

STATE OF TEXAS

§

March 4, 2013

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on March 4, 2013.

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

MEMBERS ABSENT: COUNCIL MEMBER SMITH.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of February 18, 2013. Council Member Softly moved to approve the Minutes as presented; Second by Council Member Sofey. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5766 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS AT THE INTERSECTION OF NORTH HOLLY AVENUE AND HILLCREST DRIVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5766
STOP SIGN
(HOLLY & HILLCREST)

No citizens appeared before the City Council to discuss Ordinance 5766.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5766

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS AT THE INTERSECTION OF NORTH HOLLY AVENUE AND HILLCREST DRIVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5766
STOP SIGN
(HOLLY & HILLCREST)

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Ordinance

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No. 5766, as presented. Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5743 – AUTHORIZING THE NAMING OF CINEMA DRIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE NAMING OF CINEMA DRIVE.

RES 5743
CINEMA DRIVE

Mayor Wacker explained that the street is located on North Travis Street near the recent construction by the Texas Department of Transportation.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution No. 5743, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5744 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH KELLY SQUARE, INC. UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 115 SOUTH TRAVIS STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH KELLY SQUARE, INC. UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 115 SOUTH TRAVIS STREET.

RES 5744
DOWNTOWN HISTORIC
BUILDING
RESTORATION GRANT
(115 S. TRAVIS)

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5744, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5745 – AMENDING THE 2012-2013 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS

RES 5745
BUDGET AMENDMENT

FOR THE PERIOD OF OCTOBER 1, 2012, THROUGH
SEPTEMBER 30, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2012-2013 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2012, THROUGH SEPTEMBER 30, 2013.

CONSENT AGENDA.

RESOLUTION NO. 5746 – RESCINDING RESOLUTION NO. 5740 IN ITS ENTIRETY WHICH AUTHORIZED THE EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1912 EAST ALMA AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RESCINDING RESOLUTION NO. 5740 IN ITS ENTIRETY WHICH AUTHORIZED THE EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1912 EAST ALMA AVENUE.

CONSENT AGENDA.

RES 5746
RESCIND RES 5740
(RESIDENTIAL TAX
ABATEMENT)
(1912 E. ALMA)

RESOLUTION NO. 5747 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1908 EAST ALMA AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MARIO TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1908 EAST ALMA AVENUE.

CONSENT AGENDA.

RES 5747
RESIDENTIAL TAX
ABATEMENT
(1908 E. ALMA)

PAYMENT APPROVAL

STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS
DEPARTMENT OF TRANSPORTATION; ADVANCE FUNDING
FOR AN URBAN AREA CORRIDOR PROJECT (RELOCATION
OF THE SOUTHBOUND US 75 EXIT RAMP TO FM 1417);
\$400,000.00

The City Council approved payment to the Texas Department of Transportation, TxDOT, for the relocation of the existing southbound U.S. Hwy 75 exit ramp to F.M. 1417, from its existing location to a new location one mile north of F.M. 1417.

The City requested that the Sherman-Denison Metropolitan Planning Organization include the project in their Transportation Improvement Program. Cost of the project is \$400,000 and funding is anticipated to be received from the Sherman Economic Development Corporation and the developer.

CONSENT AGENDA.

PAYMENT APPROVAL
CORRIDOR PROJECT
RAMP RELOCATION

OTHER BUSINESS

**ACCEPT ANNUAL AUDIT REPORT FOR YEAR ENDED
SEPTEMBER 30, 2012 FROM PATTILLO, BROWN & HILL,
L.L.P.**

ANNUAL AUDIT

Mayor Wacker said the Audit Committee previously met with the auditor and the staff to review the report.

Robby Hefton, Assistant City Manager/CFO, said John Manning, Pattillo, Brown & Hill, apologized for his absence at the meeting but was stuck in traffic in McKinney. He would arrive at the meeting shortly if the Council had any questions. He added that the Audit Committee did meet with the auditor and staff on February 11, 2013.

