CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, MARCH 21, 2011
5:00 P.M.

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

A.2 PLEDGE OF ALLEGIANCE

A.3 INVOCATION BY COUNCIL MEMBER CHIP ADAMI

A.4 APPROVE MINUTES OF THE CALLED CITY COUNCIL (LONG-TERM PLANNING) MEETING OF MARCH 3, 2011 AND THE REGULAR CITY COUNCIL MEETING OF MARCH 7, 2011

Public Hearing

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5689
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow the Conversion of the Self-Service Portion of an Existing Car Wash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District at 4312 Texoma Parkway, being Lot 1, Sidney Heights Addition (Chris Martin, Owner); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5690
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Truck and Automotive Repair and Sales in a C-2 (General Commercial) District at 3924 Texoma Parkway, being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639 (John Chung, Owner; Cerma Auto Brokers, Tenant; and Deanna D. Shoars, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

B.3 ADOPTION OF ORDINANCES
Consider Adoption of Ordinance Numbers:
(a) 5689
(b) 5690

B.4 CONSENT AGENDA

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

Resolutions

C.1 ** RESOLUTION NO. 5572*

Authorizing Execution of an Encroachment Easement to Richard C. and Irene M. Oglesby for the Construction of a Garage in a 10' Utility Easement in Lot No. 2 of Block No. 8 of the Turtle Creek South Addition, Section Three to the City of Sherman (2415 Meadows Lane)

Other Business

D.1 OTHER BUSINESS

Consider Approval of the Budget Calendar for Fiscal Year 2011-2012

D.2 ** OTHER BUSINESS*

Consider Request of the 2011 Earth Day Planning Committee to Temporarily Close Certain Streets, Suspend Parking Time Limits, and Use Certain City Facilities and Services for the "3rd Annual Earth Day Festival" on Saturday, April 16, 2011

D.3 ** OTHER BUSINESS*

Site Plan Approval for GlobiTech Incorporated under Ordinance No. 2252, Article IV, Section 410(2)(j) for Phase II, a Warehouse Addition to the Existing Building in the Blalock Industrial Park District at 200 F.M. 1417 West

D.4 CITIZEN REQUESTS

D.5 MEDIA QUESTIONS

D.6 COUNCIL COMMENTS

D.7 ADJOURNMENT

COUNCIL CALENDAR

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Chip Adami, Council Member

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. A.3

INVOCATION BY COUNCIL MEMBER CHIP ADAMI

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE CALLED CITY COUNCIL (LONG-TERM PLANNING) MEETING
OF MARCH 3, 2011 AND THE REGULAR CITY COUNCIL MEETING
OF MARCH 7, 2011

STATE OF TEXAS §

March 3, 2011

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the Sherman City Council was begun and held in the City Council Chambers on March 3, 2011.

COUNCIL MEMBERS PRESENT: Mayor Bill Magers.
Council Members Adami, Howeth, Smith, Softly, Wacker.

COUNCIL MEMBERS ABSENT: Deputy Mayor Willie Steele.

CITY STAFF PRESENT: George Olson, City Manager; Robby Hefton, Assistant City Manager/CFO; Brandon Shelby, City Attorney; Don Keene, Executive Director – Planning and Public Works; Mark Gibson, Director of Engineering and Public Works; Scott Shadden, Director of Development Services; Tom Watt, Police Chief; Mary Lawrence, Controller; Scott Taylor, Assistant Director of Engineering and Public Works; Jacqueline Banfield, Library Services Administrator; Kevin Winkler, Parks and Recreation Administrator; Lisa Whitfield, Engineering and Development Coordinator; April Patterson, Tourism Director; Pam Cloer, Assistant to the City Manager; Linda Ashby, City Clerk.

PURPOSE: **Call to Order, Quorum Determined, Meeting Declared Open**

FINANCIAL UPDATE AND LONG-TERM PLANNING DISCUSSION

OTHER BUSINESS
Consider Approval of the Budget Calendar for Fiscal Year 2011-2012

ADJOURNMENT

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

Mayor Magers called the meeting to order at 12:07 p.m., declared a quorum present, and opened the City Council Meeting.

FINANCIAL UPDATE AND LONG-TERM PLANNING DISCUSSION

George Olson, City Manager, said this Long-Term Planning Session will be a continuation of the last planning session. At the end of the meeting, the staff will be asking for some direction.

Robby Hefton, Assistant City Manager/CFO, said the staff will be asking for direction at the end of the meeting and will discuss the Budget Calendar for 2012. He said the City is in an economic downturn that started about 2½ years ago and has been one of the longest lasting downturns in several decades. Most experts indicate the economy is still, at a minimum, 12 months out in a recovery period. He estimated it would be longer than that.

For 2012, the staff has some ideas to help balance the budget, which are really “carry-overs” of things the Council has directed in the past, such as use one-time available excess reserves to help balance the budget. After 2012 the City will be out of those options. Therefore, Mr. Hefton said some of the discussion will be about 2012 and some will be about the years after 2012. There will also need to be some additional meetings in mid to late Fall on the 2013 Budget.

In the General Fund the majority of the revenues are from taxes (75%), with transfers from the Solid Waste Fund and the Utility Fund (9%), and Ambulance Fees (5%), accounting for 90% of the revenue for that fund. Sales tax is the biggest revenue item in the General Fund. The sales tax results for February 2011, which includes the December

2010 Christmas sales, are flat. The good news is that Sherman did not have to “dig out of a 10% or 15% hole” with their sales tax like many cities did. Sherman’s sales tax was not down, but it didn’t grow either. Historically there is a 3% growth each year in sales tax, which amounts to about $1 million for three years.

He explained a sales tax audit adjustment last year from the Comptroller which included a $250,000 adjustment in sales tax for December 2009. Because of this large collection for the City, it appears that this year’s sales tax was down compared to the previous year, which is not really the case. In 2008 the staff projected a 2.5% growth in sales tax and in 2010 they projected a 1% growth, which is a difference of over $1 million per year. Mr. Hefton reiterated that sales tax revenue in Sherman is flat, but across the State there is some rebound, which indicates that consumer confidence and consumer spending are growing a little.

Other major General Fund revenue sources are holding where projected. Franchise taxes and property taxes are coming in where projected. Ambulance fees and court fines are slightly higher than expected, however this represents only 8% or 9% of the total budget, which is maybe $100,000 additional. The other revenue items are coming in as projected.

There are no major stories with expenditures in the General Fund. He added that group health claims were normal last year, but they are always “a wild card.” Fiscal Year 2011 started out a little higher but not as high as four years ago.

There are also no major stories in the Utility Fund and in the Solid Waste Fund. Everything is coming in very close to what was budgeted.

Without any other changes, Mr. Hefton said the City would be starting the 2012 Budget with an expected deficit of $2.2 million. That scenario assumes no Sales Tax Election, no salary adjustments, flat sales tax, and no increase in property tax rates.

The staff does believe there are some one-time sources for balancing the 2012 Budget. Two years ago the Council asked the staff to review fund balances to help “plug this gap.” There is one more source to use the Solid Waste Fund balance of $1.2 million to $1.4 million to help balance the 2012 Budget. A transfer of that fund balance would leave healthy reserves at 60 to 70 days.

The staff has already curtailed capital spending and could do so for another year. This year there have been no fleet replacements and the City is spending money to repair the fleet instead of replace it. This could also be done next year, but eventually this will cause problems and all the fleet will be old.

Mayor Magers confirmed that this money is from ongoing expenses from the operating account and not on the balance sheet.

Mayor Magers asked if the substantial changes from GlobiTech will affect the 2012 property taxes or future tax years. Mr. Hefton said the staff is including items such as this in the budget discussions, to the extend they are aware of them. For example, 2012 will be the first year that Wilson N. Jones Hospital is taxable. He added that Panda Energy can be included in the five year projections, however at this point they have not been included.

Mayor Magers verified that the sales tax for streets amounts to a little less than $1 million annually. If the Election passes, June 2012 would be the first month collected, so only four months of collections would fall under the 2011 Budget. The effect of the Sales Tax Election for streets would be approximately $315,000 in 2012.

In past years, Mr. Hefton said the City would see between 3% and 5% annual growth in the property tax base, based on both value and on new property. That would amount to between $200,000 to $300,000 annually. After losing that increase for three years, the gap becomes larger. The City is also off $1 million in sales tax and several hundred thousand dollars annually in the gas franchise tax. Therefore the City has a $2.2 million shortfall in revenue based on what was originally projected.

The meeting today is to advise the Council of things that are expected for the 2012 Budget and that will probably need to be addressed by 2013. In 2013, it is expected that the City will start off with a $2.4 million expected annual deficit. This also assumes no Sales Tax Election, no salary adjustments, and no Panda Energy.

Mr. Hefton presented two scenarios, one if the Sales Tax Election passed (deficit of $1.5 million) and one if it did not pass (deficit of $2.4 million). He gave examples of the various combinations of tax increases or service cuts that would be required to balance those deficits. If the sales tax passes, it would offset the current expenses for street maintenance and allow the City to continue doing the maintenance it is already doing.

Mr. Hefton said that 1% in sales tax amounts to $100,000 per year and one cent on the property tax rate equals $200,000 per year. The staff's mindset is to continue to focus on providing essential services and to look at the most important complimentary services and then to balance any adjustments that are needed.

The ending fund balance for 2010 was about $5 million in reserves, which equates to about 66 days. He felt 75 days would be a better situation. Currently the projection for the 2011 fund balance is 69 days. Mr. Hefton plugged in different scenarios of things that would affect the budget to show the changes that each would make to the fund balance. He added that one cent in property tax equals about $200,000 per year; a 1% cost of living increase equals about $170,000 per year; and a 1% sales tax increase equals $120,000 per year. These amounts are cumulative and begin to add up quickly.

Mayor Magers emphasized that a combination of things would probably be needed to balance the budget. Some of the things are not in the City's control and he asked when these trend lines would be available. Currently the City is paying the bills and no employees have been laid off, so Sherman is in better shape than many cities. However if something doesn't change, the Council will need to make some hard decisions.

Mr. Hefton said regardless of what happens with the Sales Tax Election, the Council will need to meet in the Fall to discuss the plan. Mayor Magers said the Sales Tax Election is the most critical piece that the City Council can do this year. It passed by 70% last time and he felt the way the City Council handled the funds was very important. Travis Street will be completed. The City pays $0.50 for every $1 received on the initiative. He felt education of the public was very important. Mr. Hefton added that even if the Sales Tax Election passes, there will still be decisions that must be made. He did not expect a huge change in the economy for more than a year.

Mr. Hefton explained that in the Utility Fund the big questions are the debt service and the cost of the nutrient removal process project. There will be a significant decrease in the Greater Texoma Utility Authority debt service, however there are other major projects that might be very expensive and will increase that debt. The nutrient removal process is still two years out but may cost between $4 million and $8 million. The debt on this project will really affect the bottom line on the budget. A $1 million project equates to about $70,000 a year in debt service.

In the five year look at the Capital Improvement Projects, Mr. Hefton said the staff tried to list items that are known needs for the future. Some are internally driven and some are driven by State or Federal regulations. The Utility Fund debt service will decrease, however it depends on what projects will be scheduled over that time period and how much the projects will cost. One of the long-term projects to be considered is what to do with the remaining biosolids. The fine screens are in place which may make it cheaper for the City to dispose of the biosolids in the future.

Mr. Hefton said the Solid Waste Fund is also in good shape and is bringing in more money than it is spending. Fees at the Texoma Area Solid Waste Authority and fuel costs are the two main items that drive the variable costs in this fund. Today these items are holding their own, but if the costs increase, that could change. Fuel costs were originally budgeted at $2.50 per gallon and costs are already over $3 per gallon. Mr. Hefton said these two items could "wipe out" the excess reserves in the Solid Waste Fund.

For the 2012 Budget, a transfer out of $1.4 million could come from the Solid Waste Fund for this one year. For a normal year, this would equate to about 65 or 67 days of reserves left in this fund. If the TASWA fees and fuel costs don't increase, there will be some additional fund balance for other things.

There is some capital built in for fleet, but the trucks used are very expensive. Mayor Magers did not feel that the TASWA rates should increase this year. TASWA is paying their bills now and if nothing changes and the volumes don't decrease, the rates should stay the same.

Mr. Hefton presented peer City data concerning property tax rates, tax revenues, and City statistics for 26 cities with populations similar to Sherman. Sherman has the lowest tax rate at $0.32 per $1,000 valuation, with the average of the peer cities at $0.61. Denison's rate is $0.59. The average City Sherman's size collects about $14 million in property tax revenues per year, while Sherman collects about $7 million per year. He also compared Sherman's statistics on street miles, park acres, tax rate and General Fund Budget for four other similar communities.

Mr. Hefton said the City is currently "maxed out" on the sales tax rate, but that will change in the Spring when the street sales tax sunsets. It was originally passed four years ago. Then 1/8% will be available and could be used for either economic development or streets. The additional sales tax would need to be enacted by an Election on one of the two uniform Election dates. The next available date would be the November 2011 Election. The ballot wording is specifically required by the State Comptroller and would be to retain or reapprove the existing sales tax. If any Sales Tax Election fails, a City cannot call another Sales Tax Election for a year.

Mayor Magers clarified that the original Sales Tax for Streets was approved in November but it actually started at the beginning of a quarter, 90 days after the Election. To prevent a "gap" in the collection of Sales Tax for Streets, the Election would be required to be held in November 2011.

The Sales Tax for Streets can be used for maintenance and repair of existing City streets, which is defined as the entire width, and therefore could include curb, gutter, and sidewalks. It cannot be used for new streets, Federal or State highways, or for County roads.

Mr. Hefton explained that the Tax Code and Election Code differ on the requirements for calling the Election, but per the Election Code the Election would need to be called no later than August 30, 2011. Ballot wording would need to be given to the County no later than September 1, 2011. The Election would be held on November 8, 2011. If the sales tax was approved, April 1, 2012 would be the first date that the new, reapproved sales tax would be collected. Mr. Hefton said at today's dollars, the sales tax would provide about $950,000 annually. If passed this year, the effect for 2012 would be a little over $300,000.

Mr. Hefton asked for Council direction for preliminary budget planning. He asked if the Council wanted to continue using the fund balance to help "shore" things up, in this case using the Solid Waste Fund balance to help the General Fund for 2012. Mayor Magers said on the short end, yes, however the City can't keep using fund balance to balance the budget. He thanked the staff for taking a pro-active look at the situation and not letting politics intrude on fiscal decision making. He added that small points do make a difference and he asked when the staff would have a better feel for where the trend lines are going.

Mr. Hefton said he didn't need official action authorizing the actual movement of the money, he just wanted to know if the Council was in agreement to continue to use fund balance to help "shore things up." Council Member Wacker verified that this is the last year the Council could use fund balance to balance the budget. Mayor Magers said that was a choice of the Council, instead of increasing taxes for the citizens. He felt the policy had been good and reiterated that the City reduced property taxes by 20% in 2007.

