

STATE OF TEXAS

§

February 18, 2013

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 February 18, 2013.

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

MEMBERS ABSENT: NONE.

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 Jason Sofey.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of February 4, 2013. Deputy Mayor Howeth moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

RESOLUTION NO. 5741 – CHANGING THE NAME OF A PORTION OF PACIFIC STREET TO MONROE AVENUE
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CHANGING THE NAME OF A PORTION OF PACIFIC STREET TO MONROE AVENUE.

RES 5741
CHANGE STREET
NAME FROM PACIFIC
TO MONROE

Mayor Wacker said the staff requested that Resolution 5741 be considered prior to Ordinance 5763. The resolution changes the name of a street that will be addressed in the ordinance.

George Olson, City Manager, said the street changed names in the middle and this will make it consistent. There are no houses on this block so there will be no address changes for property owners.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5741, as presented. Second by Deputy Mayor Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5763 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP"

ORD 5763
STOP SIGNS AT
VARIOUS LOCATIONS

SIGNS AT THE INTERSECTIONS OF CLEVELAND AVENUE AND MULBERRY STREET, HARRISON AVENUE AND LOWELL AVENUE, CARR AVENUE AND CHAFFIN STREET, CARR AVENUE AND PECAN STREET, CARR AVENUE AND MULBERRY STREET, CARR AVENUE AND LOWELL AVENUE, BURDETTE AVENUE AND HOUSTON STREET, BURDETTE AVENUE AND CHAFFIN STREET, BURDETTE AVENUE AND PECAN STREET, BURDETTE AVENUE AND MULBERRY STREET, BURDETTE AVENUE AND MONROE AVENUE, ANDREWS AVENUE AND CHAFFIN STREET, ANDREWS AVENUE AND PECAN STREET, ANDREWS AVENUE AND MULBERRY STREET, ANDREWS AVENUE AND MONROE AVENUE, COLBERT AVENUE AND HOUSTON STREET, COLBERT AVENUE AND PECAN STREET, COLBERT AVENUE AND MULBERRY STREET, COLBERT AVENUE AND MONROE AVENUE, AND MONROE AVENUE AND ELLIOTT AVENUE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5763.

Mayor Wacker introduced Ordinance 5764 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF US 82 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5764
SPEED LIMITS
ON HWY 82

Eugene Lund, 1815 Sandra Drive, asked what “prudent” meant and what speeds the City planned to have. Mr. Olson said the Texas Department of Transportation is recommending the speed limits. On U.S. Hwy 82, everything from S.H. 289 on the west to the City limits on the east would increase five miles per hour. Mayor Wacker added that the recommendation was per TxDOT’s Traffic Study.

No other citizens appeared before the City Council to discuss Ordinance 5764.

Mayor Wacker introduced Ordinance 5765 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AT 1602 FM 1417 WEST (RUMSEY DEVELOPMENT, OWNERS; JAMES M. O’BRYAN D.V.M., PROSPECTIVE BUYER; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ORD 5765
ZONE CHANGE
(1602 FM 1417)

No citizens appeared before the City Council to discuss Ordinance 5765.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5763

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “STOP” SIGNS AT THE INTERSECTIONS OF CLEVELAND AVENUE AND MULBERRY STREET, HARRISON AVENUE AND LOWELL AVENUE, CARR AVENUE AND CHAFFIN STREET, CARR AVENUE AND PECAN STREET, CARR AVENUE AND MULBERRY STREET, CARR AVENUE AND LOWELL AVENUE, BURDETTE AVENUE AND HOUSTON STREET, BURDETTE AVENUE AND CHAFFIN STREET, BURDETTE AVENUE AND PECAN STREET, BURDETTE AVENUE AND MULBERRY STREET, BURDETTE AVENUE AND MONROE AVENUE, ANDREWS AVENUE AND CHAFFIN STREET, ANDREWS AVENUE AND PECAN STREET, ANDREWS AVENUE AND MULBERRY STREET, ANDREWS AVENUE AND MONROE AVENUE, COLBERT AVENUE AND HOUSTON STREET, COLBERT AVENUE AND PECAN STREET, COLBERT AVENUE AND MULBERRY STREET, COLBERT AVENUE AND MONROE AVENUE, AND MONROE AVENUE AND ELLIOTT AVENUE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5763
STOP SIGNS AT
VARIOUS LOCATIONS

Mayor Wacker said the proposed stop signs are located around the Sherman High School area. Mr. Olson added that they were the result of a citizen request and as a partner of the High School, the City reviewed the situation.

One issue was the signage and the traffic flow around the High School. The City’s recommendations were made based on the Texas Uniform Code of Traffic Devices. Basically everywhere there is currently a yield sign, it will be replaced with a stop sign.

Deputy Mayor Howeth expressed concern about how soon the stop signs will become effective and how much notification will be given to students. Mr. Olson said when the signs are put up, they will become effective. They will be located on the side streets, not on the thoroughfare streets.

