190 – AUTHORIZING THE EXEUCTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1302 SOUTH AUSTIN STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1302 SOUTH AUSTIN STREET.

CONSENT AGENDA.

RES 5191
RESIDENTIAL TAX ABATEMENT (412 E. PARK AVE)

RESOLUTION NO. 5191 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 412 EAST PARK AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 412 EAST PARK AVENUE.
CONSENT AGENDA.

RESOLUTION NO. 5192 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 416 EAST PARK AVENUE

RES 5192 RESIDENTIAL TAX ABATEMENT (416 E. PARK AVE)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 416 EAST PARK AVENUE.
CONSENT AGENDA.

RESOLUTION NO. 5193 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 427 SOUTH VADEN STREET

RES 5193 RESIDENTIAL TAX ABATEMENT (427 S. VADEN)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 427 SOUTH VADEN STREET.
CONSENT AGENDA.

RESOLUTION NO. 5194 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 717 EAST SYCAMORE STREET

RES 5194 RESIDENTIAL TAX ABATEMENT (717 E. SYCAMORE)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 717 EAST SYCAMORE STREET.
CONSENT AGENDA.

RESOLUTION NO. 5195 – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 504 SOUTH WALNUT STREET

RES 5195 RESIDENTIAL TAX ABATEMENT (504 S. WALNUT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORZING THE EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM

PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 504 SOUTH WALNUT STREET.
CONSENT AGENDA.

RESOLUTION NO. 5196 – AUTHORIZING THE LEASE OF AN ANNUAL SUPPLY OF UNIFORMS FOR VARIOUS CITY DEPARTMENTS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) — **RES 5196 EMPLOYEE UNIFORMS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE LEASE OF AN ANNUAL SUPPLY OF UNIFORMS FOR VARIOUS CITY DEPARTMENTS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

REQUEST TO ADVERTISE
U.S. HIGHWAY 75 NORTH WATER MAIN — **REQ TO ADVERTISE HIGHWAY 75 WATER MAIN**

Mr. Olson wanted to advise everyone about the construction of the U.S. Highway 75 North Water Main. The current Capital Improvement Program contains a project to extend water mains along both sides of U.S. Highway 75 North, between Graham Drive and S.H. 691.

ACTION TAKEN.

Motion by Deputy Mayor Adami to approve the request to advertise for the construction of the U.S. Highway 75 North Water Main, as presented. Second by Council Member Willie Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED.

HARRISON STREET STORM SEWER REPLACEMENT — **HARRISON ST. STORM SEWER REPLACEMENT**

The City Council approved the request to advertise for bids for the replacement of an existing storm sewer near the intersection of Harrison Street and Mulberry Street.

The Capital Improvement Program includes funds to replace this failing storm sewer. A portion of the old metal storm sewer pipe failed last year, but the Street Department was able to install a temporary patch. Another section of the pipe is currently showing signs of possible failure, making the replacement of the entire pipe a priority project.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD CHAIRMAN JOE FALLON, JR. AND SEDCO PRESIDENT JOHN BOSWELL — **SEDCO QUARTERLY REPORT**

Andy Olmstead, Vice Chairman of the Sherman Economic Development Corporation, presented their quarterly progress report.

During the last quarter, SEDCO had three regularly scheduled meetings and one special called meeting. SEDCO approved an agreement with Consolidated Container for the West Park facility. The agreement included the retention of 70 non-exempt jobs, 8 exempt jobs, and 20 new jobs. They also purchased 204 acres of land for Progress Park III.

SEDCO approved a performance agreement and land option with Panda Energy for a 500 megawatt natural gas fired combination cycle power generation facility, which should add approximately $300 million to the tax base over a 10 year period.

SEDCO has held training meetings for open government and for 4A and 4B sales tax. They also continue to work with Grayson County for a possible prospect for the North Texas Regional Airport/Perrin Field, formerly Grayson County Airport.