Mr. Hefton said if the Council decides to add the street sales tax to the November 2011 ballot, there will be some preliminary things that must be done by the staff. Mayor Magers said it is very important that the Council focuses on the Sales Tax Election and re-educates the citizens about what this sales tax will mean to them. It means that without this Sales Tax Election, there is no doubt that the Council will have to raise taxes. Under the Sales Tax Election, fifty cents of every dollar comes from people that don't live in Sherman, and that's what makes this initiative so important. It saves Sherman citizens money.

Minimizing capital spending, on both the operations and maintenance, is another way to help save money, and Mr. Hefton said the City is "out of funds" for doing major capital projects, except for funds in the utility area that would be funded through debt by GTUA. Council Member Wacker reiterated that there are "no new projects."

Mr. Hefton asked if the City Council had any other direction or thoughts on the issues at hand or on the 2012 Budget. Council Member Softly asked if there were any old projects that the City might review. Mr. Hefton said the City will not stop any project where “dirt has already been moved.” Washington Street is underway and will be completed by this summer and Lamberth Road is underway and will be completed sooner than that. Mayor Magers added that the Council committed to the completion of Travis Street too. He felt very strongly that it is critical for the Council to complete the projects that they committed to do four years ago, when the street sales tax was passed. This is the only project remaining from that time frame.

OTHER BUSINESS

CONSIDER APPROVAL OF THE BUDGET CALENDAR FOR FISCAL YEAR 2011-2012

Council Members considered the proposed Budget Calendar for FY 2011-2012. Mr. Hefton said State law governs how many days the budget must be presented prior to approval, however the earlier meeting dates could be changed to accommodate Council Member’s schedules. The staff said the Budget Workshop will probably be only one day long. Council Members discussed their schedules and will advise the staff of their particular conflicts. Mr. Olson said the staff will present a revised Budget Calendar at the March 21 City Council Meeting for their consideration.

Mayor Magers thanked the staff for staying on top of these tough decisions for the City Council.

ADJOURNMENT

There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called Meeting at 1:06 p.m.

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MAYOR

ATTEST

____
CITY CLERK

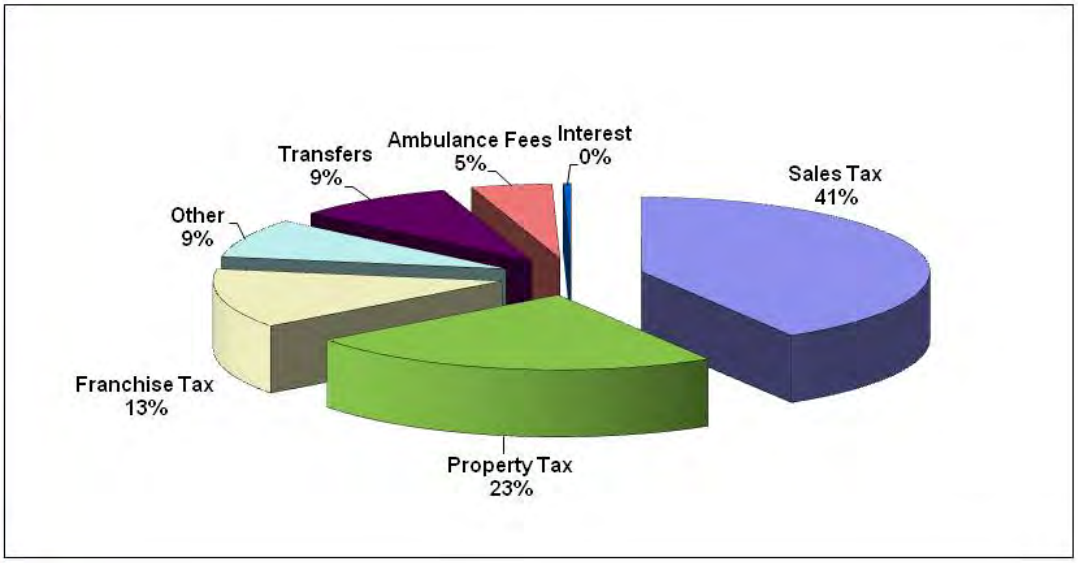
Long-Term Planning Meeting – March 2011

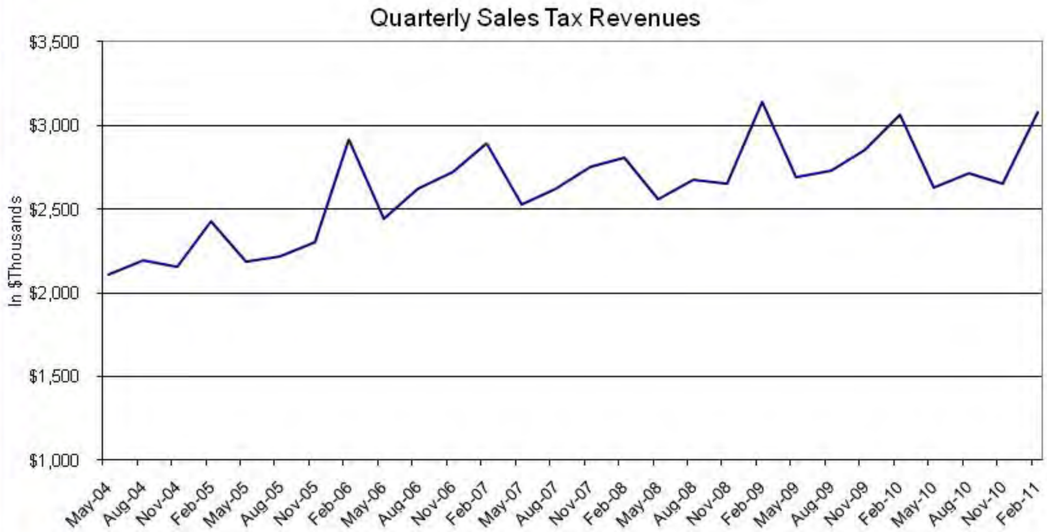
Opening Comments - Robby

- Long-term changes MUST occur
  - Economic recovery?
  - Growth in tax base (Economic Development)?
  - Reduce spending/services
  - Raise rates?
- Reality - it will likely be combination of these
- In worst economic climate in decades – revenue growth after FY08 has been flat
- Council direction during last few budget cycles - use "excess fund balances" where appropriate before raising rates/fees
- Possible one-time fixes for FY2012, but decisions need to be made next year for FY2013
- Protect financial standing and reputation by being fiscally and operationally prudent

FINANCIAL UPDATE

General Fund Revenue by Source

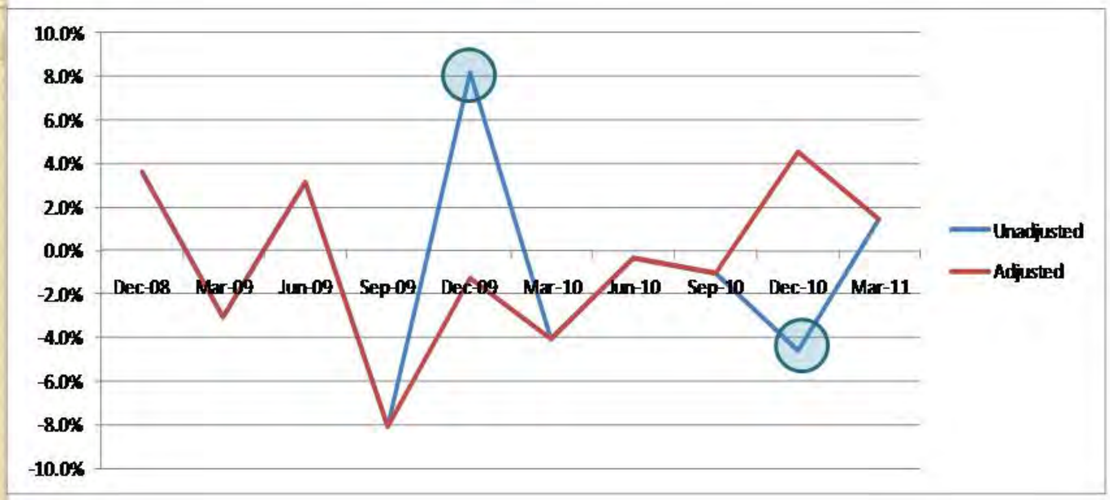


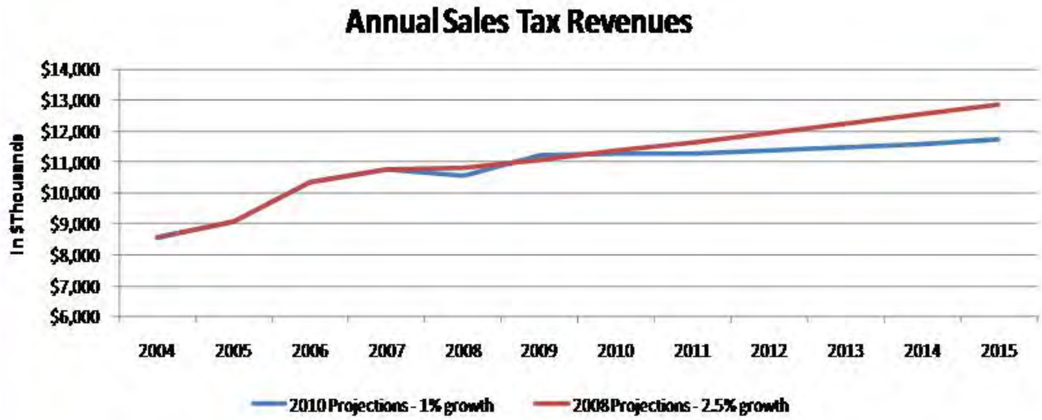


Quarterly Sales Tax Revenues
$3,500
$3,000
$2,500
$2,000
$1,500
$1,000
In $Thousands
May-04
Aug-04
Nov-04
Feb-05
May-05
Aug-05
Nov-05
Feb-06
May-06
Aug-06
Nov-06
Feb-07
May-07
Aug-07
Nov-07
Feb-08
May-08
Aug-08
Nov-08
Feb-09
May-09
Aug-09
Nov-09
Feb-10
May-10
Aug-10
Nov-10
Feb-11

YEAR-ON-YEAR QUARTERLY SALES TAX BASE CHANGE

(adjusted for "in-lieu-of" rate change)





Annual Sales Tax Revenues
In $Thousands
$14,000
$13,000
$12,000
$11,000
$10,000
$9,000
$8,000
$7,000
$6,000
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2010 Projections - 1% growth
2008 Projections - 2.5% growth

OTHER FINANCIAL HIGHLIGHTS

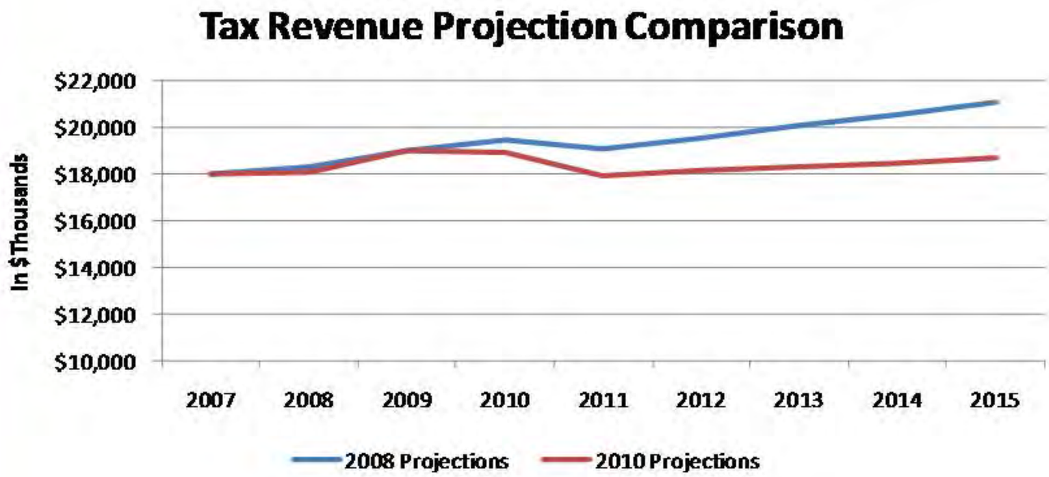
- Other major General Fund revenue sources holding up vs. Budgeted amounts
  - Franchise tax
  - Property tax
  - Ambulance fees
  - Court fines
- Expenditures – no major stories
- Group Health claims always a wild card

FY2012 BUDGET

2012 BUDGET DISCUSSION

- Expected deficit before adjustments - $2.2 million
  - Assumes no effects of sales tax election ($315k for 2012)
  - No salary adjustments
  - Flat sales taxes
  - Property tax rate at $.32/$100, only known additions included (e.g., THP-WNJ)

- Potential one-time sources for balancing
  - Solid Waste Fund transfer ($1.2 - $1.4 million)
  - Curtail capital spending ($400k - $600k)
  - Effect of sales tax election in 2012 ($315k)


Tax Revenue Projection Comparison
$22,000
$20,000
$18,000
$16,000
$14,000
$12,000
$10,000
In $Thousands
2007
2008
2009
2010
2011
2012
2013
2014
2015
2008 Projections
2010 Projections

2013 BUDGET DISCUSSION

- Expected annual deficit in 2013 - $2.4 million
  - Assumes no effects of sales tax election ($940k)
  - No salary adjustments (2% ~ $360k/yr)
  - Assumes no PANDA

- Scenario #1 - Sales tax election passes (deficit $1.5 million)
  - Would require combination of:
    - 7 cents on tax rate, or
    - 13% sales tax increase, or
    - 21% increase in property tax base ($450mm), or
    - 5% across-the-board cut in expenses/services

- Scenario #2 – Sales tax election does not pass (deficit $2.4 million)
  - Would require combination of:
    - 11 cents on tax rate, or
    - 21% sales tax increase, or
    - 33% increase in property tax base ($750mm), or
    - 8% across-the-board cut in expenses/services

