

March 21, 2016

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JASON SOFEY. COUNCIL MEMBERS COUCH, DAVIS, JOHNSON, STEELE, WATT.

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**CERTIFY PETITION
LOCAL OPTION
ELECTION**

The petition was initiated by some citizens of Sherman to legalize the sale of all alcoholic beverages including mixed beverages. They gathered the required amount of signatures, which were verified by the City Clerk's Office. Under the Election Code statues, the City is now required to call this Election for the voters to decide on the Local Option at the November 2016 Election.

Council Member Couch asked what the difference is from the current ordinance. Mr. Shelby said under the current ordinance, if a business is going to sell mixed drinks, they would either need a food handler's permit or operate as a private club.

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ACTION TAKEN.

Motion by Council Member Couch to certify the results of an Initiative Petition for a Local Option Election, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 5942 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 8TH DAY OF NOVEMBER, 2016, FOR THE PURPOSE OF A LOCAL OPTION ELECTION TO CONSIDER THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 5942
LOCAL OPTION
ELECTION
(NOV. 8, 2016)

No citizens appeared before the City Council to discuss Ordinance No. 5942.

Mayor Plyler introduced Ordinance No. 5943 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/PRESCHOOL/ EDUCATIONAL DEVELOPMENT CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUA HILL, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); 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 5943
APPEAL FROM P&Z
SUP FOR DAY
CARE CENTER
(1211 BLANTON DR.)

Delmar and Chiniqua Hill, 1215 Blanton Drive

Mr. Hill said they were appearing to appeal a decision by the Planning and Zoning Commission to deny a Specific Use Permit for a child home facility at 1211 Blanton Drive.

He asked the City Council to approve the child care facility, which will be adjacent to their residence at 1215 Blanton Drive. The facility will be licensed by the Texas Department of Family and Protective Services and will be appropriately staffed and maintained for approximately 15 children from zero to five years old. The facility will be open from 6:00 a.m. until 6:00 p.m., Monday through Friday.

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Mr. Hill said there is a great need in Sherman for a safe, loving, educational facility for Sherman children. He said there are already several similar child care homes in Sherman, such as Belden Street Montessori, Flowers Home Day Care on Blanton Drive, and Jack & Jen on Lamar Street.

Mr. Hill said they have met with their neighbors about the proposed day care, and the neighbors are in agreement with the request. He presented a packet of information to the City Council about the facility and the parking situation.

Dr. Al Hambrick, 1920 Timberline Lane

Dr. Hambrick formerly served as the Sherman Independent School District Superintendent, and appeared in support of the request. He said Mrs. Hill has worked for the School District at the Early Childhood Center, for a number of years.

Dr. Hambrick said he has witnessed traffic at the home and knew there was a concern about pick-up and drop-off traffic. He did not feel that traffic would be a problem for 10 or 15 children, since it is a wide street. Even with cars parking on one side of the street, there is still enough room for the passage of two other cars.

He said there are a number of day care centers in Sherman that are located in neighborhoods and he asked the Council to think of that while considering the current request.

LaWanda Brown, 1021 S. Austin Street

Ms. Brown appeared in support of the request saying she has known Mr. and Mrs. Hill for over 20 years, and has worked with Mrs. Hill at the SISD. She praised her work ethics and said the proposed day care would be great for the community and for the children.

Ms. Brown said she lives on the corner of Austin and Middleton Streets and there is a day care near her home. She said traffic control at that day care is horrible. She said parents must watch their own children when they are picking up or dropping them off.

She appeared in support of the proposed facility and asked the Council to grant their request.

Nathalia Spencer, 1317 S. Walnut

Ms. Spencer said she has worked with Mrs. Hill for a number of years and attends church with the family. She said she is an amazing teacher and will have an amazing day care.

She said the traffic congestion was the biggest issue at the Planning and Zoning Commission meeting. However, she said, at the day care center, not everyone would be dropping off or picking up their children at the same time. Not all 10 or 15 children will be there during the same times. She asked the Council to grant their request.

