

STATE OF TEXAS

§

April 5, 2010

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 5, 2010.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of March 15, 2010. Council Member Wacker 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 11-17, 2010

Mayor Magers presented a proclamation to Jacqueline Banfield, Library Services Administrator, designating April 11 through 17, 2010 as "National Library Week." Ms. Banfield thanked the City Council for their support.

NATIONAL
LIBRARY WEEK
(APRIL 11-17, 2010)

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5644 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING AS ELECTED THE UNOPPOSED CANDIDATES FOR THE OFFICE OF CITY COUNCIL MEMBER FOR DISTRICT 1 AND FOR DISTRICT 3; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE MAY 8, 2010 REGULAR MUNICIPAL ELECTION FOR CITY COUNCIL SHALL NOT BE HELD; PROVIDING FOR POSTING OF THIS ORDINANCE ON ELECTION DAY, MAY 8, 2010; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

ORD 5644
CANCELLING
CITY COUNCIL
ELECTION FOR
MAY 8, 2010

No citizens appeared before the City Council to discuss Ordinance 5644.

Mayor Magers introduced Ordinance 5645 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE

ORD 5645
MUNICIPAL
BALLROOM
RATES

OF ORDINANCES, ENTITLED “GENERAL PROVISIONS”, ARTICLE 1.11, ENTITLED “PARKS, RECREATION AND MISCELLANEOUS PUBLIC PROPERTY”, DIVISION 7, ENTITLED “MUNICIPAL BUILDING”, TO PROVIDE FOR A NEW SECTION 1.11.248 TO BE ENTITLED “MUNICIPAL BALLROOM RULES AND REGULATIONS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5645.

Mayor Magers introduced Ordinance 5646 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED “ANIMAL CONTROL”, ARTICLE 2.01, ENTITLED “GENERAL PROVISIONS”, TO PROVIDE FOR A NEW SUBSECTION 2.01.009.01 TO BE ENTITLED “LIVESTOCK IN RESIDENTIAL AREAS” AND NEW SUBSECTION 2.01.009.02 TO BE ENTITLED “SMALL LIVESTOCK AND FOWL IN RESIDENTIAL AREAS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES, PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

ORD 5646
LIVESTOCK &
FOWL IN
RESIDENTIAL AREAS

No citizens appeared before the City Council to discuss Ordinance 5646.

Mayor Magers introduced Ordinance 5647 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAYCARE CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2111 EAST TUCK STREET, BEING LOT 1, BLOCK 1, HARMONY BAPTIST CHURCH ADDITION (HARMONY BAPTIST CHURCH, OWNERS; AND EARL BROWNLOW, 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.

ORD 5647
SUP FOR
DAYCARE CENTER
(2111 E. TUCK)

No citizens appeared before the City Council to discuss Ordinance 5647.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5644

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING AS ELECTED THE UNOPPOSED CANDIDATES FOR THE OFFICE OF CITY COUNCIL MEMBER FOR DISTRICT 1 AND FOR DISTRICT 3; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL

ORD 5644
CANCELLING
CITY COUNCIL
ELECTION FOR
MAY 8, 2010

CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE MAY 8, 2010 REGULAR MUNICIPAL ELECTION FOR CITY COUNCIL SHALL NOT BE HELD; PROVIDING FOR POSTING OF THIS ORDINANCE ON ELECTION DAY, MAY 8, 2010; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Council Member Adami to approve Ordinance No. 5644, as presented. Second by Deputy Mayor Smith.

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

VOTING NAY:

MOTION CARRIED.

Ordinance 5645

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", ARTICLE 1.11, ENTITLED "PARKS, RECREATION AND MISCELLANEOUS PUBLIC PROPERTY", DIVISION 7, ENTITLED "MUNICIPAL BUILDING", TO PROVIDE FOR A NEW SECTION 1.11.248 TO BE ENTITLED "MUNICIPAL BALLROOM RULES AND REGULATIONS"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 5645
MUNICIPAL
BALLROOM
RATES**

Robby Hefton, Assistant City Manager/CFO, explained why the staff was asking for the changes. In preparation for the budget, all departments have been identifying which functions are essential and which are complimentary for City services.

Services that are essential should be supported by taxes and specific rates, such as police and fire service. However, swim lessons benefit an individual family, so the citizen should pay for those directly.

In relation to use of the Ballroom, the facility is supported first, by Hotel/Motel Taxes, not general property taxes. These taxes are generated by visitors that stay in local hotels.