UPDATE ON STREET IMPROVEMENT PROJECTS

RECEIVE PUBLIC WORKS DIRECTOR JEFF MILLER'S UPDATE ON THE 2008 STREET IMPROVEMENT PROJECTS

Jeff Miller, Director of Public Works, presented an update on the 2008 street improvement plan. A five-year plan was approved and authorized by the voters for the use of sales tax dollars.

Specific projects will be funded through the additional sales tax or through regular budget dollars. One project will be funded through the Texas Department of Transportation. Mr. Miller outlined the various projects and the particular funding for each.

Last Fall the City completed several projects using the Street Department funding. Projects included Washington Street from Travis to Highway 75; Woods Street from Washington to Belden; and Ricketts Street from Taylor to McGee.

Ricketts Street from Washington to Lamar should have been included in the projects for last Fall, however a water line needed to be installed prior to the street repairs. The line was installed last week and the contractor should begin the mill and overlay process next week.

There are additional projects scheduled for this Summer, including Travis Street from Taylor to Highway 75. This is a TxDOT project and they plan to begin the mill and overlay process on May 1, 2008.

By Fall 2008, the additional sales tax money should have generated about $375,000. The mill and overlay of Taylor Street from Ricketts to F.M. 1417 should use the sales tax money for that period. The entire plan is a five year plan and additional projects will be planned in the future.

With normal Street Department funds, they will also mill and overlay Ricketts from McGee to Washington, and Travis

Street from Washington to Kam Korners. A water line will need to be installed along Travis Street prior to the street project.

Brockett Street will be completely rebuilt from Grand to Travis Street. The project will include new curb and gutter, new street surface, landscaping, lighting, sidewalks, and will remove some of the overhead wires. The project will be funded through bonds. Construction should begin mid to late Summer 2008 and continue through Spring 2009.

Regular Street Department funding will again include 30 miles of sealcoating.

Council Member Terrence Steele asked how TxDOT would complete the Travis Street project and whether it would be closed or open for single lane traffic only. Mr. Miller said the south end lane widths are wrong and will be corrected with a better transition and a center turn lane.

EMERGENCY PLANNING & FEMA GRANT

RECEIVE FIRE CHIEF JEFF JONES' PRESENTATION ON SHERMAN'S EMERGENCY PLANNING PREPAREDNESS AND FEMA PUBLIC ASSISTANCE GRANT

Fire Chief Jeff Jones presented a presentation on emergency planning preparedness and a public assistance grant from the Federal Emergency Management Agency.

During the last 18 months the City staff has reviewed and revised the Basic Emergency Operations Plan and the 22 Annexes. The Annexes deal with specific emergencies and how they are mitigated.

On March 4, 2008 the Governor's Office on Emergency Preparedness acknowledged that those plans were revised according to their standards and designated Sherman at the Advanced Level of Preparedness. This designation keeps Sherman eligible for State and Federal grants and acknowledges that the City staff is prepared for the disaster and the mitigation and recovery after a disaster.

Chief Jones added that much of the plan was exercised last summer during the flooding, which gave the City an opportunity to see what worked and what didn't work. After the flooding, the City applied for public assistance to recover some of the costs that the City incurred, related to the flooding.

The total cost for the City of Sherman was $143,273, of which FEMA allowed $136,000 of the expenses. The City has received $103,191 in reimbursements for the grant applications. Additional reimbursements were made by the City's insurance. This is a direct reflection on the preparation and revisions that were done to the plan, and the hard work of the City staff.

Chief Jones added that $44,126 of the reimbursement was allocated for the Lake Street culvert replacement. The project has been bid and if the cost exceeds the estimate, the City may receive additional money for that one project.

APPROVE FINAL PLAT EAST SIDE BUSINESS PARK

FINAL PLAT APPROVAL OF EAST SIDE BUSINESS PARK, BEING 0.6481 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963; LAZY L ENTERPRISES, OWNER (1908 AND 1914 EAST LAMAR STREET)

Mayor Magers recused himself from Item D6 and turned the gavel over to Deputy Mayor Adami.