Steve Stell, 164 Mourning Dove Lane, Denison

Reverend Stell is the Pastor of Greater New Hope Baptist Church in Sherman, where Mr. and Mrs. Hill are members. He said they are “great people” and there is a need for an affordable day care center.

Reverend Stell also attended the Planning and Zoning Commission meeting and felt that the request for a day care center in a residential area was not “out of order” and that’s what the City Council is here for. To make those decisions.

He added that he has never seen a traffic problem when he has been at the Hill’s home.

Sierra Wolf, 2391 Juanita Drive, Denison

Ms. Wolf said she is one of the children that Mr. and Mrs. Hill have “raised” and they are fantastic people. Ms. Wolf lives in Denison, but she works in Sherman and she wants someone closer to her work to care for her daughter.

She was sure Mrs. Hill and her associates would be able to watch the children and she wanted her to teach her daughter.

Delmar Hill, Jr., 1920 Pebblebrook Lane

Mr. Hill is Mrs. Hill’s stepson and he said she is a strong woman that raised him and his two sisters. He said she does an amazing job and there are parents at Fred Douglass School that request her classroom.

Mr. Hill invited Council Members to visit the house, adding that everything is “up to par”, and he urged them to support the request.

Kelly Bickerstaff, 1208 Dundale Circle

Mr. Bickerstaff said he didn’t say the request was “not appropriate” at the Planning and Zoning Commission meeting, adding that Mr. and Mrs. Hill are fine people and he had no doubt about her ability to care for children.

He said the issue is whether or not a day care center is the appropriate use for the property in question. A fence divides his home from where the day care will be located. He said there will be 15 children at the day care and he asked who would enforce the number of children allowed at the facility.

Mr. Bickerstaff said he was not questioning Mrs. Hill’s ability to care for the children, but they are creating a business, to make money, in a residential area. There is a reason why homes are located in R-1 Districts. It’s a single-family, residential area.

He referenced Belden Street Montessori, Jack & Jen Day Care, and Wakefield School, saying if you have been there in the morning or the afternoon, you know what that’s like.

Mr. Bickerstaff said if a business is created on Blanton Drive, and 15 children are dropped off or picked up every morning, there will be a similar traffic problem. Parking is permitted on both sides of Blanton Drive and cars have to stop now. There is no parking at this residence and cars will be stopping on the street.

He said Mr. Hill told him they purchased the home to be a rent house. Then they decided to open the day care. Mr. Bickerstaff said generally when someone buys property, they determine what the use will be before they invest.

He said it is a nice neighborhood and having a day care located there would be the same as a convenience store in that location. Traffic will be increased and it will affect the properties around the home. To create a business in the middle of the neighborhood, would be a detriment to everyone in the area.

Jeff Wilson, 1212 Dundale Circle

Mr. Wilson lives directly behind Mr. and Mrs. Hill and the corner of their fence touches. He said normally someone purchasing property knows what the use will be prior to the purchase.

He said the question is a zoning question and the Planning and Zoning Commission was unanimous in their decision to deny the request. He asked the City Council to uphold that decision, saying if Mr. and Mrs. Hill wanted to open a day care they could purchase a C-1 property.

The City has zoning laws and Mr. Wilson said he couldn't buy Mr. Bickerstaff's home and open a business there just because he could get a "better deal on it." There is commercial property for a reason, and residential property for a reason.

Mr. Wilson said the day care center would be a business and his property values would decrease and the traffic will increase. He said Mr. and Mrs. Hill would not be damaged by the denial of the permit, because they can still rent or sell the property.

He said this house is located in the middle of a residential block and the Council would create a problem for citizens if they "open the door" for this request.

He urged the Council to keep the City's zoning laws in place, saying they were unanimously denied by the Planning and Zoning Commission.

Oscar Bevels, Jr., 1168 Independence Springs Road

Mr. Bevels said he retired from the Army in 1977 and wanted to return, to live in Sherman, where he was born and raised. He said he worked with Mr. Hill at Johnson & Johnson.