General Service Hierarchy

WHAT-IF SCENARIO DISCUSSION

PEER CITIES DATA

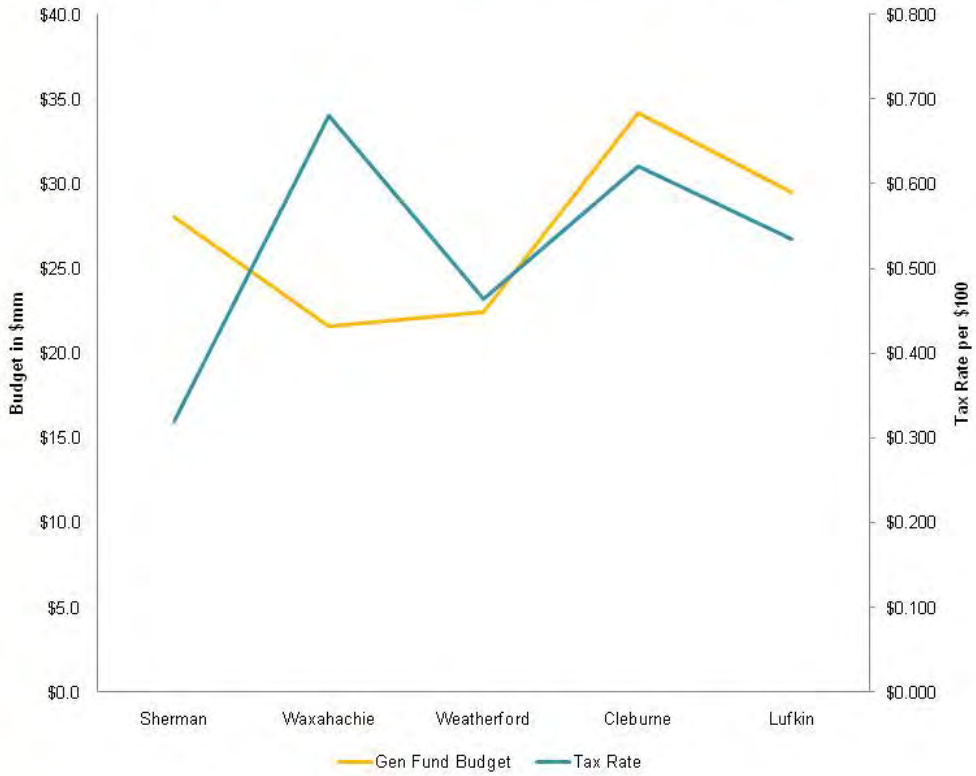
Peer Property Tax Rates

City	Population	Total Net Taxable	Gross Tax Rate	Calculated Property Taxes	City sales tax rate
Sherman	38,077	$ 2,200,000,000	0.320000	$ 7,040,000	2.00%
Grapevine	49,878	$ 6,197,253,143	0.350000	$ 21,690,386	2.00%
Schertz	34,600	$ 2,064,679,940	0.437200	$ 9,026,781	1.50%
Keller	40,450	$ 4,044,152,329	0.442190	$ 17,882,837	2.00%
Rosenberg	33,595	$ 1,518,312,004	0.500000	$ 7,591,560	2.00%
Farmers Branch	31,300	$ 4,128,275,336	0.519500	$ 21,446,390	1.00%
Hurst	38,750	$ 2,291,765,498	0.535000	$ 12,260,945	1.50%
Nacogdoches	32,205	$ 1,341,500,000	0.550000	$ 7,378,250	1.00%
Lufkin	34,530	$ 1,885,778,122	0.553800	$ 10,443,439	1.50%
Friendswood	37,100	$ 2,271,459,062	0.579700	$ 13,167,648	1.50%
Texarkana	36,611	$ 2,289,231,865	0.583100	$ 13,348,511	1.50%
Haltom City	40,132	$ 1,626,392,671	0.598300	$ 9,730,707	1.75%
Pflugerville	47,417	$ 2,624,009,352	0.609000	$ 15,980,217	1.50%
Cleburne	30,400	$ 1,887,592,221	0.620000	$ 11,703,072	1.50%
Cedar Hill	46,300	$ 2,932,747,423	0.641400	$ 18,810,642	2.00%
Coppell	39,750	$ 4,853,105,750	0.641460	$ 31,130,732	1.75%
The Colony	42,281	$ 2,146,276,451	0.688000	$ 14,766,382	2.00%
Burleson	35,050	$ 1,974,448,185	0.694000	$ 13,702,670	2.00%
Duncanville	39,250	$ 1,806,497,261	0.696000	$ 12,573,221	2.00%
San Juan	37,000	$ 716,727,463	0.699300	$ 5,012,075	2.00%
DeSoto	49,600	$ 2,938,727,244	0.699730	$ 20,563,156	2.00%
Deer Park	30,890	$ 1,747,580,485	0.705000	$ 12,320,442	1.00%
La Porte	34,261	$ 1,990,847,935	0.710000	$ 14,135,020	1.75%
Copperas Cove	30,710	$ 1,136,914,737	0.760000	$ 8,640,552	1.50%
Lancaster	36,600	$ 1,552,304,647	0.777500	$ 12,069,169	2.00%
Wylie	40,000	$ 2,222,617,094	0.898900	$ 19,979,105	2.00%
AVERAGE			0.608042		

Peer Property Tax Revenues

City	Population	Total Net Taxable	Gross Tax Rate	Calculated Property Taxes	City sales tax rate
San Juan	37,000	$ 716,727,463	0.699300	$ 5,012,075	2.00%
Sherman	38,077	$ 2,200,000,000	0.320000	$ 7,040,000	2.00%
Nacogdoches	32,205	$ 1,341,500,000	0.550000	$ 7,378,250	1.00%
Rosenberg	33,595	$ 1,518,312,004	0.500000	$ 7,591,560	2.00%
Copperas Cove	30,710	$ 1,136,914,737	0.760000	$ 8,640,552	1.50%
Schertz	34,600	$ 2,064,679,940	0.437200	$ 9,026,781	1.50%
Haltom City	40,132	$ 1,626,392,671	0.598300	$ 9,730,707	1.75%
Lufkin	34,530	$ 1,885,778,122	0.553800	$ 10,443,439	1.50%
Cleburne	30,400	$ 1,887,592,221	0.620000	$ 11,703,072	1.50%
Lancaster	36,600	$ 1,552,304,647	0.777500	$ 12,069,169	2.00%
Hurst	38,750	$ 2,291,765,498	0.535000	$ 12,260,945	1.50%
Deer Park	30,890	$ 1,747,580,485	0.705000	$ 12,320,442	1.00%
Duncanville	39,250	$ 1,806,497,261	0.696000	$ 12,573,221	2.00%
Friendswood	37,100	$ 2,271,459,062	0.579700	$ 13,167,648	1.50%
Texarkana	36,611	$ 2,289,231,865	0.583100	$ 13,348,511	1.50%
Burleson	35,050	$ 1,974,448,185	0.694000	$ 13,702,670	2.00%
La Porte	34,261	$ 1,990,847,935	0.710000	$ 14,135,020	1.75%
The Colony	42,281	$ 2,146,276,451	0.688000	$ 14,766,382	2.00%
Pflugerville	47,417	$ 2,624,009,352	0.609000	$ 15,980,217	1.50%
Keller	40,450	$ 4,044,152,329	0.442190	$ 17,882,837	2.00%
Cedar Hill	46,300	$ 2,932,747,423	0.641400	$ 18,810,642	2.00%
Wylie	40,000	$ 2,222,617,094	0.898900	$ 19,979,105	2.00%
DeSoto	49,600	$ 2,938,727,244	0.699730	$ 20,563,156	2.00%
Farmers Branch	31,300	$ 4,128,275,336	0.519500	$ 21,446,390	1.00%
Grapevine	49,878	$ 6,197,253,143	0.350000	$ 21,690,386	2.00%
Coppell	39,750	$ 4,853,105,750	0.641460	$ 31,130,732	1.75%
AVERAGE			0.608042	$ 13,938,227	

Peer Tax Rates and Budgets



Peer Statistics

	Sherman	Waxahachie	Weatherford	Cleburne	Lufkin
Total employees	404	257	394	360	451
Street miles	215	181	N/A	138	282
Park Acres	424	234	300	439	653
Square miles	42.0	48.9	26.5	31.0	26.8
General Fund Budget ($MM)	$ 28.0	$ 21.6	$ 22.4	$ 34.2	$ 29.5
Tax Rate/$100 value	$ 0.320	$ 0.680	$ 0.464	$ 0.620	$ 0.534

STREET SALES TAX ELECTION

Sales Tax Election

- **Sales Tax Statutes – Summary**
  - Total local sales tax cannot exceed 2%
  - Applicable sales taxes for City
    - General sales tax: 1% (currently maxed-out)
    - Additional sales tax: 1/2% (currently maxed-out)
    - Economic development: 1/2% (currently 3/8%)
    - Streets – subject to 4 year sunset: 1/2% (currently 1/8%; will expire March 31, 2012)
  - Amounts available for increase - 1/8% when Street Sales Tax expires
    - Economic development: 1/8%
    - Streets: 1/8%

Sales Tax Election

- **Anatomy of Sales Tax Election**
  - Ordinance to call the election, passed by majority of Council
  - Required election called if:
    - Petition by >= 20% of voters voting in last election, or
    - Petition by >= 5% of registered voters
  - Election held on one (1) of two (2) uniform election dates >= 30 days after ordinance passed
  - Specified ballot wording required by Comptroller
  - Failed election requires waiting one (1) year before trying again
  - Taxes can be repealed by election in same manner as adopted

Sales Tax Election

- **Street Sales Tax**
  - Tax expires four (4) years after 1Q in which tax was adopted
  - Can be renewed under same manner as initially imposed
  - Uses
    - Maintenance and repair of municipal streets
    - Municipal streets means "the entire width of a way held by a municipality in fee or by easement or dedication"
    - <u>Only used for streets existing at time tax is passed</u>
    - <u>Cannot be used for designated state or federal highway or road, or for designated county road</u>

Sales Tax Election

- **Anatomy of Sales Tax Election (cont.)**
  - Effective dates:
    - Streets – 1st of the quarter after one full quarter elapses after notification to Comptroller of election results; e.g.:

Call Election – per Election Code	No later than Aug 30, 2011
Ballot wording to County	No later than Sept 1, 2011
Ordinance Calling Election – per Tax Code	No later than Oct 3, 2011
Election	November 8, 2011
Election results (Notice) to Comptroller	November 18, 2011
One full quarter after Notice	February 18, 2012
1st of quarter following full quarter – collections commence	April 1, 2012

Sales Tax Election

- **Potential Effects of Sales Tax Elections**
  - At FY 2010, projected sales tax revenue levels, additional 1/8% = $950k annually
  - If passed in Nov 2011, the effect for FY2012 would be 4 months (June – Sept) ~ $320k for 2012

2012 Budget Preliminary Direction

- Use of SW Fund Balance to help General Fund in 2012???
- Support Council in fall 2011 Sales Tax Election???
- Minimize capital spending???

Draft Budget Calendar

Long-Term Planning Meeting	March 3, 2011
Budget Planning Meeting with City Council*	April 29, 2011
Budget Workshop	June 16-17, 2011

Present Draft Budget to Council	July 18, 2011
Introduce Budget Ordinance	August 1, 2011
Final Action on Budget Ordinance Introduce Tax Rate Ordinance	August 15, 2011
Final Action on Tax Rate Ordinance	September 6, 2011

Notes:

Meeting times and locations to be confirmed after the Budget Calendar is approved.

* An alternative date is Thursday, April 28th. It is recommended that the Budget Planning Meeting take place in the City Council Chambers.

STATE OF TEXAS §

March 7, 2011

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on March 7, 2011.

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

MEMBERS ABSENT: **NONE.**

CALL TO ORDER **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 Cary Wacker.

APPROVE MINUTES **APPROVE MINUTES**

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

SPECIAL RECOGNITION

THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD'S ANNOUNCEMENT CONCERNING AN ECONOMIC DEVELOPMENT MATTER **SEDCO ANNOUNCEMENT**

Mayor Magers recognized John Henry, Director of Engineering and Operations for Sunny Delight, and Sherman Economic Development Board Members Dean Gilbert Jr., Juston Dobbs, Rad Richardson, and Ex-Officio Member Al Hambrick.

Todd Thompson, SEDCO Chairman, announced that negotiations have been finalized with Sunny Delight for a new product, a square, refrigerator-friendly bottle.

Mr. Henry said in December 2010, SEDCO and the City Council supported Sunny Delight in the purchase of the old Folgers Building and they have now finalized their plans for a "sizeable" investment in the expansion of the operation. In conjunction with the expansion, they are bringing a new company, Alpla, Inc., into the community. The company is a global producer of plastic bottles.

Alpla will make the new square bottle, as well as all the other sizes of bottles that are produced on site. The target for Alpla's start-up is in April 2011. Shortly after that, Sunny Delight will make a significant investment in Sherman to start producing the bottle, as well.

Mr. Thompson said the investment will be approximately $23 million on Sunny Delight's portion and just under $10 million on the bottler's portion. SEDCO will be paying for all incentives and no tax abatements will be requested.

Mayor Magers emphasized that the deal would not have happened without SEDCO's support. During the site purchase there was also some environmental mitigation that took place which was good for the citizens of Sherman. He added that in tough economical times, tax abatements are a big deal. He also thanked Frank Gadek, Vice President of SEDCO, for his work on the deal.

Mr. Thompson said Sunny Delight also has 150,000 square footage available for additional capital investment.

PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF APPROXIMATELY 23.065 ACRES SOUTH OF DRIPPING SPRINGS ROAD AND WEST OF CEDAR PARK VILLAGE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

ANNEXATION SOUTH OF DRIPPING SPRINGS RD. & WEST OF CEDAR PARK VILLAGE

Mayor Magers asked if there were any citizens that wished to speak on the proposed annexation of approximately 23.065 acres south of Dripping Springs Road and west of Cedar Park Village in the City's Extra Territorial Jurisdiction.

No citizens appeared before the City Council to discuss the proposed annexation.

The Public Hearing was closed.

OTHER BUSINESS

ACCEPT ANNUAL AUDIT REPORT FOR YEAR ENDED SEPTEMBER 30, 2010 FROM PATTILLO, BROWN & HILL, L.L.P.

ANNUAL AUDIT

John Manning, Partner, Pattillo, Brown & Hill, L.L.P., presented an overview of the Annual Audit Report. Mr. Manning said that the auditors have met with the Audit Committee and discussed the Audit in great detail.

He said the independent auditors report states that the numbers behind the report accurately state the financial position of the City as of September 30, 2010. The City received an unqualified opinion, which is the highest level of assurance an outside auditor can give. This is very important since the City receives grants and issues debt.

Mr. Manning presented the management discussion and analysis which is a narrative that breaks down what happened at the City from an accounting standpoint throughout the year. This is the only part of the report that provides comparative information.

He added that all net assets on the balance sheet are positive, which is a good sign of financial strength, and

there are reserves available. The ending fund balance of the General Fund decreased this year, but still has a very healthy reserve, in terms of the level of expenditures that the City has annually.

From a financial standpoint, Mr. Manning said there is nothing in the Audit Report or the Financial Statement that sends up a "red flag" or that they need to warn the City Council about.

Because the City is a local government, the auditors must complete the Audit under government auditing standards, which requires them to review internal controls and compliance with certain laws and regulations. There were no findings in these areas.

Also, since the City spends over $500,000 of Federal funds, they had to complete the Audit under the Single Audit Act. There were no findings there either.

Mr. Manning said from an Audit standpoint, it can't get any better. He thanked the City staff, especially in the financial area, for their help in completing the Audit.

Mayor Magers thanked the Audit Committee for serving and for reviewing the Audit in detail.

Council Member Adami said the Audit Committee did meet with the independent auditors and they were very complimentary of the staff and it seems that everything went smoothly.

ACTION TAKEN.

> **Motion by Council Member Adami to accept the Annual Audit Report for the Year Ended September 30, 2010, as presented. Second by Council Member Wacker.**

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

<u>CONSIDER BID REJECTION FOR THE TRAVIS STREET STREETSCAPE PROJECT</u>

REJECT BIDS FOR TRAVIS ST. STREETSCAPE PROJECT

Don Keene, Executive Director of Planning and Public Works, said the City received five bids for the Travis Street Streetscape Project. Due to the complexity of the project, the staff chose to use a competitive sealed proposal process, which allows the staff to consider experience, reputation, construction time, and other things besides cost.