ACTION TAKEN.

Motion by Council Member Smith to approve the Final Plat of East Side Business Park, located at 1908 and 1914 E. Lamar Street. Second by Council Member Terrence Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
ABSTAIN: Magers.
MOTION CARRIED.

Deputy Mayor Adami turned the gavel back over to Mayor Magers.

APPROVE FINAL PLAT BATTING CAGES

FINAL PLAT APPROVAL OF THE LAUNCHING PAD, BEING 1.76 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963; TPCR, LLC, OWNER (2100 BLOCK OF EAST LAMAR STREET)

The City Council approved the Final Plat of the Launching Pad, located at the southeast corner of Colbert Street and East Lamar. This is the first phase of development of this property, which will include street dedication and construction of South Colbert. The owners intend to construct an indoor batting facility.

The Planning and Zoning Commission recommended approval of the Final Plat.
CONSENT AGENDA.

APPROVE FINAL PLAT PRESTON CLUB ESTATES

FINAL PLAT APPROVAL OF PRESTON CLUB, THE CLASSICS – PHASE FOUR IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION, BEING 51.57 ACRES IN THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128, THE J.M. THOMAS SURVEY, ABSTRACT NO. 1234, THE HENRY L. DOUGLAS SURVEY, ABSTRACT NO. 368, AND THE JOHN K. MILLER SURVEY, ABSTRACT NO. 819; ROBERT J. TATE, CHRISTOPHER REHMET, AND CLAIRE REHMENT, OWNERS (2100-2400 BLOCKS OF HUDGINS ROAD (HIGHWAY 289 EXTENSION) AND THE 400-500 BLOCKS OF PRESTON CLUB DRIVE)

The City Council approved the Final Plat for Preston Club, The Classics – Phase Four in the City's extra territorial jurisdiction (ETJ). The plat will consist of 89 lots for residential and commercial development.

The Planning and Zoning Commission recommended approval of the Final Plat.
CONSENT AGENDA.

APPROVE SITE PLAN KAISER ALUMINUM

SITE PLAN APPROVAL FOR KAISER ALUMINUM UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2)(J) FOR A CONCRETE PAD WITH A SIX (6) FOOT CONCRETE WALL FOR OUTSIDE STORAGE OF SCRAP ALUMINUM AND AN EXTENSION OF AN EIGHT (8) FOOT CHAIN LINK FENCE IN THE BLALOCK INDUSTRIAL PARK DISTRICT AT 4300 U.S. HIGHWAY 75 SOUTH

The City Council approved the request of Kaiser Aluminum for a site plan for a concrete pad with a six foot concrete wall for outside storage of scrap aluminum and an extension of an eight foot chain link fence, located in the Blalock Industrial Park District. They would like to erect the chain link fence from the pad to adjoin the Texas Department of Transportation's chain link fence on the north and erect a chain link fence near the front of the building to the north connecting to TxDOT's chain link fence.

The Planning and Zoning Commission recommended approval of the Site Plan.
CONSENT AGENDA.

SITE PLAN APPROVAL FOR THE WESTMORELAND COMPANY, INC. (OWNERS), FEDEX GROUND (TENANT), AND GREG MITCHELL, BENCHMARK DESIGN GROUP, LLP (ENGINEERS) UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2)(J) FOR THE EXPANSION OF AN EXISTING FEDEX GROUND FACILITY IN THE BLALOCK INDUSTRIAL PARK DISTRICT AT 3221 NORTHGATE DRIVE

The City Council approved the request of The Westmoreland Company, Inc. and FedEx Ground concerning the Site Plan for property located at 3221 Northgate Drive in Northgate Business Park, Phase I and Tract 4.1 of the Blalock Industrial Park. The Site Plan is for an expansion of an existing FedEx Ground Facility.

They would like to construct a 910 square foot office expansion and a 27,325 square foot Distribution Center expansion to the existing plant for a total of 28,235 square feet. They will also be adding 76 parking spaces and 11 tractor trailer parking spaces.