Mr. Hefton said it was a “clean” audit, meaning that there were no findings, no material weaknesses, or no deficiencies. The financial results were as expected compared to the budget. There was nothing outstanding that came out of the audit, other than it was a “clean” audit opinion.

He added that Pattillo, Brown & Hill have provided great service and Mr. Manning should arrive shortly to answer any questions. Mayor Wacker said she served on the Audit Committee for several years and the firm has been very thorough and worked well with the staff.

Mayor Wacker thanked Mr. Hefton and Mary Lawrence, Controller, for their hard work, adding that the audit is an important piece of City business and they appreciated that the books are in good shape and they are looking at another good year.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to accept the Annual Audit Report, as presented. Second by Council Member Johnson.

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

VOTING NAY: None.

MOTION CARRIED.

**RECEIVE AN INFORMATIONAL UPDATE ON “THE SPLASH”
AT FAIRVIEW PARK FROM PARKS AND COMMUNITY
SERVICES DIRECTOR KEVIN WINKLER**

THE SPLASH

Kevin Winkler, Parks and Community Services Director, presented an update on The Splash at Fairview Park and an overview on the rates. This is the seventh season since the pool rehabilitation. They are currently taking applications for 60 employees, 45 lifeguards, 5 leads, and 10 cashiers/concession workers.

Sign ups begin April 1 for swim lessons for Sherman residents. Non-residents can begin signing up on April 15. On May 1 they will begin taking reservations for private rentals for Sherman residents. Non-residents can begin signing up on May 15. The Splash will open on May 23.

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During 2012, there were 39,290 entries into The Splash with the busiest day showing 850 entries. Between 2007 and 2011 the yearly average has been approximately 39,000 entries. During 2012, there were 30 private rentals and 48 cabana rentals, which is also in line with the average from previous years.

Last year 508 children received swimming lessons through the Learn to Swim program. The program was restructured and the times were adjusted for the classes. Previously the average number of participants was 480 for a season.

In 2012 there were 170 season passes that were sold, but Mr. Winkler said this is an area that needs improvement. Between 2007 and 2009 there were over 700 season passes sold each season. The last time that rates were reviewed, it was decided not to increase the daily rate, which skewed the sale of the season pass.

Mr. Winkler said in reviewing the pricing, the staff reviewed cost recovery for a facility, an event or activity, or a sport. In some areas they don't look to recover any costs, such as the Easter Egg Hunt or a Halloween event. For adult sports, they recover 100%.

The industry standard in the North Texas region for the cost recovery for aquatics is about 70%. Some factors to consider when striving for this industry standard are citizen response, maintenance of equipment or the facility, weather, chemical costs, lifeguard certification/equipment cost/rental costs, and vandalism/bio hazards.

Mayor Wacker asked what the life expectancy would be on the major pieces of equipment at The Splash. Mr. Winkler said the full life expectancy would be about 20 years. This year they will redo the caulking around the edge of the pool to prevent water loss.

Mr. Winkler said this year, The Splash was at a recovery rate of 62% and the staff would like to reach 70% of cost recovery. The Parks and Recreation Advisory Board has reviewed the proposed fee changes and did agree unanimously to recommend the changes to the City Council for their consideration.

Currently the rates are \$3 daily entry fee for children and \$4 for adults (16 and up). Learn to Swim lessons are \$30 for residents and \$40 for non-residents. The proposed rate increases are \$4 daily entry fee for children and \$5 for adults (16 and up) and Learn to Swim lessons at \$35 for residents and \$45 for non-residents. All other rates were previously reviewed and changed last time. This would also give more validity for the season pass.

George Olson, City Manager, verified that currently a season pass costs \$75 for an individual, \$110 for a family of two,

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and \$160 for a family of four. Punch cards currently cost \$30 for 12 visits. Mr. Winkler said the proposed rates would make the season pass more beneficial to the reoccurring visitor.