The requirements for that process were clearly explained in the bids, however when the bids were analyzed it was determined that only one of the bidders submitted a complete bid. The City's engineering consultant felt that the lack of more than one qualified bid compromised the process.

In addition, all five of the bids came in above the project budget. Therefore the staff recommends rejecting the bids and review options within the budget. Those options will be presented to the City Council in the future.

Mayor Magers verified that the budget was just under $1.2 million for the project. The bids received were from $1.5 million to $2.1 million. He said normally the City's capital projects are under budget and on time and he felt the City should stick to the budget.

He added that the Council has made some commitments on mill and overlay and have completed those projects. He said they committed to the citizens, with a sales tax initiative, that they would take care of Travis Street and he felt strongly that should be a part of the final project.

George Olson, City Manager, said the City doesn't have additional funding, therefore the staff's recommendation is to reject the bids and allow them to come back with options for the Council's consideration.

ACTION TAKEN.

Motion by Council Member Adami to reject the bids for the Travis Street Streetscape Project, as presented. Second by Council Member Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ANNEXATIONS
HWY 82 & HWY 289
CORRIDORS

<u>CONSIDER APPROVAL OF A TIMELINE FOR THE PROPOSED U.S. HIGHWAY 82 AND S.H. 289 ANNEXATIONS</u>

Mr. Olson said at the last meeting, the Council directed the staff to prepare a timeline for the proposed annexation of the U.S. Highway 82 and S.H. 289 corridors. He asked for approval from the Council to proceed with this schedule.

ACTION TAKEN.

Motion by Council Member Smith to approve the timeline for the proposed annexation of the U.S. Highway 82 and S.H. 289 corridor, as presented, and direct the staff to proceed. Second by Deputy Mayor Steele.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

CIVILIAN VOLUNTEER
HANDICAP PARKING
ENFORCEMENT

<u>RECEIVE PRESENTATION BY POLICE CAPTAIN KEN FRANCIS ON A CIVILIAN VOLUNTEER HANDICAP PARKING ENFORCEMENT PROGRAM</u>

Police Captain Ken Francis briefed the City Council on a Civilian Volunteer Handicap Parking Enforcement Program proposed for Sherman. A citizen saw information about Plano's program and approached Captain Francis about the possibility of a similar program in Sherman.

After researching the issue, Captain Francis determined that the Texas Legislature had passed a law that permits citizens to be appointed by Police Departments to issue handicapped parking citations, and only those citations. Several Texas cities have implemented the program, including Austin, Dallas, Mesquite, and Plano.

There are specific criteria for a citizen to be appointed to the program and they must take an oath and complete a training program. Currently, after two years in operation, Plano has about 35 volunteers actively involved in the program.

Captain Francis said after reviewing Plano's program, it seems to be a good way for citizens to become involved and to connect with police officers.

The reason this is being considered for handicapped parking and not other parking offenses is because of the harm that can be done to handicapped citizens that need access to facilities. Other parking offenses may be annoying, however they are not harmful.

He explained that to alleviate confrontations between parking enforcement volunteers and citizens, if the volunteer is approached by a citizen while writing a citation, they obtain a promise not to do it again and change the citation to a warning. He added that Plano writes significantly more warnings than they do citations for the offenses. Captain Francis also suggested publicizing a campaign to inform citizens about the legalities of handicapped parking.

Mayor Magers asked if the citizen volunteers wear uniforms or t-shirts designating their position. Captain Francis said most cities issue them a vest which identifies them as a handicapped parking volunteer. Some cities even allow the volunteers to put magnetic signs on their vehicles.

He added that the law specifically states that if the volunteer drives their own vehicle, the State and the City are not held liable for any of their actions. He added that most cities also issue the volunteer a digital camera so when they issue a citation they can take two photographs. A photograph should be taken of the front and back of the vehicle, showing that the vehicle did not have a proper placard.

Mayor Magers asked if there is a big problem in Sherman with people parking illegally in handicapped parking spaces. Captain Francis said most officers see it quite often.

Deputy Mayor Steele asked if the volunteers would have a certain "beat" or area to which they are assigned. Captain Francis said the volunteer would be issued a citation book and that is tracked very closely, along with their hours. The specifics have not been determined, however he felt the volunteer could provide enforcement wherever there was a legal handicapped parking space in the City.

Council Member Wacker asked if there would be a specific number of volunteers and Captain Francis said they would initially like to limit it to five active volunteers.

Council Member Howeth verified that even with the handicapped placard, a person can only park in a handicapped space if the actual person issued the placard is in the vehicle. Captain Francis said the name is on the placard, however if there is any doubt, a citation would not be issued. Council Member Howeth was glad they were taking pro-active steps because she did feel it was a problem in Sherman.

Mayor Magers asked if there had been any feedback from businesses. Captain Francis said the volunteers would be dressed appropriately and would handle the program appropriately. They don't want any vigilantes involved.

Council Member Howeth asked if other cities used regular officers to enforce the handicapped parking instead of using volunteers. Captain Francis said the City does have one parking enforcement person, however she is not an officer.

Deputy Mayor Steele verified that the minimum fine for a handicapped parking violation is $500 and the second offense is up to approximately $850. Council Member Adami asked how many violations were issued annually in Sherman. Captain Francis did not have that information available.

He added that there are only a specific number of officers in Sherman and in many cases they are handling actual calls and don't see these violations. He said in 2010, Plano wrote 1,690 citations and issued 1,993 warnings.

Council Member Adami asked about the expected costs of the program. Captain Francis estimated it would be $300 to $400 per volunteer, which would cover training, a camera, a reflective vest, and possibly a magnetic sign for their vehicle.

Captain Francis explained that the current discussion is to see if the Council wants the staff to move forward with the project. Mayor Magers confirmed that there would be no additional personnel required. Captain Francis said all training will be completed in-house and representatives from Plano Police Department have offered to assist in the training.

Council Member Adami asked for additional information before approval is given. He also wanted to know the number of violations annually, who issues the citations now, and the cost outlays that would be required. It is a tough budget and he felt it could cause anger with the citizens.

Captain Francis said if someone receives a citation and brings the valid placard in, the ticket will be dismissed. Mr. Olson said the staff will discuss the operation of the program and put some parameters on it for the Council to consider at a later date.

PARK RESERVATION FEES

<u>RECEIVE BRIEFING FROM PARKS AND RECREATION ADMINISTRATOR KEVIN WINKLER ON FEES FOR THE RESERVATION OF PAVILIONS AND AMPHITHEATRES WITHIN SHERMAN'S PARKS SYSTEM</u>

Kevin Winkler, Parks and Recreation Administrator, briefed the City Council on proposed fees for the reservation of pavilions and amphitheatres within the park system. He presented proposed charges for the individual pavilions and the Amphitheatre. Council Member Smith verified that the charges do not apply to rental of facilities at the Splash.

Mr. Winkler explained that in the past there was a $5 reservation fee enacted however when he moved to the Parks and Recreation Department, that fee was not being charged.

As the new park areas were developed, the staff saw the need to recoup the costs for electricity, extra trash, and to facilitate the preparation of the site for rental.

Mr. Winkler researched the costs and amenities at seven different cities and based their charges on comparison. Sherman is still below the average cost of these other cities.

Mayor Magers said as a taxpayer, part of a citizen's money goes to Parks and Recreation. This would allow exclusive use of a particular pavilion in a particular park. The charges are based on size and amenities of the facility.

Mr. Winkler said citizens can still use these facilities on a daily, first come, first served basis without charge. The charge would be strictly for those citizens that want a reservation. The renter would receive a copy of the reservation form and if the facility is in use when they arrive for their reservation, they are directed to contact the Police Department.

He added that there is not currently signage at every location, but the City plans to follow up with signage reflecting the policy. Rental costs are for a six hour period.

Deputy Mayor Steele verified that there are no exemptions for schools or churches. Mr. Olson added that normally the schools would be using parks during the weekdays. Rentals will be used mainly during weekend traffic. Mr. Winkler said that schools usually just walk over and use the facility without renting, and that will still be possible.

Council Member Adami said he would like to see more disparity between the rental fees for residents and non-

residents to give residents more incentive to book. Mr. Winkler said during his research, he found that most cities increase rental fees to non-residents by as much as 50% to 200%. Plano does not allow non-residents to rent their facilities.

Mr. Olson said the staff is required by Charter to establish the fees through the City Council. Mayor Magers said these proposed fees are very reasonable and he felt it should be doubled for non-residents, since they aren't paying taxes.

Council Member Howeth asked if the City could post when the facility has been reserved so anyone walking up would know it was reserved for a specific time period. Mr. Olson said that would be on the new website, but it is also an educational situation. Mr. Winkler said with a park ranger position, they would be able to post and police the facility rentals. Council Member Adami suggested adding a sign with a telephone number to call for facility rental.

Mr. Winkler said historically, they have had 350 to 400 reservations annually, but that was before Pecan Grove Park was opened. They are seeing more out-of-towners coming to the newer park.

Council Member Wacker added that fees at the Splash are currently double for non-residents. She felt the Council was following the precedent set at the Splash, however to support tourism, she did not want to discourage visitors from using the facilities

Traci Carlson, Chamber of Commerce President, asked if the fees would apply to businesses too. Mayor Magers said Sherman businesses would also be allowed to rent as a resident.

ACTION TAKEN.

> **Motion by Deputy Mayor Steele to approve the proposed fees for use of the individual pavilions and Amphitheatre by residents and to double the fees for non-residents. The per-hour charge for the Amphitheatre will be the same for residents or non-residents. Second by Council Member Adami.**

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

Clarification of Approved Fees:
Tier 1 Pavilion $10 for Resident / $20 for Non-Resident
Tier 2 Pavilion $20 for Resident / $40 for Non-Resident
Tier 3 Pavilion $30 for Resident / $60 for Non-Resident
Tier 4 Pavilion $40 for Resident / $80 for Non-Resident

Amphitheatre Reservation fee for Resident is $100 and for Non-Resident is $200; also $25-$75 per hour charge and a refundable damage deposit of $200 to $500.

<u>RECEIVE THE CITY MANAGER'S BRIEFING ON ACTIVITIES OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT</u>

RED RIVER GROUNDWATER CONSERVATION DISTRICT

Mr. Olson briefed the Council on the activities of the Red River Groundwater Conservation District. In 2005, the Texas Legislature decided the groundwater conservation districts were the preferred mechanism for addressing the groundwater problems in the State. There are currently 96 different groundwater conservation districts in Texas.

In 2006, groundwater management areas were established in 16 different regions. Sherman is in GMA #8, which includes 44 counties from the Red River south to Austin. There are currently 12 groundwater conservation districts in GMA #8.

In 2007, Texas Commission on Environmental Quality, TCEQ, issued a report for a need to have groundwater conservation districts in North Texas. Mayor Magers added that despite the fact that Sherman was using less of the groundwater as a City and were complying with all the rules and regulations.

Mr. Olson said in 2008, the groundwater producers in Grayson and Fannin Counties challenged the requirement to establish a groundwater conservation district, but the challenge was rejected. The Red River Groundwater Conservation District was created in 2009 and began addressing the statutory requirements in 2010.

The District meets monthly and uses the Greater Texoma Utility Authority to assist with the Board. They have also signed an administrative services contract with GTUA to avoid hiring additional staff and establishing separate offices.

The District adopted a budget of $150,000, which also includes $30,000 that was used last year. Sherman produces about 33% of the water in Grayson and Fannin Counties.

They are developing temporary rules to govern exempt and non-exempt wells and registration and spacing of the wells. They are also developing a Groundwater Management Plan outlining the use of available water from the Trinity and Woodbine Aquifers. The District is cooperating with the North Texas and the Prairielands Groundwater Conservation Districts to secure a geodatabase program at the lowest cost.

Future activities include reviewing the draft rules for adoption and they anticipate registering wells and establishing fees by January 2012. Mayor Magers confirmed that based on the current budget, the cost is about three cents per 1,000 gallons. The Board anticipates this cost going down after the initial year.

Mr. Olson added that "nothing is absolute about groundwater in Texas" but the Board is working hard to keep the cost as low as possible. Mayor Magers asked if the Red River Groundwater Conservation District had "weighed in" on the issues yet. Mr. Olson said the City sent a resolution opposing the legislation originally and another resolution will be on the agenda for consideration by the District at the next meeting.

Mayor Magers thanked Jerry Chapman, General Manager of GTUA, for his hard work in coordinating the Red River Groundwater Conservation District for Grayson and Fannin Counties. He added that in Sherman, groundwater is a critical part of the community. He also thanked Mr. Olson for his service on the Board.

CITIZENS REQUESTS

AIRPORT ADVISORY BOARD

AIRPORT ADVISORY BOARD

Ross Richardson, 2115 Turtle Creek Circle, advised the Council that for the past few months the Airport Advisory Board has been unable to meet because they don't have a quorum. There are approximately four applications on file at the City of citizens that could be appointed to the Board so they could meet their obligations.

He asked the Council to add the appointments to an upcoming meeting agenda for consideration.

Mr. Richardson added that last year the Board worked very hard to prepare a presentation for submittal to the City Council. Again he asked that the presentation be added to an upcoming agenda so the Board can make the presentation about where the Airport has been and where they want it to go.

Mayor Magers verified that Mr. Richardson has not spoken with Mr. Olson about these issues, but has contacted staff members. Mr. Richardson added that he is not officially on the Airport Advisory Board, but has submitted an application for consideration as a Board Member.

Mayor Magers said he understood that some of the numbers in the presentation were no longer accurate. He said as the Council begins the budget process, they will be looking at all City departments, including the Airport.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

SUNNY DELIGHT ANNOUNCEMENT

SUNNY DELIGHT ANNOUNCEMENT

Council Member Adami said it was great to see Sunny Delight making a long term commitment to Sherman. It's good to see that the former Folgers plant will continue to be used and that jobs will stay in the community.

SUNNY DELIGHT ANNOUNCEMENT

Deputy Mayor Steele also thanked Sunny Delight and members of the SEDCO Board for their hard work with the expansion.

SUNNY DELIGHT ANNOUNCEMENT

BASEBALL TOURNAMENT

Deputy Mayor Steele said there was recently a baseball tournament in Sherman that drew in people from many communities. Approximately 60 to 70 teams participated and the fields were in great condition. He thanked the staff for their hard work and wanted to be sure the employees that were out early in the morning preparing the fields received a thank you.

BASEBALL TOURNAMENT

THANKS TO CITY STAFF

Council Member Wacker commended the City staff for their hard work and for keeping things going.

THANKS TO CITY STAFF

SUNNY DELIGHT ANNOUNCEMENT

Council Member Softly said after spending nearly 20 years at the Folgers Plant, it was good to see its acquisition by Sunny Delight. Mayor Magers added that Council Member Softly attended some of the meetings too.

SUNNY DELIGHT ANNOUNCEMENT

BASEBALL TOURNAMENT

Mayor Magers said he also attended the Baseball Tournament at Old Settlers Park on Saturday and the temperature was 32°.