He was concerned about the two gentlemen that suggested Mr. and Mrs. Hill purchase property somewhere else for their day care.

Mr. Bevels felt it would be unjust to deny Mr. and Mrs. Hill the permit to operate a day care at the proposed location. He said all businesses start out small.

Delmar and Chiniqua Hill, 1215 Blanton Drive

Mr. Hill reiterated that Mr. Bickerstaff and Mr. Wilson live on Dundale Drive. He said they appreciate the appeal process and asked the Council to review the photographs to see how wide Blanton Drive is and the parking available in the driveway. The day care will only be in operation from 6 a.m. until 6 p.m.

Mrs. Hill said Mr. Bickerstaff spoke about the big day care centers and she said they are here for a Specific Use Permit to care for 15 children at the most. She added that if some of the children are younger, they will count as two children, and the State licensing requirements will not allow her to care for 15. Currently she has 18 children in her care at the School District.

Mrs. Hill said a “specific use” is not big and commercial. It is a small facility with maybe 15 children, but it could also be six children. She said there is plenty of room and plenty of parking for six to 10 small children.

No other citizens appeared before the City Council to discuss Ordinance No. 5943.

Mayor Plyler introduced Ordinance No. 5944 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE BORDEAUX STREET RIGHT-OF-WAY LYING BETWEEN LOT FIVE (5), BLOCK ONE (1) AND LOT NINE (9), BLOCK TWO (2) OF THE TOWN NORTH ADDITION, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT.

ORD 5944
ABANDON R-O-W
BORDEAUX STREET

Clay Barnett, Director of Public Works and Engineering, said during the design of Loy Lake Road, the City was looking for opportunities to reduce the number of entrances on the roadway. This was one opportunity.

Bordeaux Street is a “cut through” to avoid a traffic light. The property owners were asked if they would like to have the roadway closed. More than 60% of these property owners signed the petition to close the roadway. One of the property owners dedicated enough right-of-way to install a cul-de-sac.

Mr. Barnett said the ordinance would close Bordeaux Street at Loy Lake Road, and turn Bordeaux into a cul-de-sac.

No citizens appeared before the City Council to discuss Ordinance No. 5944.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5942

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 8TH DAY OF NOVEMBER, 2016, FOR THE PURPOSE OF A LOCAL OPTION ELECTION TO CONSIDER THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 5942
LOCAL OPTION
ELECTION
(NOV. 8, 2016)

Ordinance 5943

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/PRESCHOOL/ EDUCATIONAL DEVELOPMENT CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUEA HILL, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); 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 5943
APPEAL FROM P&Z
SUP FOR DAY
CARE CENTER
(1211 BLANTON DR.)

Council Member Couch asked that the Council discuss Ordinance 5943 in Executive Session.

Ordinance 5944

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE BORDEAUX STREET RIGHT-OF-WAY LYING BETWEEN LOT FIVE (5), BLOCK ONE (1) AND LOT NINE (9), BLOCK TWO (2) OF THE TOWN NORTH ADDITION, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT.

ORD 5944
ABANDON R-O-W
BORDEAUX STREET

ACTION TAKEN.

Motion by Deputy Mayor Sofey to adopt Ordinance Nos. 5942 and 5944, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

TABLED AT THE MARCH 7, 2016 CITY COUNCIL MEETING:

ADOPTION OF ORDINANCE NO. 5933

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, ENTITLED "HEALTH AND SANITATION", AT ARTICLE 6.02, ENTITLED "FOOD ESTABLISHMENTS", SECTION 6.02.001, ENTITLED "ADOPTION OF STATE FOOD ESTABLISHMENT RULES; DEFINITIONS", AND PROVIDING FOR A NEW SECTION 6.02.008 TO BE ENTITLED "ADDITIONAL REQUIREMENTS FOR MOBILE FOOD UNITS (MFU)"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

**ORD 5933
ADD MOBILE
FOOD VENDOR
REGULATIONS**

ACTION TAKEN.