The proposed changes would bring the cost recovery rate to 70% of the budget, or a \$25,000 to \$30,000 increase in revenue. Last year's budget was \$305,000 of which 62% was recovered.

Council Member Sofey verified that the daily entry fee had been at \$3 and \$4 since the pool was remodeled into The Splash. Rates for the two cabana rental options are \$40 for residents and \$60 for non-residents. These fees would not change.

Council Member Johnson verified that the punch card would return to 10 visits for \$30, which would put them in line with the daily entry fee. Mr. Winkler said punch cards are used many times by people renting the cabanas to bring multiple guests into the pool because cabana rental fees do not include entry fees.

Deputy Mayor Howeth asked if most visitors were repeat visitors or one-time visitors. Mr. Winkler said they do track whether daily visitors are entering at a daily rate or on a season pass. Currently the single rate entry is about 70% to 75%. But with the current fees, there is not much of a benefit to having a season pass, because of the disparity of the fees.

Mayor Wacker said The Splash is a good value and a lot of fun. She reminded citizens of the key dates of April 1 and May 1 for Sherman residents to begin sign ups for Swim Lessons and rental reservations, respectively.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve the rate changes for The Splash, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

SITE PLAN APPROVAL AND EXCEPTION FOR AMERICAN REALTY CAPITOL OPERATING PARTNERSHIP, LP, OWNERS; FEDEX GROUND PACKAGE HANDLING FACILITY, TENANT; VORTEX ENGINEERING & ARCHITECTURE, INC., ENGINEER/ARCHITECT; AND ROBERT W. JONES, II, REPRESENTATIVE, UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410(2)(J) AND 410(2)(M) TO ALLOW ALUMINUM SIDING FOR THE INSTALLATION OF TWO MODULAR DOCKS FOR FEDEX GROUND IN LIEU OF MASONRY OR FACTORY FINISHED METAL PANELS IN THE BLALOCK INDUSTRIAL PARK DISTRICT AT 3221 NORTHGATE DRIVE

APPROVE SITE PLAN
& EXCEPTION
(3221 NORTHGATE DR)

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The City Council approved the requested Site Plan and Exception for American Realty Capitol Operating Partnership, LP, and FedEx Ground Package Handling Facility, located at 3221 Northgate Drive in Blalock Industrial Park.

The project includes the construction of two 12' x 44' modular docks on the east side of the existing building. They would like to use aluminum siding, smooth surface and baked enamel finish on the exterior of the modular docks. The Planning and Zoning Commission recommended approval of the Site Plan and Exception.
CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

CENTRAL BUSINESS DISTRICT GRANT PROGRAM

Council Member Sofey said the Central Business District Grant Program was a great program and he felt the downtown area was slowly "getting better."

STOP SIGNS NEAR SHERMAN HIGH SCHOOL

Deputy Mayor Howeth said at the last Council Meeting they approved a lot of stop signs near Sherman High School. She said there was not as much "moaning and groaning" after the initial shock. She said traffic is doing great.

ANNOUNCEMENTS

Mayor Wacker announced the following:

- Police Chief Tom Watt will retire after 31 years of service. His retirement reception will be held on Friday, March 15, 2013 at 11 a.m.
- The Water Treatment Plant will be taken out of service from March 11 through 18, 2013 for routine pipeline modifications and inspections. During this time Sherman residents will be supplied with well water only.
- The Household Hazardous Waste pick up will be held on March 23, 2013, from 9 a.m. until 11 a.m., at City Hall. Residents should bring their most recent water bill as proof of residency to participate.

CITIZEN'S REQUESTS

MEDIA QUESTIONS

CENTRAL BUSINESS DISTRICT GRANT PROGRAM

STOP SIGNS NEAR SHERMAN HIGH SCHOOL

ANNOUNCEMENTS

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ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:28 p.m.

ADJOURNMENT

MAYOR

CITY CLERK