BASEBALL TOURNAMENT

He said the Council has some tough decisions to make but they are moving forward in Sherman, Texas. He thanked the staff for the way they were looking at the budget, with a long-term, measured approach to a situation over which they have only some control.

Sherman is facing some challenges but not nearly as many as some cities, and that's because of the way the money has been spent in the past and the way they have stayed in budget on projects.

He again thanked the staff, adding that some of the visitors at the Baseball Tournament were very complimentary of their experience in Sherman.

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.

EXECUTIVE SESSION

SECTION 551.074 **PERSONNEL MATTERS**
CONSIDER THE QUALIFICATION, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS:
PLANNING AND ZONING COMMISSION (1)

Mayor Magers announced that the Executive Session was not needed tonight.

ADJOURNMENT **ADJOURNMENT**
On Motion duly made and carried, the meeting adjourned at 5:58 p.m.

____
MAYOR

____
CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. B.1

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5689
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow the Conversion of the Self-Service Portion of an Existing Car Wash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District at 4312 Texoma Parkway, being Lot 1, Sidney Heights Addition (Chris Martin, Owner); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue
To consider the request of Chris Martin (Owner) concerning the property at 4312 Texoma Parkway, being Lot 1, Sidney Heights Addition, to allow conversion of the self-service portion of an existing car wash into a climate controlled storage facility in a C-2 (General Commercial) District

Background
The property is located at 4312 Texoma Parkway, near Frisco Road; Caribbean Car Spa is the tenant. The owner would like to convert five self-service bays of the car wash into a climate controlled storage facility and add an additional 3,600 square feet in the rear; the automated car wash bay will remain. The exterior will be split phase block; two of the bays will be filled in – the first and fifth bays; the center bays will be glass with the entrance on the front to look like a store front; and there will be some additional block added to match the existing building.

Origination
Chris Martin, Owner

Board Recommendation
At the February 22, 2011 regular meeting, the Planning and Zoning Board voted 5/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Attachments
Ordinance No. 5689, Location Map, Photograph, Site Plan, P&Z Communication Form and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5689

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 THE CONVERSION OF THE SELF-SERVICE PORTION OF AN EXISTING CAR WASH INTO A CLIMATE CONTROLLED STORAGE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 4312 TEXOMA PARKWAY, BEING LOT 1, SIDNEY HEIGHTS ADDITION (CHRIS MARTIN, OWNER); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Chris Martin (Owner) is granted a Specific Use Permit to allow the conversion of the self-service portion of an existing car wash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District at 4312 Texoma Parkway, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 1, Sidney Heights Addition

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, M-1 (Light Manufacturing) District and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).

3. Shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor. All parking shall be on private property and shall not encroach into Texoma Parkway or Frisco Road right-of-way.
4. Parking is permitted on paved surfaces only.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.00.

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

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

INTRODUCED on this the ______________ day of __________________, 2011.

ADOPTED on this the _________________ day of __________________, 2011.

EFFECTIVE DATE on this the _________ day of _________________, 2011.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

BY: ________________________________
BILL MAGERS, MAYOR

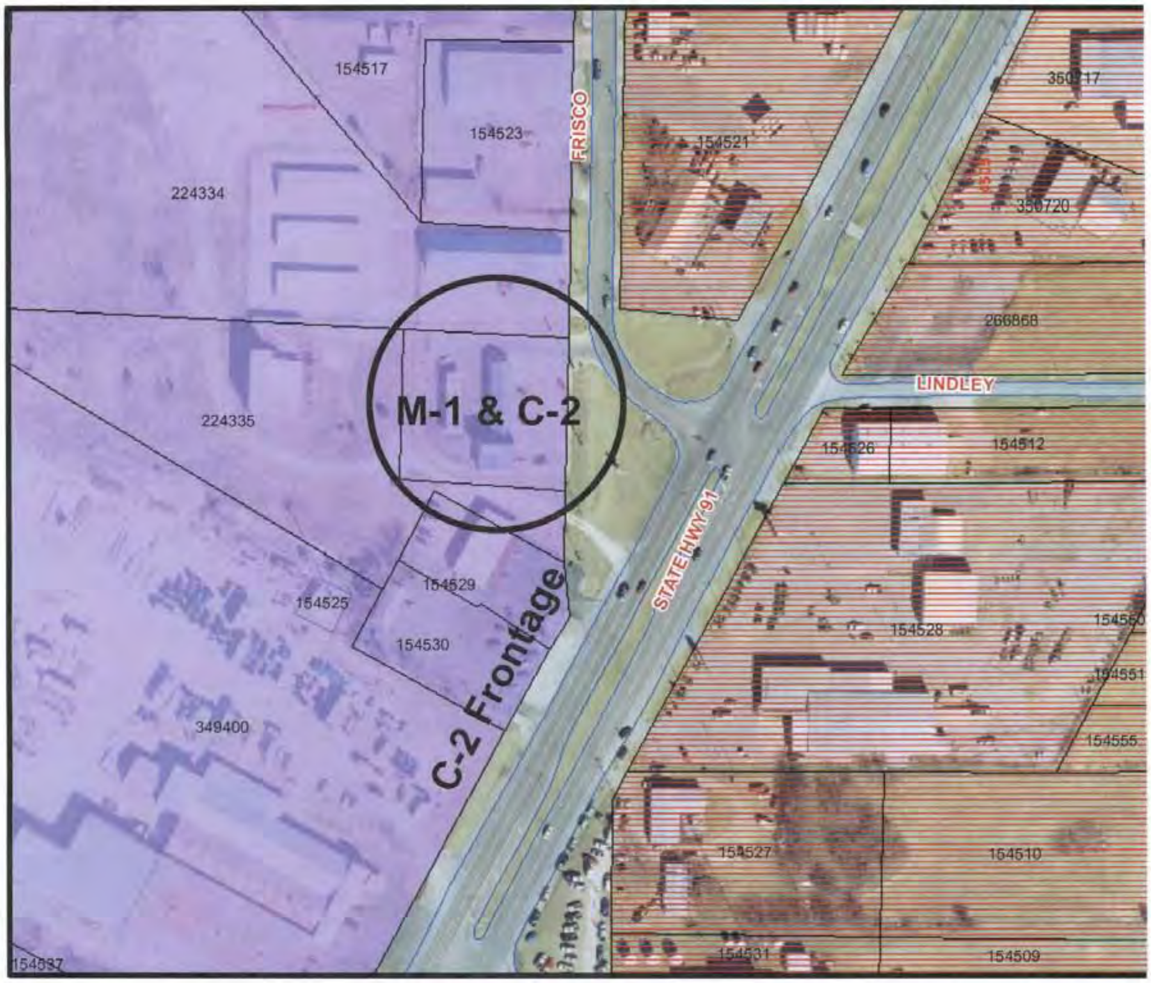
APPROVED AS TO FORM AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY, CITY ATTORNEY

City of Sherman, Texas
Developmental Services Department

4312 Texoma Parkway

1 inch = 86 feet



4312 Texoma Parkway

Legend

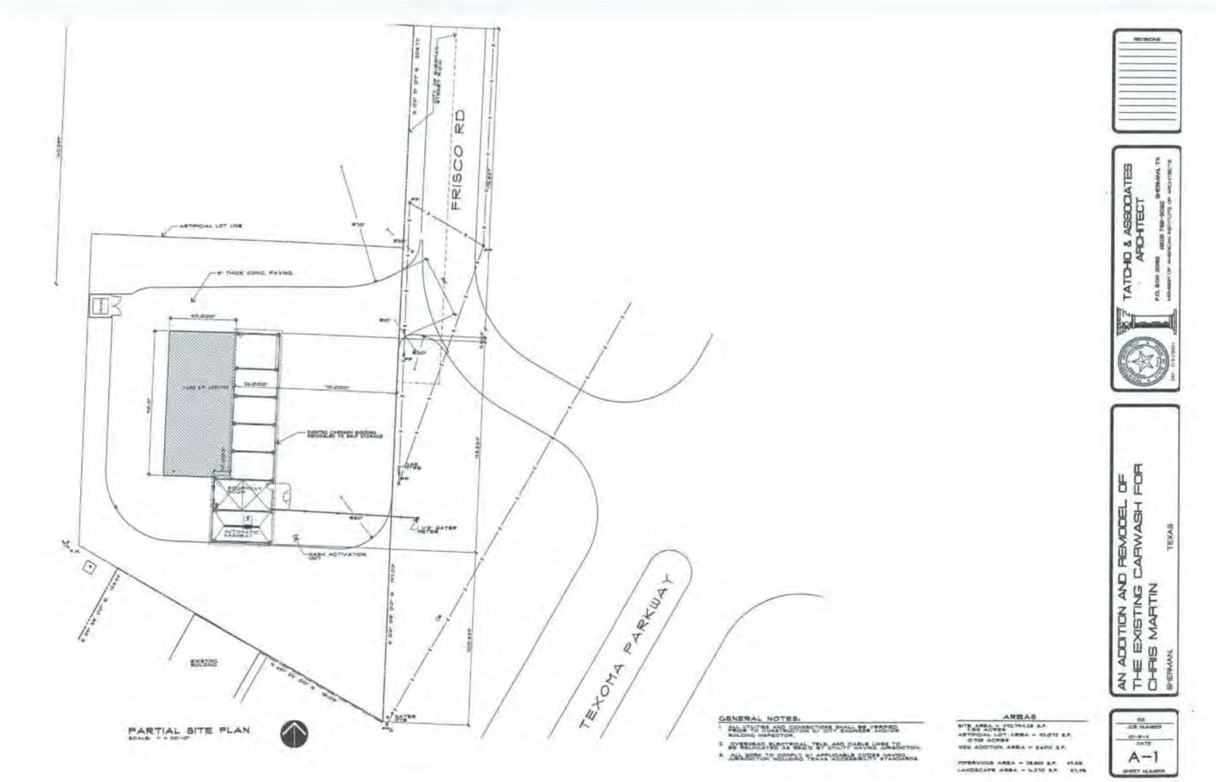
- C L SHERMAN CITY LIMITS
- O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT
- O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT
- C B D DOWNTOWN BUSINESS DISTRICT
- C P O COLLEGE PARK OVERLAY DISTRICT
- A & C ARTS & CULTURAL OVERLAY DISTRICT
- SF-1 Single Family Residential District
- R-A Single Family Agricultural District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

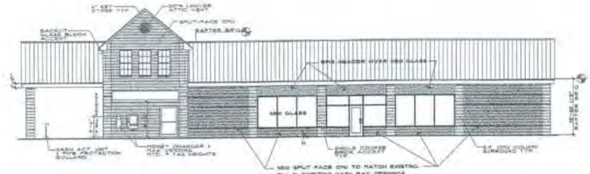
N

1 inch = 172 feet

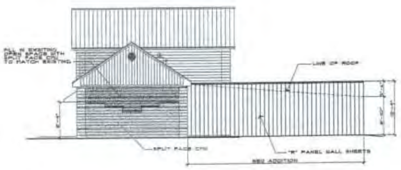
City of Sherman, Texas
Developmental Services Department

4312 Texoma Pkwy


FRISCO RD
TEXOMA PARKWAY
ARTIFICIAL LOT LINE
6" THICK CONC. PAVING
EXISTING CARWASH BUILDING
AUTOMATIC CARWASH
WASH ACTIVATION UNIT
EXISTING BUILDING
PARTIAL SITE PLAN
GENERAL NOTES:
1. ALL UTILITIES AND CONNECTIONS SHALL BE VERIFIED PRIOR TO CONSTRUCTION W/ CITY ENGINEER AND/OR BUILDING INSPECTOR.
2. OVERHEAD ELECTRICAL, TELE. AND CABLE LINES TO BE RELOCATED AS REQ'D BY UTILITY HAVING JURISDICTION.
3. ALL WORK TO COMPLY W/ APPLICABLE CODES HAVING JURISDICTION INCLUDING TEXAS ACCESSIBILITY STANDARDS.
AREAS
NEW ADDITION AREA = 2400 S.F.
TATCHIO & ASSOCIATES ARCHITECT
AN ADDITION AND REMODEL OF THE EXISTING CARWASH FOR CHRIS MARTIN
SHERMAN, TEXAS
JOB NUMBER
DATE
A-1
SHEET NUMBER



EAST ELEVATION



NORTH ELEVATION

TATCHO & ASSOCIATES ARCHITECT
P.O. BOX 2092 (903) 786-2092 SHERMAN, TX
MEMBER OF AMERICAN INSTITUTE OF ARCHITECTS

AN ADDITION AND REMODEL OF THE EXISTING CARWASH FOR CHRIS MARTIN
SHERMAN, TEXAS

JOB NUMBER
DATE
A-2
SHEET NUMBER

AGENDA ITEM #6

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

February 22, 2011

Lawrence Davis, Chairman

4312 Texoma Parkway
Being Lot 1, Sidney Heights Addition
Specific Use Permit & Site Plan

Requested Action/Proposed Use:

Planning and Zoning Commission

Specific Use Permit and site plan approval to allow the conversion of the self service portion of an existing carwash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District.

Background:

The property is located at 4312 Texoma Parkway, near Frisco Road; Caribbean Car Spa is the tenant. The owner would like to convert the self service portion of the carwash into a climate controlled storage facility and add an additional 3,600 square foot; the automated carwash bay will remain.

Adjacent Zoning:

C-2 (General Commercial) District and M-1 (Light Manufacturing) District

Origination:

Chris Martin

Master Plan Designation:

Auto Urban Commercial

Number of notices mailed:

6

Objections Received:

0

Attachments:

Location map, Photographs, Site Plan and Staff Review Letter

Prepared by:	**Approved by:**
Patsy Reeves,	**Scott Shadden,**
Developmental Services Secretary	**Director of Developmental Services**

SHERMAN

STAFF REVIEW LETTER

February 17, 2011

Chris Martin
3871 Lakeview Ct.
Addison, TX 75001

Dear Applicants,

Your request for a Specific Use Permit and site plan approval to allow the conversion of the self service portion of an existing carwash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District located at 4312 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, February 22, 2011 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, M-1 (Light Manufacturing) District and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor. All parking shall be on private property and shall not encroach into Texoma Parkway or Frisco Road right-of-way.
4. Parking is permitted on paved surfaces only.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

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

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

Respectfully,

Scott Shadden

Scott Shadden,
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. B.2

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5690
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Truck and Automotive Repair and Sales in a C-2 (General Commercial) District at 3924 Texoma Parkway, being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639 (John Chung, Owner; Cerma Auto Brokers, Tenant; and Deanna D. Shoars, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue
To consider the request of John Chung (Owner), Cerma Auto Brokers (Tenant), and Deanna D. Shoars (Representative) concerning the property at 3924 Texoma Parkway, being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639, to allow truck and automotive repair and sales in a C-2 (General Commercial) District

Background
The property is located at 3924 Texoma Parkway, between Gallagher and Frisco Road. The applicants would like to operate a truck and automotive repair and sales business at this location. Services include general automotive sales (trucks and classic cars), auto detailing, light repairs including A/C service, electrical repairs, radiator service, windshield services, diesel engine services and stereo services. In the past, the property has been used as automobile repair and sales; but it has not been used for that purpose for more than sixty days. The front of the building is wood now; and they plan to stucco that portion of the building. The rest of the building is block.