Secondly, the use of the facility should be borne by those using it not by the general taxpayer. Third, the staff wanted to do a better job of running the facility as a business, more efficiently and more professionally. Some of the proposed changes are an attempt to "right-size" the operations with other outside markets.

Mayor Magers added that when the Tourism Director was hired, the Council expected her to assume additional responsibilities and this is certainly a tourism function.

April Patterson, Tourism Director, said the goals for the changes to the Ballroom rental process are to hold the renter

more accountable and make the process more efficient, streamline the process of the reservation, decrease missed opportunities to rent the Ballroom, protect the facilities, and reduce the staff hours spent contacting renters.

Ms. Patterson researched the procedure and costs associated with renting similar facilities, both government run and privately run. She outlined proposed changes to the current policy and rates.

Changes include requiring the payment up front, a more structured cancellation policy with rates to help decrease lost opportunities and maximize the return on investment. Some fees have been added that encourage more accountability and responsibility from the renter, and business hours will be implemented to deter the occasional all night party. They also want to minimize the amount of time spent on the last minute changes.

Ms. Patterson added that the rental of Kidd-Key Auditorium will also be under the Tourism Department but no immediate changes are being made at this time.

Mr. Hefton said one of the considerations that the staff has had is to keep the Hotel/Motel Tax dollars working for Hotel/Motel types of expenses such as renovations to the kitchen area with one time money that is available in that fund. This would make the kitchen more of a full service type of kitchen with food preparation facilities.

Council Member Wacker had some questions about the rate changes, but it makes sense knowing that the improvements will be made to the kitchen and the overall management of the facility.

Council Member Howeth asked if the staff will provide a list of preferred or recommended caterers and musicians that will perform at events. Ms. Patterson said she would like to develop such a list to distribute to renters.

Council Member Howeth questioned whether or not there was anyone that the City would not allow to rent the Ballroom. Council Member Wacker said there are some activities that are prohibited. Ms. Patterson said there are rules and regulations in place to protect the facility.

Council Member Adami said the proposed Ordinance says all reservations must be made at least 45 days in advance. He verified that the Ballroom could be booked less than 45 days in advance, providing that the rental is approved by the City Manager or his designee.

Ms. Patterson said the City wants to maintain the flexibility, however it is more difficult to assure that staff is available, to have the facility prepared, and to gather the materials needed less than 30 days before the event. It is a possibility,

however she encouraged anyone wanting to rent the Ballroom to do so at least 45 days in advance.

Mr. Hefton added that the staff is also looking for alternative uses for other City buildings so there could be opportunities for smaller functions to be located in other existing City facilities.

Council Member Adami said the proposed Ordinance states that reservation fees are 50% refundable if the reservation is cancelled more than 45 days and less than 90 days prior to the event. He asked if a renter books the Ballroom 45 days out and the next day they have to cancel the event, they would be refunded less than 50% of their fee. Mr. Hefton said yes, the way the proposed Ordinance is written.

Mayor Magers verified that if the reservation is cancelled less than 45 days prior to the event, their reservation fees are forfeited. Mr. Hefton added that the City would be trying to recoup opportunity costs.

Ms. Patterson said the forfeited money would be out of the deposit money and they would get the actual event time money back that they paid. Council Member Adami urged that the rules be made very clear to the renters so they wouldn't lose their money or maybe allow them to move their date and not lose their deposit.

ACTION TAKEN.

Motion by Council Member Wacker to approve Ordinance No. 5645, as presented. Second by Council Member Howeth.

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

VOTING NAY:

MOTION CARRIED.

**RECOGNIZING THE GREATER TEXOMA UTILITY
AUTHORITY BOARD OF DIRECTORS AND OTHERS OF
IMPORTANCE**

**GTUA BOARD
OF DIRECTORS**

Mayor Magers moved this item up in the Agenda to accommodate the schedules of the Greater Texoma Utility Authority Board of Directors.

Mayor Magers felt it was important for the City of Sherman to recognize the GTUA Board Members for the great job they did for GTUA.

He introduced the following Board Members: President Donald Skelton (13 years of service), Vice President Bill Johnson (16 years of service), Secretary/Treasurer George Rowland (16 years of service), Everett Grantham (9 years of service), Mark Kuneman (8 years of service), Paul Kirley (4 years of service), Duane Hayes (3 years of service), Clyde Yeatts (2 years of service), and former Sherman Mayor David Sprowl (back with 1 year of service).

COUNCIL MINUTES – APRIL 5, 2010

Mayor Magers said GTUA recently secured 50,000 acre feet of surface water from Lake Texoma, which is a great deal for the region. The Texas population is expected to increase from 23 million to 46 million by mid Century. Sherman is one of the few entities in the State that have both adequate water and adequate water treatment facilities.