Motion by Council Member Couch to remove Ordinance No. 5933 from Table for discussion in its regular order of business. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED TO REMOVE FROM TABLE.

Mr. Shelby said at the last meeting there was discussion about the background checks by the Police Department and possible fees for processing. He amended the ordinance to reflect this discussion.

The ordinance presented tonight was amended under the permitting section, to read "no permit shall be issued to persons with a felony criminal conviction in the last five years" and it also adds a \$200 processing fee.

Council Member Watt said one concern he has is that there are some serious offenses that are Class A Misdemeanors, such as drug offenses, assaults, and crimes against persons. He wanted to make sure they knew what was included before the "catch-all phrase" of no felony convictions was used.

Council Member Couch asked if there was discretionary language that could be used to allow the staff to make the decision. Mr. Shelby said there was originally discretion in the way it was worded, and the Council wanted to eliminate that discretion.

Mr. Shelby said there was staff discussion on the time limit and the clause "no felony conviction in the last five years." There was a suggestion to add some specific offenses to the background search.

COUNCIL MINUTES – MARCH 21, 2016

Council Member Watt said there are crimes against persons and crimes against property. He felt the Council might want to include crimes against people. There are some serious Class A Misdemeanors that are crimes against persons.

Deputy Mayor Sofey said with the proposed ordinance, if a person was a registered sex offender or had a sexual offense crime that was over five years old, it wouldn't matter. Mr. Shelby confirmed that was correct. Deputy Mayor Sofey said he had a problem with that.

Council Members discussed a possible timeframe, but Deputy Mayor Sofey suggested it be prohibited indefinitely. Council Member Davis said this provision was not placed on any other business in the City. Deputy Mayor Sofey said this is a situation where people are being given extreme latitude for a permit to solicit sales.

Council Member Couch said a food truck would be on a private lot with other trucks and multiple customers. The ordinance is being proposed for Sherman to be a progressive, business friendly City. He said the ordinance could be amended later if there was a problem.

Mayor Plyler asked if there was a middle ground that addressed the sex offender question. Mr. Shelby said the staff had the same concerns and the wording he came up with was "no permit shall be issued to registered sex offenders, persons serving probation or on parole for crimes against persons, or persons with a felony conviction in the last five years."

Council Member Watt said he was comfortable with that wording and Deputy Mayor Sofey said that would also address his concerns. Mr. Shelby said that language allows that if a person is a registered sex offender or is on parole or probation, they are still serving some type of sentence.

ACTION TAKEN.

Motion by Council Member Watt to adopt Ordinance No. 5933, with the modifying language stating "no permit shall be issued to registered sex offenders, persons serving probation or on parole for crimes against persons, or persons with a felony conviction in the last five years." Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTIONS

RESOLUTION NO. 6065 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MCMANUS & JOHNSON CONSULTING ENGINEERS, LLC. FOR THE ENGINEERING DESIGN OF SWAN RIDGE DRIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A

**RES 6065
SWAN RIDGE DRIVE
ENGINEERING DESIGN**

PROFESSIONAL SERVICES AGREEMENT WITH MCMANUS & JOHNSON CONSULTING ENGINEERS, LLC. FOR THE ENGINEERING DESIGN OF SWAN RIDGE DRIVE.

Mr. Barnett said on January 18, 2016, the City Council closed Seasons West Avenue contingent on the construction of Swan Ridge Drive being completed. This engineering contract is the first step in the design and construction of Swan Ridge Drive.

Glen McManus, with McManus & Johnson Consulting Engineers, was in attendance at the meeting to answer any questions.

Council Member Steele asked about the timeframe for construction, once the design is completed. Mr. Barnett said they will work quickly on designing the right-of-way and that would be about 30% of the engineering drawings.

The construction portion will be bid after October 1, 2016, when the new budget is in place. Council Member Steele confirmed that construction would begin next year, unless there is other direction from the City Council.