Origination
John Chung (Owner), Cerma Auto Brokers (Tenant), and Deanna D. Shoars (Representative)

Board Recommendation
At the February 22, 2011 regular meeting, the Planning and Zoning Board voted 5/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Attachments
Ordinance No. 5690, Location Map, Photograph, Site Plan, P&Z Communication Form and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5690

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 TRUCK AND AUTOMOTIVE REPAIR AND SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 3924 TEXOMA PARKWAY, BEING 0.71 ACRES IN THE S.M. MCGLOTHLIN SURVEY, ABSTRACT NO. 811 AND THE H. JENNINGS SURVEY, ABSTRACT NO. 639 (JOHN CHUNG, OWNER; CERMA AUTO BROKERS, TENANT; AND DEANNA D. SHOARS, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, of John Chung (Owner), Cerma Auto Brokers (Tenant), and Deanna D. Shoars (Representative) are granted a Specific Use Permit to allow truck and automotive repair and sales in a C-2 (General Commercial) District at 3924 Texoma Parkway, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

> **BEING** 0.71 acres, more or less, out of the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639, Grayson County, Texas, more particularly described by metes and bounds as follows, to-wit:
>
> **SITUATED** in the County of Grayson, State of Texas, being part of the S.M. McGlothlin Survey, Abstract No. 811, and the H. Jennings Survey, Abstract No. 639, and being a part of the tract of land conveyed by Sherman Post No. 2722, Veterans of Foreign Wars, to

Frank Westbrook et al, by deed recorded in Volume 754, Page 355 of the Deed of Records, Grayson County, Texas, and being described by metes and bounds as follows:

BEGINNING at a ¾ inch steel rod in the West right-of-way line of Highway 75 (now Texoma Parkway) and the Northeast corner of a 1.42 acre tract of land conveyed to Harry Carter by Sherman Industrial Properties, Inc., by deed recorded in Volume 911, Page 294 of said Deed Records;

THENCE North 87 deg. 37 min. West a distance of 280.0 feet to a ¾ inch pipe in the East right of way line of the MK&T Railroad;

THENCE along the said East right of way line of said MK&T Railroad, with a curve to the left, as distance of 105.20 feet to a ¾ inch iron pipe;

THENCE South 87 deg. 37 min. East a distance of 298.15 feet to a ½ inch steel rod in the West right of way line of Highway 75 (now Texoma Parkway);

THENCE South 28 deg. 38 min. West along the West right of way of Highway 75 (now Texoma Parkway), a distance of 111.33 feet to the **PLACE OF BEGINNING** and containing 0.71 acres of land, more or less…..

BEING the same property described in a Warranty Deed dated October 15, 1987, from 75 Corporation, a Texas Corporation, to Billy D. Merritt, Sam F. Word, Jr., and Michael D. Gilmer, recorded in Volume 1944, Page 378, Real Property Records of Grayson County, Texas.

ALSO BEING the same property described in a Warranty Deed dated October 16, 1998, from Road Runner Tires, Inc. to Michael D. Gilmer, recorded in Volume 2711, Page 488.

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

Zoning:

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

Engineering:

7. Drive approaches shall be delineated in accordance with TxDOT standards.

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

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.00.

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

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

INTRODUCED on this the ______________ day of __________________, 2011.

ADOPTED on this the _________________ day of __________________, 2011.

EFFECTIVE DATE on this the _________ day of __________________, 2011.

CITY OF SHERMAN, TEXAS

BY: ________________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY, CITY ATTORNEY

City of Sherman, Texas
Developmental Services Department

3924 Texoma Parkway

1 inch = 86 feet

3924 Texoma Parkway

Legend

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

1 inch = 86 feet

City of Sherman, Texas
Developmental Services Department

3924 Texoma Pkwy

Tuesday, February 01, 2011

From: Deanna Shoars DBA Cerma Auto Brokers

To whom it may concern

This is a notice of proposed usage and daily operation of the commercial business located at 3924 Texoma Pkwy. Sherman, Texas 75090

This building is approx 50 years old, constructed of cinder block. Having a reception, sales counter area, 1 private office, 2 automotive repair bays with roll up doors and a unisex bath room with handicap access.

The surrounding outside area has 5 marked public parking spaces, including 1 marked handicapped space located in front of building.

The remaining area is covered with asphalt, cement. Parking for vehicles offered for sale will be located behind a secure tube fence; fire lane is present and clearly marked.

This location has been used for the purpose of auto related sales and repair since it original construction.

Proposed usage by Cerma Auto Brokers; general automotive sales (trucks and classic cars) auto detailing within a covered auto detail area, minor auto service within the buildings auto service bays.

Repair services area established for both the internal usage of Cerma Auto Brokers, as well as being available to the general public. To include general minor repairs, A/C service, electrical repairs, radiator service, windshield services, classic car repairs, diesel engine services, etc.
At no time will cerma auto brokers allow the storage of junk vehicles or parts within the common areas of this property, cerma auto brokers will take pride in maintaining a clean and appealing business that clients will want to utilize.

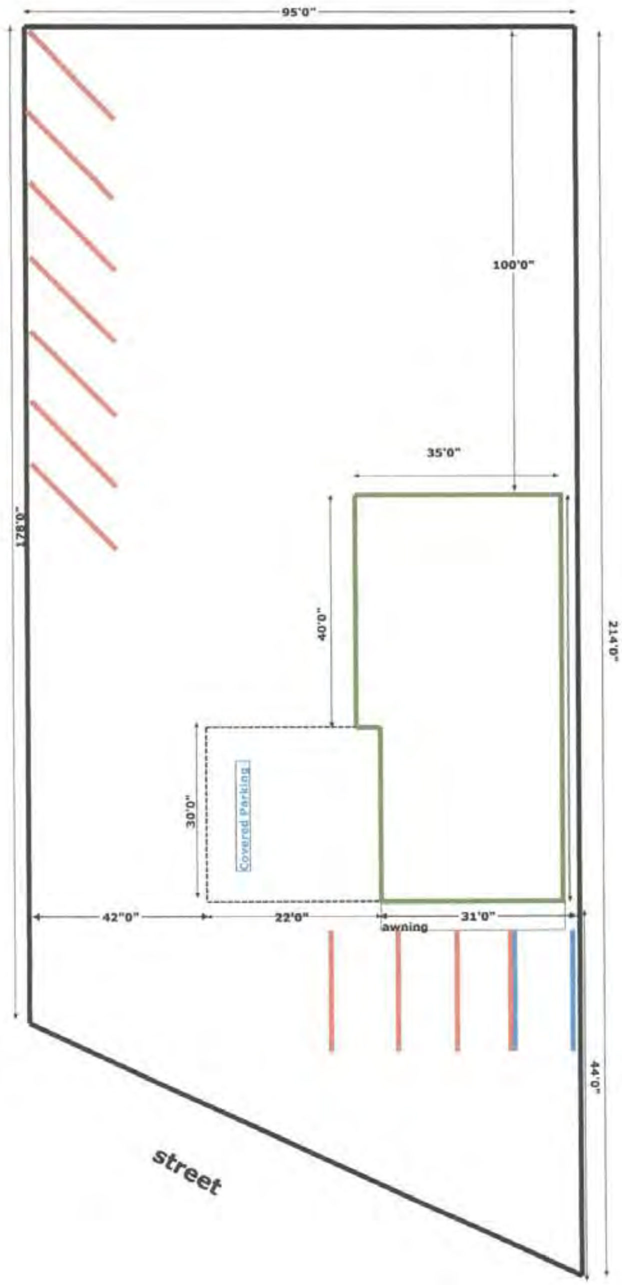
Cerma auto brokers knows that we can be a asset to the patrons within Sherman, Denison area, and we look forward to establishing a positive relationship with the city, county and general public of Sherman, Texas.

I ask that you grant Cerma Auto Brokers the opportunity to offer our products and services to the people of Sherman.

Thank you,
Sincerely, Deanna Shoars dba Cerma auto Brokers.

3924 Texoma Pkwy
Sherman Tx. 75090

Elevation and sign placement



= Parking area

=Handicap Parking

=cinder block walls

=Metal awning 30'x22'

Scale= 1.0" = 25.0' 1/25th


CERMA AUTO
BROKERS


CERMA AUTO
BROKERS
3924

SHERMAN

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

FEB 10

February 4, 2011

BGM Enterprises
3908 Texoma Parkway
Sherman, TX 75090

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, February 22, 2011 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

John Chung (Owner), Cerma Auto Brokers (Tenant) and Deanna D. Shoars (Representative) concerning the property at 3924 Texoma Parkway, being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639

The request is as follows:

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5) (a) to allow truck and automotive repair and sales in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

No Objections

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

AGENDA ITEM #7

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

February 22, 2011

Lawrence Davis, Chairman

3924 Texoma Parkway
Being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811
and the H. Jennings Survey, Abstract No. 639
Specific Use Permit & Site Plan

Requested Action/Proposed Use:

Planning and Zoning Commission

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

Background:

The property is located at 3924 Texoma Parkway, between Gallagher and Frisco Road. The applicant would like to operate a truck and automotive repair and sales business at this location. Services include: general automotive sales (trucks and classic cars), auto detailing, light repairs including A/C service, electrical repairs, radiator service, windshield services, small truck diesel engine services and stereo services.

Adjacent Zoning:

C-2 (General Commercial) District and M-1 (Light Manufacturing) District

Origination:

John Chung (Owner), Cerma Auto Brokers (Tenant) and Deanna D. Shoars (Representative)

Master Plan Designation:

Auto Urban Commercial

Number of notices mailed:

8

Objections Received:

0

Attachments:

Location map, Photographs, Site Plan, and Staff Review Letter

Prepared by:	**Approved by:**
Patsy Reeves,	**Scott Shadden,**
Developmental Services Secretary	**Director of Developmental Services**

SHERMAN

STAFF REVIEW LETTER

February 17, 2011

John Chung
3012 Texoma Parkway
Sherman, TX 75090

Deanna D. Shoars
105 Texoma Terrace
Denison, TX 75020

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow truck and automotive repair and sales in a C-2 (General Commercial) District for the property located at 3924 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, February 22, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

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

Engineering:

7. Drive approaches shall be delineated in accordance with TxDOT standards.

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

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

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

Respectfully, Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. B.3

ADOPTION OF ORDINANCES
Consider Adoption of Ordinance Numbers: 5689 and 5690

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5689
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow the Conversion of the Self-Service Portion of an Existing Car Wash into a Climate Controlled Storage Facility in a C-2 (General Commercial) District at 4312 Texoma Parkway, being Lot 1, Sidney Heights Addition (Chris Martin, Owner); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5690
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Truck and Automotive Repair and Sales in a C-2 (General Commercial) District at 3924 Texoma Parkway, being 0.71 acres in the S.M. McGlothlin Survey, Abstract No. 811 and the H. Jennings Survey, Abstract No. 639 (John Chung, Owner; Cerma Auto Brokers, Tenant; and Deanna D. Shoars, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. B.4

CONSENT AGENDA

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

C.1 * RESOLUTION NO. 5572

Authorizing Execution of an Encroachment Easement to Richard C. and Irene M. Oglesby for the Construction of a Garage in a 10' Utility Easement in Lot No. 2 of Block No. 8 of the Turtle Creek South Addition, Section Three to the City of Sherman (2415 Meadows Lane)

D.2 * OTHER BUSINESS

Consider Request of the 2011 Earth Day Planning Committee to Temporarily Close Certain Streets, Suspend Parking Time Limits, and Use Certain City Facilities and Services for the "3rd Annual Earth Day Festival" on Saturday, April 16, 2011

D.3 * OTHER BUSINESS

Site Plan Approval for GlobiTech Incorporated under Ordinance No. 2252, Article IV, Section 410(2)(j) for Phase II, a Warehouse Addition to the Existing Building in the Blalock Industrial Park District at 200 F.M. 1417 West

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. C.1

**** RESOLUTION NO. 5572***

Authorizing Execution of an Encroachment Easement to Richard C. and Irene M. Oglesby for the Construction of a Garage in a 10' Utility Easement in Lot No. 2 of Block No. 8 of the Turtle Creek South Addition, Section Three to the City of Sherman (2415 Meadows Lane)

Issue
To consider granting an encroachment into the utility easement located at 2415 Meadows Lane

Background
The owners of the residence at 2415 Meadows Lane propose to construct a garage, which would encroach five feet (5') into an existing ten feet (10') utility easement. The City has no utilities in the referenced easement; and the approval of the private utilities is pending.

Origination
Richard C. and Irene M. Oglesby, Owners

Financial Consideration
None

Staff Recommendation
The staff has no objections to the proposed encroachment and recommends approval contingent upon the approval of Atmos, Oncor, Verizon and Cable One.

Alternatives
As may be directed by the City Council

Attachments
Resolution No. 5572
Encroachment Easement
Aerial
Copy of Plat
Citizen Request
Site Sketch

Prepared by:
Mark Gibson, Director of Engineering & Public Works

Approved by:
George Olson, City Manager

RESOLUTION NO. 5572

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO RICHARD C. AND IRENE M. OGLESBY FOR THE CONSTRUCTION OF A GARAGE IN A 10' UTILITY EASEMENT IN LOT NO. 2 OF BLOCK NO. 8 OF THE TURTLE CREEK SOUTH ADDITION, SECTION THREE TO THE CITY OF SHERMAN (2415 MEADOWS LANE); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all documents being properly completed and approved as to form and content by the City Attorney, to execute an encroachment easement to Richard C. and Irene M. Oglesby, in substantially the same form as presented at this meeting, for the construction of a garage which would encroach five feet (5') within an existing ten feet (10') Utility Easement along Lot No. 2 of Block No. 8 of the Turtle Creek South Addition, Section Three to the City of Sherman, located at 2415 Meadows Lane, in accordance with the easement document and location map approved by the City Engineer and the City Attorney, attached hereto and incorporated herein for all purposes.

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

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

BY: ________________________________
BILL MAGERS, MAYOR

APPROVED AS TO FORM AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY, CITY ATTORNEY

ENCROACHMENT EASEMENT

THE STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF GRAYSON §

That the **CITY OF SHERMAN**, a municipal corporation of the State of Texas, hereinafter called "GRANTOR", in consideration of ONE DOLLAR AND NO CENTS ($1.00) and other good and valuable consideration to it, in hand paid, hereby grants to **RICHARD C. AND IRENE M. OGLESBY** of Sherman, Texas, hereinafter called "GRANTEES", an encroachment easement to construct a garage and encroach five feet (5') into an existing ten feet (10') utility easement at Lot No. 2 of Block No. 8 of the Turtle Creek South Addition, Section Three to the City of Sherman, Texas, and known as 2415 Meadows Lane, as shown on the location map marked Exhibit "A", attached hereto and incorporated herein for all purposes. Said encroachment easement shall be inferior, subordinate, and subject to the GRANTOR'S rights herein.

This instrument shall be construed as conveying an encroachment easement to GRANTEES, their heirs, successors and assigns, for the limited purpose of constructing a garage within the herein described encroachment area, as shown on the attached exhibit. GRANTEES agree that all maintenance of the garage and related equipment shall be the responsibility of GRANTEES without cost, fees or expense to GRANTOR.