This new supply will give the City of Sherman a 50 million gallon per day increase in the current water usage and will take care of Sherman's water needs for the foreseeable future. This will also provide water for the region.

Mayor Magers said the GTUA Board of Directors is a true model of regionalism and the members serve without pay. With this level of volunteers, their long tenure on the Board, and the success they have had in accomplishing their goals, it speaks greatly for volunteerism.

Mayor Magers also recognized the hard work that other Sherman citizens have put forth to assure that the City would have adequate water, including Dr. John D. Moseley, Former Austin College President, and an early advocate of water from Lake Texoma; David Gattis, Former Sherman Director of Public Works and Engineering, for his foresight in water and water treatment; and Congressman Ralph Hall, who in 1986 set the deal up with Oklahoma's Congressman. He again thanked David Sprowl who was Mayor of Sherman when GTUA was originally formed and had the foresight to look 30 years down the road.

On behalf of the City of Sherman, Mayor Magers thanked all the Directors of GTUA for their foresight and their help in securing adequate water for Sherman.

Mayor Magers said it's important to look at the foundations that have been laid in Sherman by the water. Sherman has clean air, an ample supply of water, an ample supply of water treatment facilities, and one of the best locations, 25 miles north of a population area of 5.6 million and growing.

There have been some short term set-backs in business with a couple of companies closing. He added that it's important not to let short term set-backs skew the vision. Mayor Magers proposed that the City Council, along with the Sherman Economic Development Corporation, design a strategic plan to target businesses that are heavy water users, so Sherman can leverage their assets and pro-actively pursue a certain style of business. There are different challenges when you try to draw in large water users.

Mayor Magers again thanked the GTUA Board of Directors and Jerry Chapman, General Manager, for their foresight and help in securing water.

Ordinance 5646
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

ORD 5646
LIVESTOCK &

SHERMAN, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED “ANIMAL CONTROL”, ARTICLE 2.01, ENTITLED “GENERAL PROVISIONS”, TO PROVIDE FOR A NEW SUBSECTION 2.01.009.01 TO BE ENTITLED “LIVESTOCK IN RESIDENTIAL AREAS” AND NEW SUBSECTION 2.01.009.02 TO BE ENTITLED “SMALL LIVESTOCK AND FOWL IN RESIDENTIAL AREAS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES, PROVIDING FOR SEVERABILITY. PROVIDING FOR A REPEALER.

FOWL IN
RESIDENTIAL AREAS

Council Member Howeth thanked the City staff for looking into the issue of livestock in residential areas and for creating a provision that will allow citizens to have their livestock but also to protect residential areas and individuals.

Council Member Steele asked if there was a maximum number of livestock that would be allowed on a one acre or larger lot. Scott Shadden, Director of Development Services, said there was not currently a maximum number allowed. That would be addressed as a health issue that becomes a nuisance.

Mayor Magers said the proposed ordinance limits livestock in a lot and block neighborhood, but he commended the staff on the ability to balance the demands of a growing City with the citizens that have larger acreage.

ACTION TAKEN.

Motion by Council Member Steele to approve Ordinance No. 5646, as presented. Second by Council Member Softly.

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

VOTING NAY:

MOTION CARRIED.

Ordinance 5647

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAYCARE CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2111 EAST TUCK STREET, BEING LOT 1, BLOCK 1, HARMONY BAPTIST CHURCH ADDITION (HARMONY BAPTIST CHURCH, OWNERS; AND EARL BROWNLOW, 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.

ORD 5647
SUP FOR
DAYCARE CENTER
(2111 E. TUCK)

ACTION TAKEN.

Motion by Council Member Wacker to approve Ordinance No. 5647, as presented. Second by Council Member Steele.

COUNCIL MINUTES – APRIL 5, 2010

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

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 5473 – RESCINDING RESOLUTION NO. 4755 IN ITS ENTIRETY WHICH ADOPTED A POLICY AND FEES FOR THE MUNICIPAL BALLROOM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RESCINDING RESOLUTION NO. 4755 IN ITS ENTIRETY WHICH ADOPTED A POLICY AND FEES FOR THE MUNICIPAL BALLROOM.
CONSENT AGENDA.

CONSENT AGENDA

RES 5473
RESCIND RES 4755
MUNICIPAL
BALLROOM
FEES

RESOLUTION NO. 5474 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH GERALD E. RUSSELL 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 GERALD E. RUSSELL FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT.
CONSENT AGENDA.