The Planning and Zoning Commission recommended approval of the Site Plan.
CONSENT AGENDA.

CITIZENS REQUESTS

CENTER ST. PARK ADJOINING PROPERTY

CENTER STREET PARK ADJOINING PROPERTY

Dan Murray, 2414 Monte Cristo, said Mrs. Joiner owns the land between Center Street Park and Center Street. He felt it was a very dangerous exit and he recommended that she donate the property to the City. Mrs. Joiner will allow the City to use the property, but she did not want to donate it.

Mr. Murray said in the past, he has cleaned the property up and will do so in the future. He felt the City should add entrances from Center Street and Binkley Park Drive into the Center Street Park.

Mr. Murray said Holly Street will be the future "Club House Drive" and traffic will increase.

MEDIA QUESTIONS — MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

LIBRARY BOARD (2) — LIBRARY BOARD

ACTION TAKEN.

Motion by Deputy Mayor Adami to appoint Ron Roberts and Darlene Schweizer, to the Library Board for a term from April 8, 2008 to April 8, 2011. Second by Council Member Terrence Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED.

TABLED AT THE MARCH 3, 2008 COUNCIL MEETING

PARKS AND RECREATION ADVISORY BOARD (2) — PARKS & RECREATION ADVISORY BOARD

ACTION TAKEN.

Motion by Council Member Willie Steele to remove from table, the appointment of members to the Parks and Recreation Advisory Board for discussion. Second by Council Member Terrence Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED TO REMOVE FROM TABLE.

ACTION TAKEN.

Motion by Deputy Mayor Adami to appoint Christopher Oestreich and Casey Peacock to the Parks and Recreation Advisory Board to fill unexpired terms from April 8, 2008 to September 5, 2009. Second by Council Member Willie Steele.

VOTING AYE: Adami, Hughes, Smith, T. Steele, W. Steele.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

FUTURE CITY PROJECTS — FUTURE CITY PROJECTS

Council Member Willie Steele said it is exciting to see these projects come to reality. The downtown project is very impressive and will make an immediate impact. He was glad the projects could be done over the next two years instead of the next 20 years.

FUTURE CITY PROJECTS — FUTURE CITY PROJECTS

Council Member Smith addressed projects on the current agenda alone, such as running water north on Highway 75, the Center Street Master Plan, the Downtown TIF Zone

improvements, and the street improvements, adding that there was an amazing amount of work being done. He said it was wonderful to be a part of it. He commended the staff on their hard work.

FUTURE CITY PROJECTS

FUTURE CITY PROJECTS

Deputy Mayor Adami concurred with Council Members adding the City is also annexing property at Highway 289.

NATIONAL LIBRARY WEEK

NATIONAL LIBRARY WEEK

Deputy Mayor Adami congratulated the Sherman Public Library on "National Library Week," adding that they are "doing a good job."

FUTURE CITY PROJECTS

FUTURE CITY PROJECTS

Council Member Terrence Steele said he has been a Council Member for six years and he is glad to see projects that were nixed when he first came on the Council. It is nice to see progress. He also acknowledged the staff working to bring these projects to fruition.

THANKS TO TAXPAYERS

THANKS TO TAXPAYERS

Mayor Magers thanked the taxpayers of the City of Sherman. He added that the Council is trying to spend tax dollars like it was their own. They are trying to be fiscally responsible and are trying to spend money wisely on long term projects. The City is moving westward and he said citizens will continue to see annexations as the City moves in that direction.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

EXECUTIVE SESSION

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING LEGAL MATTERS
PANDA ENERGY

SECTION 551.087 -- DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS:
DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM BUSINESS PROSPECTS AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECTS, INCLUDING THE FOLLOWING:
PANDA ENERGY

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:01 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:15 p.m. and reconvened in Open Meeting.

OPEN MEETING **OPEN MEETING**

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:16 p.m.

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MAYOR

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CITY CLERK