Mr. Hefton said the engineering will be a fraction of the cost of construction, and is a several month process.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6065, as presented. Second by Deputy Mayor Sofey.
VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6066 – 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 PROJECT MANAGEMENT SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 131 (TRAVIS STREET) FROM FM 691 SOUTH TO US 75]

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 PROJECT MANAGEMENT SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 131 (TRAVIS STREET) FROM FM 691 SOUTH TO US 75].

**RES 6066
TRAVIS STREET,
FROM FM 691 TO
US 75**

Mr. Barnett said the City has been discussing the project with the Metropolitan Planning Organization since last summer. In October 2015 the City Council approved a Memorandum of Understanding with the MPO to render design management services on their behalf.

At that time the MOU did not specify the reimbursement agreement. The entities decided to do that with an Advance Funding Agreement for each project. This is the first AFA for the design process.

The project will be for Travis Street, from FM 691 south to US 75.

ACTION TAKEN.

Motion by Council Member Davis to approve Resolution No. 6066, as presented. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

REQUEST TO ADVERTISE

ANNUAL SUPPLY OF HOT MIX ASPHALT

The City Council approved the request to advertise for bids for the annual supply of hot mix asphalt for the City's street maintenance work.

CONSENT AGENDA.

REQUEST TO ADV
ANNUAL SUPPLY OF
HOT MIX ASPHALT

CHANGE ORDER NO. 3

**APPROVING THE GREATER TEXOMA UTILITY
AUTHORITY'S INTENTION TO EXECUTE CHANGE ORDER
NO. 3 FOR CONSTRUCTION OF THE SHERMAN
WASTEWATER TREATMENT PLANT HEADWORKS LIFT
STATION REPLACEMENT AND ELECTRICAL UPGRADE**

The City Council approved the Greater Texoma Utility Authority's intention to execute Change Order No. 3 for construction of the Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade.

CHANGE ORDER
GTUA FOR WWTP
HEADWORKS LIFT
STATION

The change order, with Crescent Constructors, Inc., changes the type of lighting used for the interior of the building and the exterior flood lights. An additional piping bend is required due to existing underground piping and the witnessing of the pump tests has been deleted.

The change order results in a decrease of \$38,906 to the project, yielding a revised contract amount of \$4,577,339.94.
CONSENT AGENDA.

OTHER BUSINESS

**RECEIVE DIRECTOR OF COMMUNITY & SUPPORT
SERVICES STEVE AYERS' PRESENTATION ON FACILITY
AND SPACE UTILIZATION**

Steve Ayers, Director of Community and Support Services, presented an update on facility and space utilization for the City offices. The efficient and effective use of current work space helps mitigate the cost for new construction.

FACILITY & SPACE
UTILIZATION

Recently completed projects include the City Manager's Suite, Municipal Court, Ballroom, Kitchen, Auditorium, Police Server Room, Emergency Operations Center, and

Human Resources. Mr. Ayers outlined the projects including the redesign of the City Manager's Suite which reduced the amount of storage and allowed for an extra office. The Community Services Department was then moved from the Municipal Building to City Hall.

The Human Resources Office was moved from the first floor in the Municipal Building to the second floor, in the old Community Services Department office. Municipal Court was moved from the Police Department into the old Human Resources Office, which freed up additional space in the Police Department, allowing Dispatch to move into their old facility. Mr. Ayers displayed photographs of the changes.

Upgrades in the Municipal Ballroom included painting and plaster repair of the walls, installation of an overhead projector and large screen, painting and repair of the columns and bases, installation of new blinds, resurfacing of the stage floor and the renovation of the Ballroom Office.

In the kitchen, projects included tiling the floor and walls, adding a commercial stove and vented hood, adding a service window, upgrading the appliances and adding stainless shelving, plumbing, and electrical and LED lighting.

He recognized the Facilities and Maintenance employees that have been an integral part of the remodeling projects.

Mr. Ayers displayed photos of the projects during the remodeling process.