RES 5474
AG LEASE AT
WWTP

RESOLUTION NO. 5475 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GLOVER MOWING & LANDSCAPING COMPANY FOR THE 2010 PUBLIC WORKS MOWING PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GLOVER MOWING & LANDSCAPING COMPANY FOR THE 2010 PUBLIC WORKS MOWING PROGRAM.
CONSENT AGENDA.

RES 5475
PUBLIC WORKS
MOWING PROGRAM

RESOLUTION NO. 5476 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH TNT'S PIPELINE CORP. FOR CONSTRUCTION OF THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT "C"

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH TNT'S PIPELINE CORP. FOR CONSTRUCTION OF THE U.S. HIGHWAY 75 NORTH SEWER IMPROVEMENTS, CONTRACT "C".
CONSENT AGENDA.

RES 5476
HIGHWAY 75 NORTH
SEWER
IMPROVEMENTS

RESOLUTION NO. 5477 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH JMI MAINTENANCE, INC. FOR THE RECONSTRUCTION OF A STORM SEWER FROM ARCHER DRIVE TO SAND CREEK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH JMI MAINTENANCE, INC. FOR THE RECONSTRUCTION OF A STORM SEWER FROM ARCHER DRIVE TO SAND CREEK.

RES 5477
RECONSTRUCTION OF
STORM SEWER

Jose Montoya, 3232 La Sombra Street, Grand Prairie, Texas

Mr. Montoya spoke through his translator Juan Moreno. Mr. Moreno asked if their company has a possibility of getting the job or if it has already been awarded to the other company. Mayor Magers said the staff has made a recommendation and if Mr. Montoya wants to say something, now is the time to say it. The Council has not voted on the issue yet.

Mr. Moreno said the City had already given them the job, but they took it from them because they didn't have too many references. Originally they only had one reference and now they have three references.

Mayor Magers said the City pays an engineering firm to be a consultant to advise in these matters. They also rely on the City staff's recommendation. Their recommendation is that the contract be awarded to JMI Maintenance, Inc.

Mr. Moreno said Mr. Montoya said the City took the job from him because they didn't recognize his company and he would like the opportunity to work with the City so they will know what type of job he does.

Council Member Adami asked if JMI Maintenance, Inc. was the low bidder. George Olson, City Manager, said JMI was the second lowest bidder. Mr. Montoya's company lacked the experience of putting in a line. Council Member Steele verified that it was a bonded job.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 5477, as presented. Second by Council Member Wacker.

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

VOTING NAY:

MOTION CARRIED.

RESOLUTION NO. 5478 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH J&T EXCAVATING, L.L.C. FOR THE RECONSTRUCTION OF WEST WASHINGTON STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH J&T

RES 5478
WASHINGTON STREET
RECONSTRUCTION

EXCAVATING, L.L.C. FOR THE RECONSTRUCTION OF WEST WASHINGTON STREET.

Mayor Magers asked if the City had to use their power of eminent domain for anyone along Washington Street. Brandon Shelby, City Attorney, said no eminent domain was used and the City has signed agreements with everyone on Washington Street except for one resident. There is a verbal agreement with that resident and he hoped to finalize that this week.

Mayor Magers verified that all property owners along Washington Street have agreed to the City's terms.

Council Member Steele verified that approving Resolution 5478 was the final step before the contractor can begin work. Council Member Wacker verified that the expected start date on the construction was set for May 2010.

Don Keene, Executive Director of Planning/Public Works, said once the final right-of-way is acquired and this contract approved, the contractor will be ready to go. The project is under budget. Council Member Wacker verified that the project still includes the sidewalk on one side.

ACTION TAKEN.

Motion by Council Member Adami to approve Resolution No. 5478, as presented. Second by Deputy Mayor Smith.

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

VOTING NAY:

MOTION CARRIED.

RESOLUTION NO. 5479 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC., FOR THE IMPROVEMENT OF WEST LAMBERTH ROAD FROM HERITAGE PARKWAY (FM 1417) TO SHADY OAKS LANE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC., FOR THE IMPROVEMENT OF WEST LAMBERTH ROAD FROM HERITAGE PARKWAY (FM 1417) TO SHADY OAKS LANE.

**RES 5479
WEST LAMBERTH
ROAD IMPROVEMENTS**

ACTION TAKEN.

Motion by Deputy Mayor Smith to approve Resolution No. 5479, as presented. Second by Council Member Softly.

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

VOTING NAY:

MOTION CARRIED.