That GRANTEES shall fully and completely indemnify and hold harmless the GRANTOR from any and all damages, actions, suits, claims, demands, liabilities, executions and judgments, whether liquidated or unliquidated, absolute or contingent, direct or indirect, at law or in equity, together with attorneys fees which may occur in any manner by reason of any matter, fact, or thing arising from this conveyance and use of the area.

In the event it becomes necessary for the GRANTOR or any public utility to utilize the encroachment area for the purpose of installing new utilities, removing or repairing any public utilities located therein, GRANTEES hereby release GRANTOR and any public utility from any and all claims for damages, costs or expenses, and shall include, but specifically not be limited to, the cost of repair, relocation, or removal of the storage building and loss of use of such area.

TO HAVE AND TO HOLD the above described encroachment easement unto the said GRANTEES, their heirs, successors and assigns, until the use of such encroachment is no longer necessary.

EXECUTED this the __________ day of ________________________, A.D., 2011.

CITY OF SHERMAN, TEXAS

BY: ________________________________
GEORGE OLSON,
CITY MANAGER

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, in and for said county and state, on this day personally appeared **GEORGE OLSON**, City Manager, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said City of Sherman, Texas, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the **_______________** day of **___________________________**, A.D., 2011.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

2415 Meadows Lane


LAMBERTH ROAD
TURTLE CREEK DRIVE
LANE
LIGHT CO. EASEMENT
MEADOWS CIRCLE
10' UTIL. EASE.
10' UTILITY & DRAINAGE EASEMENT

March 8, 2011

Sherman City Council

Members of the Board

Richard and Irene Oglesby would like for you to consider an encroachment into an easement, located in the rear of **2415 meadows lane** Sherman for the purpose of building a detached garage.

The legal description of the lot in question is:

Lot No. 2 of Block No. 8 of Turtle **Creek South Addition, Section Three to the** City **of** Sherman, Texas **by Plat of Record in Volume 6, Page 36 Plat Records, Grayson County, Texas** .

Currently the only utilities using the easement are Oncor and Cableone. Other utilities , gas, sewer and water are located to the front of the property. Telephone lines are located in the 40 ft .easement which is adjacent to the east of this 10 ft. easement.

Oncor has recently installed a new power pole and raised the power lines and additionally, at our request and expense, installed underground service to our house because of an upgrade to our cooling and heating unit.

The utility easement is 10 foot with an adjacent 40 ft. easement noted on plat for utilities and drainage. The 40 ft. is encompassed by an additional 200 ft. easement held by the power company.

We wish to encroach into the 10 ft. easement a distance of 5 ft. leaving the utilities 5ft. of usage in addition to the 40 ft. adjacent to it giving a total of 45 ft. for utilities and drainage.

This would allow our purposed building to be 5 ft. from the rear property line.

Any consideration would be appreciated.

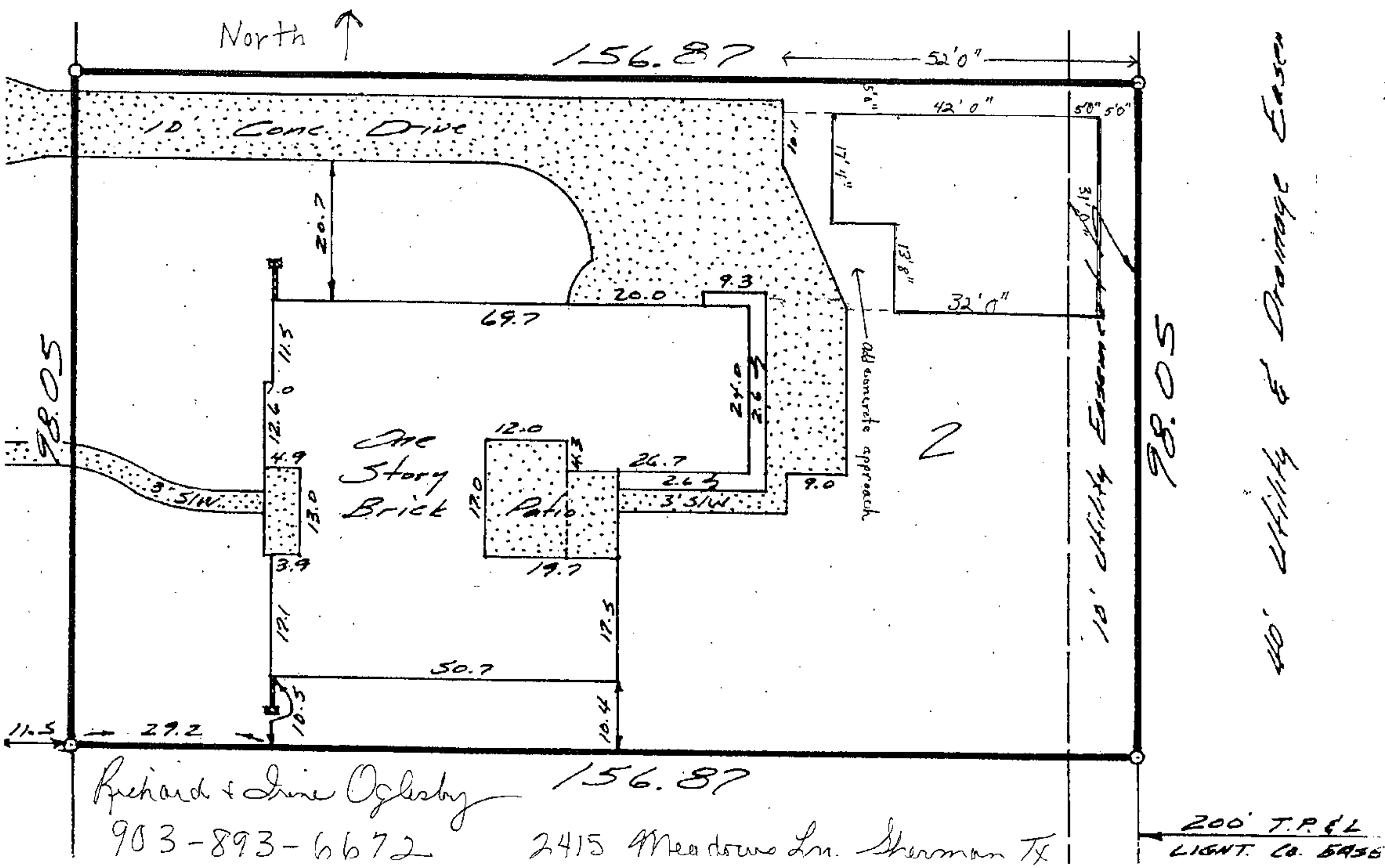
Richard & Irene Oglesby

Richard and Irene Oglesby

2415 Meadows lane

903-893-6672

Sherman, Texas



North
156.87
52'0"
10' Conc. Drive
42'0"
5'0"
5'0" 5'0"
10.1
17'4"
20.7
31'0"
13'8"
32'0"
20.0
9.3
69.7
11.5
24.0
2.6
12.6
Old concrete approach
2
One Story Brick
12.0
4.3
26.7
4.9
2.6
9.0
17.0
Patio
13.0
3' S/W.
3' S/W.
3.9
19.7
17.1
17.5
50.7
10.5
10.4
11.5
29.2
98.05
98.05
10' Utility Easement
40' Utility & Drainage Easem
156.87
Richard & Irene Oglesby
903-893-6672
2415 Meadows Ln. Sherman TX
200' T.P.&L
LIGHT. Co. EASE.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.1

OTHER BUSINESS
Consider Approval of the Budget Calendar for Fiscal Year 2011-2012

Issue
Set budget calendar for the fiscal year (FY) 2011-2012

Background
Several meetings are necessary to develop the budget for the upcoming fiscal year. There is some flexibility in meeting dates reflected in the proposed budget calendar. Particularly important are the dates for the Budget Planning Meeting and the Budget Workshop. The Budget Planning Meeting will be used to garner Council input on Council initiatives to be included in the budget development process and update the Council on the progress of the staff's budget activities. The Budget Workshop will present a more detailed picture of the City budget and will be used to summarize Council direction for the upcoming year. We will continue to look at the five-year financial and operational projections as part of this budget process.

Origination
George Olson, City Manager
Robby Hefton, Assistant City Manager/Chief Financial Officer

Financial Consideration
None

Staff Recommendation
The staff recommends that the Council approve the budget calendar as presented and confirm the City Council Chambers as the site for the Budget Planning Meeting and the Budget Workshop.

Alternatives
The Council could select alternative dates for the meetings, subject to Charter requirements.

Attachments
Proposed Budget Calendar for FY 2011-2012

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

DRAFT BUDGET CALENDAR
FISCAL YEAR 2011-2012

Long-Term Planning Meeting	March 3, 2011
Budget Planning Meeting with City Council*	April 21, 2011
Budget Workshop*	June 17, 2011
Present Draft Budget to Council	July 18, 2011
Introduce Budget Ordinance	August 1, 2011
Final Action on Budget Ordinance Introduce Tax Rate Ordinance	August 15, 2011
Final Action on Tax Rate Ordinance	September 6, 2011

Notes:

* It is recommended that the Budget Planning Meeting and the Budget Workshop take place in the City Council Chambers.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.2

**** OTHER BUSINESS***

Consider Request of the 2011 Earth Day Planning Committee to Temporarily Close Certain Streets, Suspend Parking Time Limits, and Use Certain City Facilities and Services for the "3rd Annual Earth Day Festival" on Saturday, April 16, 2011

Issue

The 2011 Earth Day Planning Committee proposes to hold the "3rd Annual Earth Day Festival" on Saturday, April 16th and requests barricades, street closures, and the use of City facilities and services.

Background

Ms. Amy Hoffman-Shehan, representing the 2011 Earth Day Planning Committee, proposes to hold the "3rd Annual Earth Day Festival" in the Sherman Municipal Building Ballroom and on the Municipal Building grounds from 8:00 a.m. to 5:00 p.m. on Saturday, April 16th. In order to accommodate the festival, the Committee also requests solid waste services, delivery and pick up of barricades, and street closures around the Municipal Building. The Committee intends to retain the services of an off-duty police officer and Lone Star Ambulance will locate an ambulance on the grounds as coverage for this event.

Origination

Ms. Amy Hoffman-Shehan, Event Organizer, 2011 Earth Day Planning Committee

Financial Consideration

The event will require staff overtime to close and open the streets on the day of the event. The event organizers will pay non-profit usage fees and provide security in the Ballroom and on the Municipal Building grounds.

Staff Recommendation

It is recommended that the City Council authorize the street closures, the utilization of the Municipal Building Ballroom and grounds, and City staff overtime and resources to accommodate this event.

Alternatives

As directed by the Council

Attachments

Ms. Hoffman's request received March 15, 2011
Barricade Location Map

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

Approved by:
George Olson, City Manager

Earth Day Festival
Amy Hoffman-Shehan
1503 S Travis St
Sherman TX 75090
www.earthdaytexoma.org

City of Sherman
George Olson, City Manager
Robby Hefton, Assistant City Manager
Scott Taylor, Assistant Director of Public Works
Members of the Sherman City Council

March 13, 2011

The 3rd Annual Earth Day Festival is scheduled for April 16, 2011. It will be held at the Sherman Municipal Ballroom and Grounds. Please place our street closure request on the agenda for the March 21, 2011 City Council Meeting. The street and parking lot closures will be needed from 6:00 am until 5:00 pm on April 16. We would like to close South Rusk Street between Mulberry and Pecan Streets and South Elm Street between Mulberry and Pecan Streets. We would also like to close the parking lot on the south side of City Hall. It will be used for a free, community wide paper shredding event, an E-waste collection (fees will be charged for CRTs, TVs, and certified hard drive swipes), ink and toner cartridge collection, and baseball cap and sunglasses collection. Please see the attached map.

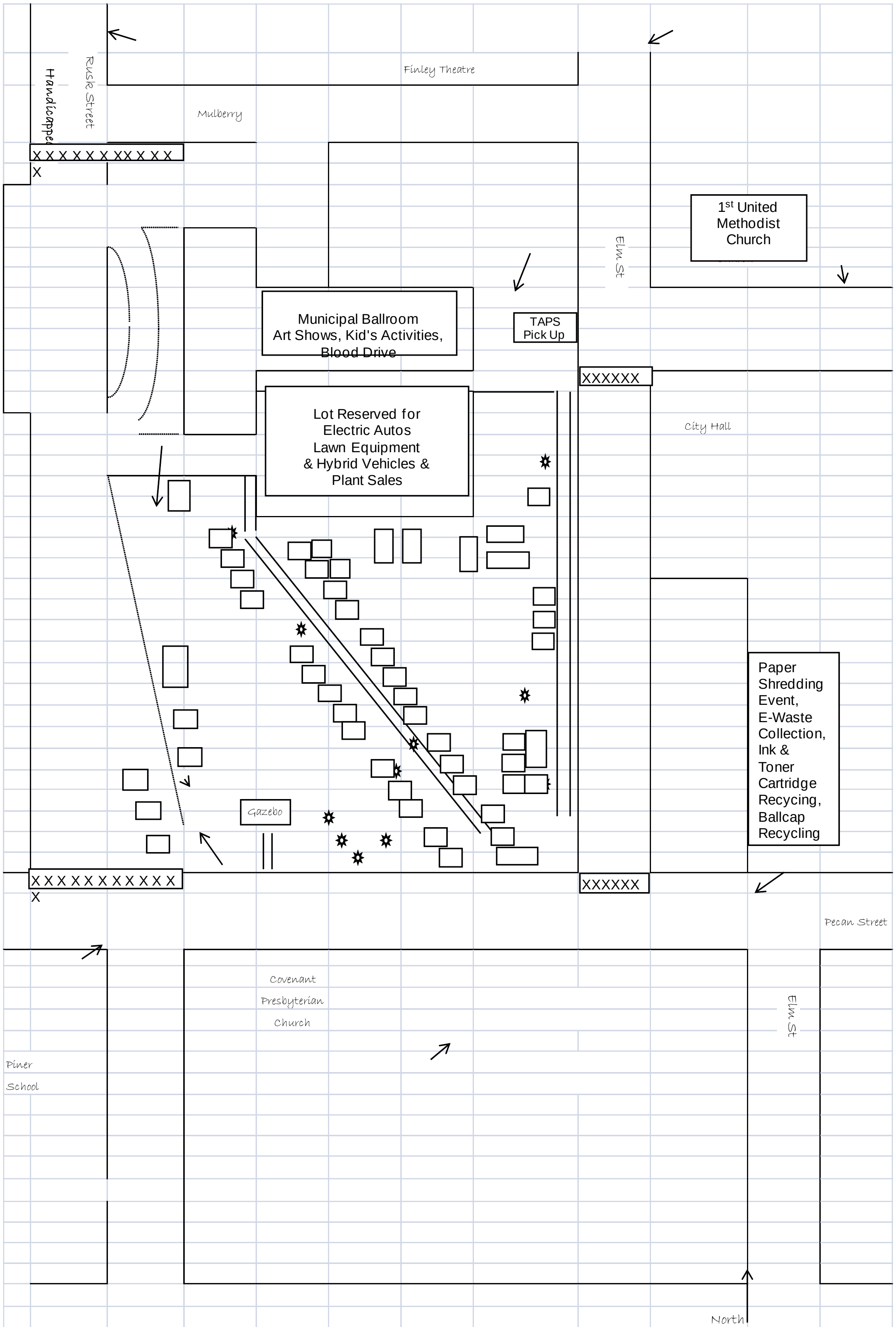
Please watch the Earth Day website, as it is updated on a regular basis as the event evolves. All of the coordinated events of last year will be repeated, and we have added a few new ones. The coordinated events that are repeats from last year are a children's art show, the paper shredding event, continuing education from the Texas Illegal Dumping Resource Center, a blood drive, pet adoptions through the Sherman Animal Shelter, and annual plant sales, the used book sale through the Friends of the Sherman Library, and a youth essay contest. New events include the electronic waste collection, the ink and toner cartridge collection, and ballcap and sunglasses collection. The ballcaps and sunglasses will go to farm workers, who usually have permanent eye damage by the age of 30 due to lack of protective gear.