Auditorium improvements include replacing the window drapes and hardware, a new sound system, surfacing the stage, and repairing the plaster.

In September 2015, the City Council designated the Sherman Municipal Grounds as Kidd-Key Park in honor of Lucy Kidd-Key.

Mr. Ayers said currently projects are underway at the Police Department to utilize space and extend the life of the facility. An old boiler room has been remodeled and turned into the Police Station Server Room and a new Emergency Operations Center has been constructed.

Future projects include new offices and records storage at the Equipment Services Center; a new Dispatch Center at the Police Station; continued maintenance and improvements to the Auditorium; painting and hallway lighting in the Municipal Building, the IT training room, and continued evaluation of office space in the Municipal Building; renovation of the Library; and expansion of the Men's Restroom at City Hall.

The new Dispatch Center will utilize the old Municipal Court Clerk's Office. The staff is also evaluating the Public Library to determine what is needed during the renovation. Projects have already been completed to repair the sidewalks and landscape the front area at the Library.

Mr. Ayers said the changes are being made to better utilize the buildings and extend their life. The cost of new construction versus the cost of remodeling saves the City money. During the last year and a half, the City has been involved in about 9,000 square feet of renovations and space utilization.

Besides the construction projects, the Building Maintenance employees fill about 150 maintenance requests per month. The other construction projects are in addition to their normal work duties. He displayed the cost comparisons with City employees versus contractor costs for the projects.

Mr. Hefton said by completing these projects in-house, the City has saved taxpayers hundreds of thousands of dollars. It may take a little longer because they have other job duties, but they are saving money and do an excellent job.

Deputy Mayor Sofey said construction is what he does for a living and these guys are doing a great job with the renovation projects.

**RECEIVE COMMUNICATIONS MANAGER NATE STRAUCH'S
PRESENTATION ON THE CITY OF SHERMAN'S LOW
INCOME HOUSING TAX CREDIT POLICY**

**LOW INCOME TAX
CREDIT POLICY**

Nate Strauch, Communications Manager, presented a report on the City's Low Income Housing Tax Credit Policy, which ensures responsible multi-family development.

The program was created by the Federal government in 1986 to incentivize multi-family housing construction and encourage development. Each year, States receive a block of tax credits, based on their population, and the Housing Authorities develop a process by which those tax credits are distributed. For Texas, last year that was about \$48 million.

Applications for the tax credits are submitted to the Texas Department of Housing and Community Affairs, which ranks them on several factors including whether they have support from their prospective communities.

Cities can decide to issue a letter of support, a letter stating no objections, or withhold support entirely. As a result, the City of Sherman has been contacted recently by several developers that would like to bring low interest housing to the community.

If a developer is approved for these tax credits, he would build his low income housing project, and over the next 15

years, he would receive tax credits to offset 70% of the cost of the project.

Mr. Strauch presented a chart outlining what is considered low income limits for Sherman and the corresponding rent limits for 2015. Maximum rents are capped at 30% of adjusted income for maximum occupancy of a unit and the units must remain low income for 30 years.

Sherman currently has two low income housing projects, the Villas of Sherman and Steeple Chase. The Villas of Sherman has 124 units and was opened in 1997. They received \$758,332 tax credits for the project.

Steeple Chase has 156 units and was approved in 2010, and opened in 2012. They received \$1.9 million in tax credits for the project.

Mr. Strauch said these types of projects are often controversial and many times there is a lot of opposition. He added that sometimes these projects attract developers that are not always “above board.”

The Federal Supreme Court has determined that a City is not under any obligation to support any individual project, any individual developer, or any individual location. He said cities have a legally recognized right to choose which low income developers they want to work with and to choose only ones that will positively contribute to the City.

Mr. Strauch said firmly established guidelines can help a City determine which developers they would like to work with and “scares off less reputable developers” from asking the City for support. Clear guidelines will also help the applicants know what they need to do to get the City’s support for their project.