RESOLUTION NO. 5480 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOEY AND LYNN WOMBLE FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1414 EAST LAMAR STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOEY AND LYNN WOMBLE FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1414 EAST LAMAR STREET.

CONSENT AGENDA.

RES 5480
RESIDENTIAL TAX
ABATEMENT
(1414 E. LAMAR)

RESOLUTION NO. 5481 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOEY AND LYNN WOMBLE FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1511 NORTH BRENTS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOEY AND LYNN WOMBLE FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1511 NORTH BRENTS AVENUE.

CONSENT AGENDA.

RES 5481
RESIDENTIAL TAX
ABATEMENT
(1511 N. BRENTS)

RESOLUTION NO. 5482 – AUTHORIZING EXECUTION OF A DEED FOR THE RESALE OF A TRACT OF LAND AT 520 WEST JONES STREET, SEIZED FOR DELINQUENT TAXES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEED FOR THE RESALE OF A TRACT OF LAND AT 520 WEST JONES STREET, SEIZED FOR DELINQUENT TAXES.

CONSENT AGENDA.

RES 5482
SALE OF PROPERTY
FOR DELINQUENT
TAXES
(520 W. JONES)

CHANGE ORDER NO. 1

SOLID WASTE SITE TRANSFER STATION PAVING IMPROVEMENTS, PHASE IV; LYNN VESSELS CONSTRUCTION, LLC; \$1,325.00, INCREASE

The City Council approved the final closeout change order to adjust the contract amount for Phase IV of the Solid Waste Paving Project. The change order results in a net increase of \$1,325 yielding a final contract price of \$48,296.61.

The increase was caused by the exceptionally wet weather in February and the deteriorated conditions of an adjoining asphalt parking area which caused the base material and asphalt in the parking area to fail.

The project was budgeted in the City's Capital Improvement Program budget.

CONSENT AGENDA.

CHANGE ORDER
TRANSFER STATION
IMPROVEMENTS

OTHER BUSINESS

RECEIVE SHERMAN CHAMBER OF COMMERCE PRESIDENT

CHAMBER APP

TRACI CARLSON'S PRESENTATION ON "MY CHAMBER APP"

Traci Carlson, Sherman Chamber of Commerce President, presented a new iPhone App called "My Chamber App." The App is currently available for the iPhone and will be available for the Blackberry and the Droid on April 15, 2010. The App is free to download and free to have as a Chamber Member and will help "drive" visitors and citizens to Sherman businesses.

Shortly a billboard will also advertise the new App. The App will list restaurants, hospitals, and events in Sherman. Mayor Magers verified that it will only include Chamber Members at this time.

Ms. Carlson said the Sherman Chamber of Commerce is the first in the State of Texas and the fourth in the Nation to have this capability. Since Sherman is a pilot program, there will be a lot of updates in the future. This will put tax dollars back into the community.

She added that 30 other Chambers across the United States have called Sherman to find out about the program. When other Chambers sign up, Sherman will actually receive money back from the program. Sherman is also receiving national attention from the new App.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

LOSS OF FRIEND

Deputy Mayor Smith said he had been away on family obligations and it was great to be back. He added that the legal profession in Sherman recently lost R.J. Hagood. He was a lawyer's lawyer and a good friend, and he said he would truly miss him.

LOSS OF FRIEND

HOUSEHOLD HAZARDOUS WASTE EVENT

Council Member Wacker said the Household Hazardous Waste Event was scheduled for Saturday, April 10, 2010. She added that there are other Earth Day events coming up.

**HOUSEHOLD
HAZARDOUS WASTE
EVENT**

TEXAS RANGERS WIN OPENING GAME

Council Member Wacker recognized the Texas Rangers for winning their opening day game.

**TEXAS RANGERS
WIN OPENING
GAME**

U.S. CENSUS

Council Member Howeth urged all citizens to complete their Census forms. She has been urging her students to encourage their families to complete the forms. The City will benefit from accurate numbers and an accurate count.

U.S. CENSUS

COUNCIL MINUTES – APRIL 5, 2010

THANKS TO STAFF

Mayor Magers thanked Tom Watt, Police Chief, for this help with activities going on this weekend.

THANKS TO PARKS AND RECREATION STAFF

Mayor Magers recognized Kevin Winkler, Parks and Recreation Administrator, and his staff for their great customer services. He recently registered his four children for swimming lessons and completed the process in less than 15 minutes.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:51 p.m.

THANKS TO STAFF

THANKS TO
PARKS & RECREATION
STAFF

ADJOURNMENT

MAYOR

CITY CLERK