We are especially pleased to announce our keynote speaker, Dan Phillips. My Phillips builds houses in the Houston area through his foundation Phoenix Commotion. The houses are constructed of nearly 90% recycled materials. His foundation also uses unskilled laborers and teaches marketable trades through the building process. The Keynote Address will be at 11:00 a.m. in the Municipal Ballroom.

We greatly appreciate our partnership with the City of Sherman and encourage all of your participation.

Sincerely,

Amy Hoffman-Shehan
Event Organizer



Rusk Street
Handicapped
Finley Theatre
Mulberry
XXXXXXXXXXX
X
1st United Methodist Church
Elm St
Municipal Ballroom
Art Shows, Kid's Activities, Blood Drive
TAPS Pick Up
XXXXXX
City Hall
Lot Reserved for Electric Autos Lawn Equipment & Hybrid Vehicles & Plant Sales
Paper Shredding Event, E-Waste Collection, Ink & Toner Cartridge Recycing, Ballcap Recycling
Gazebo
XXXXXXXXXXX
X
XXXXXX
Pecan Street
Covenant Presbyterian Church
Elm St
Piner School
North

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.3

**** OTHER BUSINESS***

Site Plan Approval for GlobiTech Incorporated under Ordinance No. 2252, Article IV, Section 410(2)(j) for Phase II, a Warehouse Addition to the Existing Building in the Blalock Industrial Park District at 200 F.M. 1417 West

Issue

This item is to consider the request of GlobiTech Incorporated (Owner) for a site plan for Phase II, a warehouse addition to the existing building in the Blalock Industrial Park District at 200 F.M. 1417 West.

Background

The property is located at 200 F.M. 1417 West; GlobiTech is the tenant. Because of continued growth, the owner would like to construct an addition to the facility for warehouse storage. They were approved for an addition to the existing building for gas bottle storage a few months ago; but have since determined that they can accommodate that elsewhere in the facility. The warehouse storage is more pressing at this time. The addition will match the existing structure design.

Origination

GlobiTech Incorporated (Owner); Terry Kluesner and Rocky Valentine (Representatives)

Board Recommendation

At the regular meeting on February 22, 2011, the Planning and Zoning Board voted 5/0 to approve the site plan and to forward the request to the City Council.

Attachments

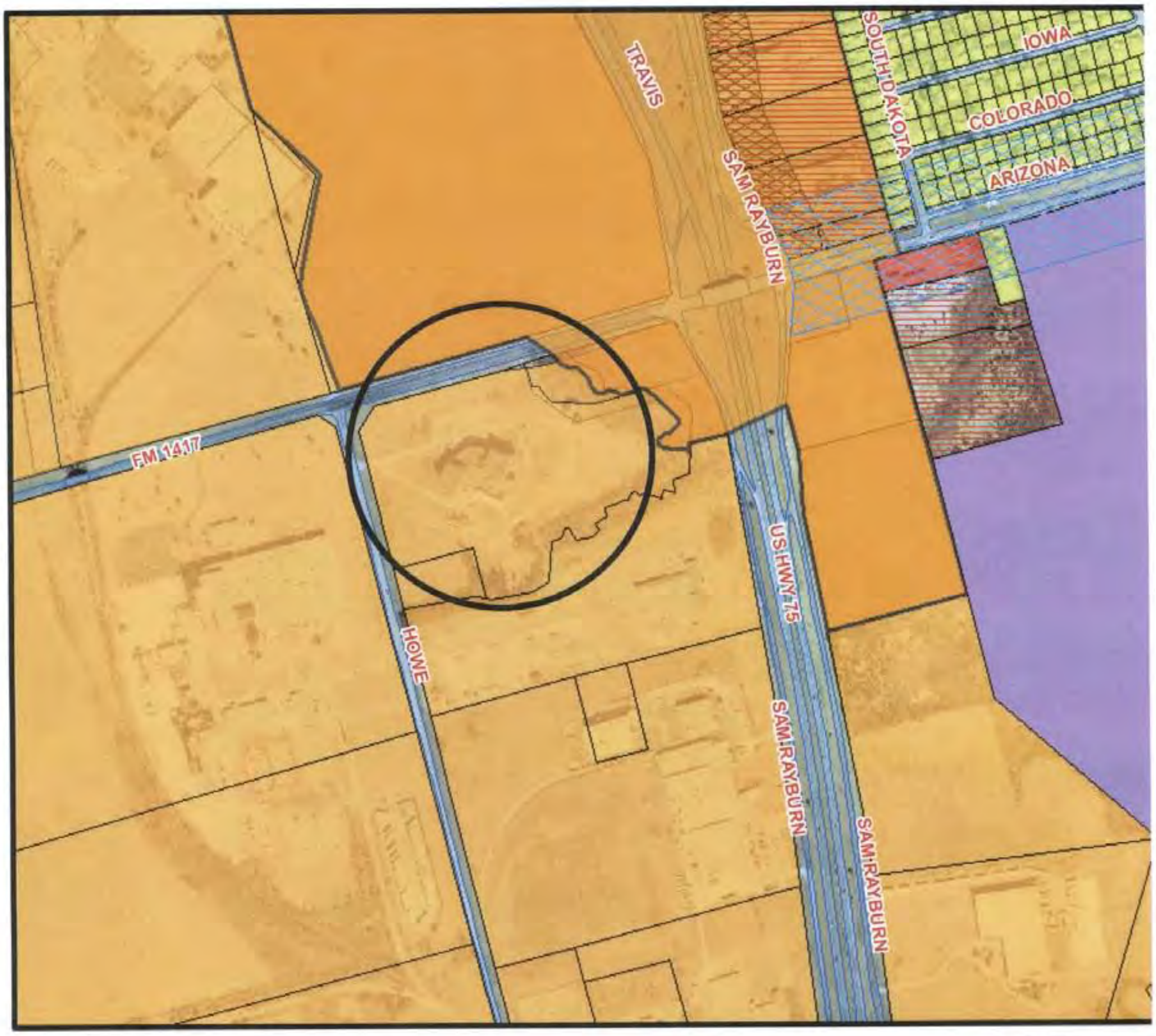
Location Map
Photographs
Site Plan
P&Z Communications Form
Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

200 FM 1417 West

1 inch = 515 feet



200 W. FM 1417

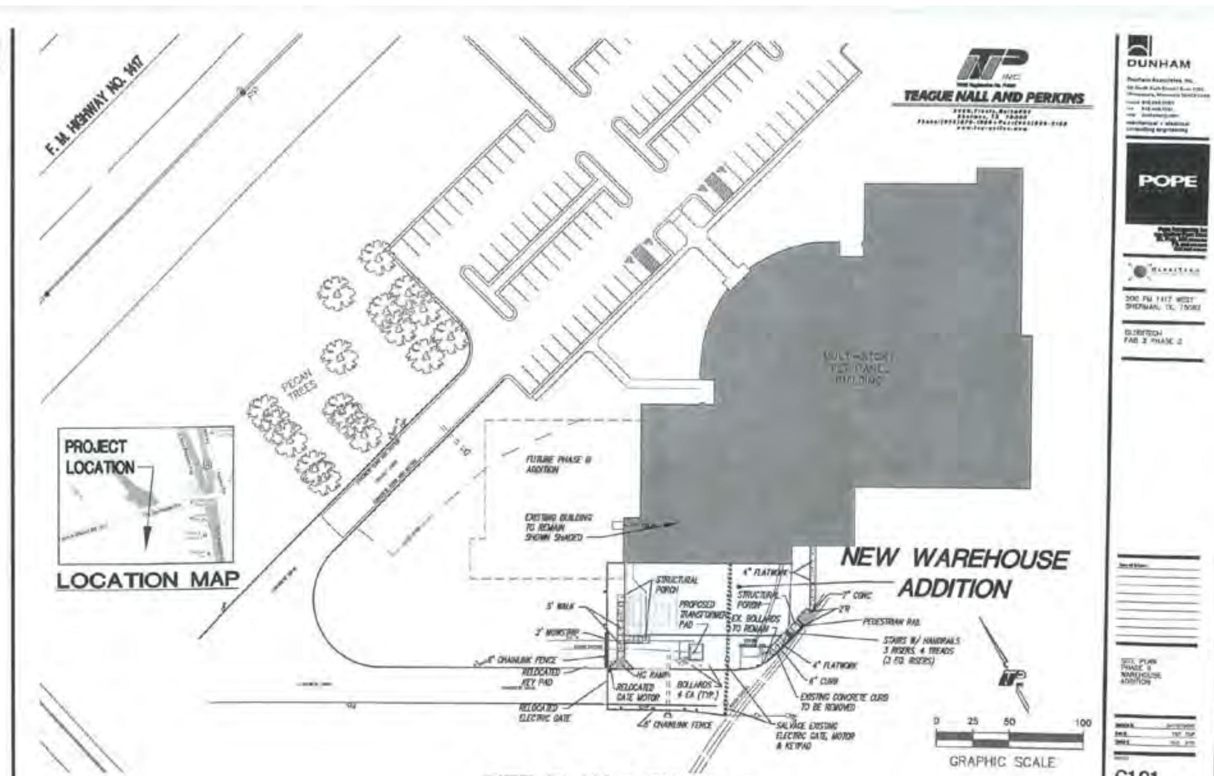
1 inch = 687 feet

Legend

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

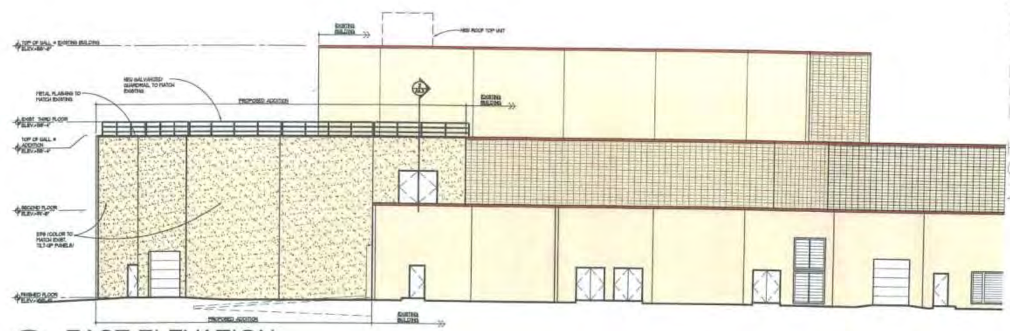
City of Sherman, Texas
Developmental Services Department

200 F.M. 1417 W.



SITE PLAN - PHASE II


2
A3.1
SOUTH ELEVATION
1/8"=1'-0"
0
4'
8'
16'
1
A3.1
WEST ELEVATION
1/16"=1'-0"
0
8'
16'
32'
NOT FOR CONSTRUCTION
POPE
ARCHITECTS
POPE ASSOCIATES INC.
1255 ENERGY PARK DRIVE
ST. PAUL, MN 55108-5116
PH. (651) 642-9200
FAX (651) 642-1101
DUNHAM
mechanical + electrical consulting engineering
GLOBITECH
200 FM 1417 WEST
SHERMAN, TX, 75092
GLOBITECH
FAB 2
PHASE 2.0
EXTERIOR
ELEVATIONS
CITY SUBMITTAL 1-26-11
27531-10189
BP, DD
GV
A3.1



1 / A3.2 EAST ELEVATION
1/16"=1'-0"

0 8' 16' 32'

NOT FOR CONSTRUCTION

POPE ARCHITECTS

POPE ASSOCIATES INC.
1255 ENERGY PARK DRIVE
ST. PAUL, MN 55108-5118
PH. (651) 642-9200
FAX (651) 642-1101

DUNHAM

mechanical + electrical consulting engineering

GLOBITECH

200 FM 1417 WEST
SHERMAN, TX, 75092

GLOBITECH
FAB 2
PHASE 2.0

EXTERIOR ELEVATIONS

Issues and Revisions:	
CITY SUBMITTAL	1-26-11

Commission No.	27531-10189
Drawn by	BP, DD
Checked by	GV

SHEET

A3.2

AGENDA ITEM #5

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

February 22, 2011

Lawrence Davis, Chairman

200 West FM 1417
Being Lot 1, Northgate Technology Park
Tract 2 of the Blalock Industrial Park
Site Plan

Requested Action/Proposed Use:

Site plan approval for Phase II, a warehouse addition to the existing GlobiTech building in the Blalock Industrial Park.

Background:

The property is located at 200 West F.M. 1417; GlobiTech is the tenant. This is Phase II of the GlobiTech project; they would like to construct an addition to the facility for warehouse storage.

Adjacent Zoning:

Blalock Industrial Park

Origination:

GlobiTech Inc. (Owner), Terry Kluesner and Rocky Valentine (Representatives)

Master Plan Designation:

Business Park and Research

Number of notices mailed:

35

Objections Received:

0

Attachments:

Location map, Photographs, Site Plan, Staff Review Letter

Prepared by:	**Approved by:**
Patsy Reeves,	**Scott Shadden,**
Developmental Services Secretary	**Director of Developmental Services**

SHERMAN

STAFF REVIEW LETTER

February 17, 2011

Globitech, Inc.
200 FM 1417 West
Sherman, TX 75092

Globitech, Inc.
Terry Kluesner
200 FM 1417 West
Sherman, TX 75092

Globitech, Inc.
Rocky Valentine
200 FM 1417 West
Sherman, TX 75092

Dear Applicants,

The request for a site plan approval for Phase II, a warehouse addition to the existing building in the Blalock Industrial Park for the property located at 200 FM 1417 West has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, February 22, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the Blalock Industrial Park Ordinance must be followed.
2. Fire lanes shall be coordinated with the Fire Marshal (903-892-7267).
3. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

4. Detention shall be modified to accommodate the additional impervious area.

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

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

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

Respectfully,

Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.4

CITIZEN REQUESTS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.5

MEDIA QUESTIONS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.6

COUNCIL COMMENTS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. D.7

ADJOURNMENT

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 3-21-2011

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2011
CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	19	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

DECEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

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

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