He presented the City’s proposed Low Income Housing Tax Credit Policy, saying it was a compilation of several well-established policies in cities throughout Texas. He added that Sherman will be one of the smallest cities in the State to adopt low income housing guidelines.

The proposed policy states Sherman’s intent, clearly lists the evaluation criteria, outlines the application process for a letter of support, and clarifies that the State, not Sherman, holds the final decision-making authority.

Mr. Strauch said the City has developed a formal application to be submitted by prospective developers. The application process also includes a list of completed developments by the developer so the City can judge their previous developments.

Sherman is currently at a 94% apartment occupancy rate and needs more multi-family housing. This proposed policy

will help the City determine which developers to deal with for low income, multi-family housing.

Council Member Couch asked what the multi-family housing number should be for Sherman's size. Mr. Hefton said the State sets the benchmark, through the Department of Housing and Community Affairs. There is a need for affordable housing in Sherman, but before moving forward with any of the partners, the City needs to have a policy in place.

Council Member Steele suggested that the City's policy state that the developer would need to "keep" their property and not sell it. A lot of these entities build the project, get their money, and then sell the property, and then they become "slums." A developer that keeps their property will continue with maintenance and upkeep on the property so it won't deteriorate.

Mr. Hefton said that is part of the evaluation criteria for the developers. Council Member Davis reiterated that the City would look at their past experience in other communities.

Mr. Strauch said are two sides to every low income housing transaction. There is the developer's side and the people that are actually building the property. The City would need to evaluate whether they have a high quality of construction. The other side of every transaction is a group of investors. The City's proposed policy is a "blanket approach" to look at both sides.

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES FOR 11:30 A.M. ON MONDAY, APRIL 11, 2016, FOR A STRATEGIC PLANNING SESSION

**SET JOINT MEETING
WITH SISD TRUSTEES**

Mr. Hefton said he has been working with the new Sherman Independent School District Superintendent to determine a time for the two entities to meet and discuss strategic planning. The proposed date is Monday, April 11, 2016 at 11:30 a.m., in the City Council Chambers. This would probably be the first of several meetings to be more proactive in working with the SISD.

ACTION TAKEN.

Motion by Council Member Steele to schedule a Joint Meeting of the City Council and the Sherman Independent School District Board of Trustees for April 11, 2016, at 11:30 a.m., as presented. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

MAIN STREET ADVISORY COMMITTEE (6)

Council Members wanted to discuss appointments to the Main Street Advisory Committee in Executive Session.

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

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

SECTION 551.072 DELIBERATION REGARDING
REAL PROPERTY

SECTION 551.074 PERSONNEL MATTERS

SECTION 551.087 DELIBERATE REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:33 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:47 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

Council Member Watt left the meeting during Executive Session.

Ordinance 5943

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/PRESCHOOL/ EDUCATIONAL DEVELOPMENT CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUA HILL, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE

CITIZENS REQUESTS

MEDIA QUESTIONS

MAIN STREET
ADVISORY
COMMITTEE

EXECUTIVE SESSION

OPEN MEETING

ORD 5943
APPEAL FROM P&Z
SUP FOR DAY
CARE CENTER
(1211 BLANTON DR.)

COUNCIL MINUTES – MARCH 21, 2016

GRANTED SUBJECT TO CERTAIN CONDITIONS;
PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ACTION TAKEN.

Motion by Council Member Johnson to adopt Ordinance No. 5943, in accordance with the Staff Review Letter and effective for one year, subject to reapplication in one year. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS**

MAIN STREET ADVISORY COMMITTEE (6)

ACTION TAKEN.

Motion by Council Member Couch to appoint Sherry Little, Ginger Nye, Daron Holland, Verna Gilbert-Morneau, Felicia Herron, and Robin Phillips to the Main Street Advisory Committee for a term from March 22, 2016 to a date to be determined. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Johnson, Sofey, Steele.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

There were no Council Comments.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:50 p.m.

MAIN STREET
ADVISORY
COMMITTEE

COUNCIL COMMENTS

ADJOURNMENT

MAYOR

CITY CLERK