Deputy Mayor Howeth felt some announcement should be made about the change. She offered to notify the students through the High School. Mr. Olson said the signs will not all be put up in one day. She did feel the change would ultimately help with traffic and benefit the citizens in that area.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance

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No. 5763, as presented. Second by Council Member Sofey.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF US 82 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5764
SPEED LIMITS
ON HWY 82

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Ordinance No. 5764, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5765

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AT 1602 FM 1417 WEST (RUMSEY DEVELOPMENT, OWNERS; JAMES M. O'BRYAN D.V.M., PROSPECTIVE BUYER; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ORD 5765
ZONE CHANGE
(1602 FM 1417)

ACTION TAKEN.

Motion by Council Member Softly to approve Ordinance No. 5765, as presented. Second by Council Member Johnson.

VOTING AYE: Howeth, Johnson, Plyler, Smith, 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. 5742 – RECOGNIZING THAT TYSON FRESH MEATS, INC. IS A “QUALIFIED BUSINESS” AS DEFINED IN SECTION 2303.402 OF THE TEXAS ENTERPRISE ZONE ACT AND MEETS THE CRITERIA FOR DESIGNATION AS AN ENTERPRISE PROJECT, AS SET FORTH IN SECTION 2303, SUBCHAPTER F OF THE ACT; NOMINATING THE 2013 GROUND BEEF ADDITIONAL

RES 5742
DESIGNATING TYSON
FRESH MEATS AS
LOCATED IN AN
ENTERPRISE ZONE

VOLUME PROJECT OF TYSON FRESH MEATS, INC. LOCATED IN AN ENTERPRISE ZONE WITHIN THE SHERMAN CITY LIMITS TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RECOGNIZING THAT TYSON FRESH MEATS, INC. IS A “QUALIFIED BUSINESS” AS DEFINED IN SECTION 2303.402 OF THE TEXAS ENTERPRISE ZONE ACT AND MEETS THE CRITERIA FOR DESIGNATION AS AN ENTERPRISE PROJECT, AS SET FORTH IN SECTION 2303, SUBCHAPTER F OF THE ACT; NOMINATING THE 2013 GROUND BEEF ADDITIONAL VOLUME PROJECT OF TYSON FRESH MEATS, INC., LOCATED IN AN ENTERPRISE ZONE WITHIN THE SHERMAN CITY LIMITS TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT; DECLARING AN EFFECTIVE DATE.

Mayor Wacker said the resolution relates to the recently announced expansion of Tyson Fresh Meats. They are adding equipment and a product line. She said this also means new jobs and she congratulated Tyson Fresh Meats on their investment in the community.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5742, as presented. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

REQUEST TO ADVERTISE

SEAL COAT EMULSIFIED ASPHALT OIL AND STONE

The City Council approved the request to advertise for bids for seal coat stone and emulsified asphalt oil for the City’s annual street maintenance work.

REQ TO ADVERTISE
SEAL COAT
MATERIALS

Each year the Street Department staff evaluates and ranks all City streets to determine their need for maintenance. A priority list of streets to be seal coated is prepared from this evaluation. The streets scheduled for maintenance this year represent the third year of the four-year street improvement plan set forth as part of the renewed Street Sales Tax Program.

CONSENT AGENDA.

AGRICULTURAL LEASE AT THE WASTEWATER TREATMENT PLANT

The City Council approved the request to advertise for an agricultural lease on approximately 200 acres of City property at the Wastewater Treatment Plant. In the past the tract was utilized for land application of biosolids. It has

WWTP AG LEASE

been leased for agricultural purposes for the last three years.

CONSENT AGENDA.

CHANGE ORDER NO. 3

DOWNTOWN SHERMAN STREETSCAPE PROJECT;
VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC.;
\$5,131.93, INCREASE

The City Council approved Change Order No. 3, which is a final reconciliatory change order to adjust final project quantities for the Downtown Sherman Streetscape Project. The project has been completed, but with a \$5,131.93 increase for a final revised contract amount of \$644,486.35.
CONSENT AGENDA.

CHANGE ORDER
DOWNTOWN
SHERMAN
STREETSCAPE
PROJECT

OTHER BUSINESS

RECEIVE PRESENTATION FROM TEXOMA AREA
PARATRANSIT SYSTEM (TAPS) PUBLIC TRANSIT CEO/
EXECUTIVE DIRECTOR BRAD UNDERWOOD ON TAPS'
SERVICES AND EXPANSION PLANS

Mayor Wacker introduced Brad Underwood, CEO and Executive Director of the Texoma Area Paratransit System (TAPS). She said she represented the City of Sherman on the TAPS Board for the past three years. She added that at this time, there is so much going on at TAPS that is pace-setting in public transit in Texas.

TAPS' SERVICES
& EXPANSION PLANS

Mr. Underwood recognized Trent Bass in the audience as another of the TAPS Board Members. The TAPS service area includes the area from Fannin County to Clay County and includes Decatur. TAPS also travels into Collin, Denton, Tarrant, and Dallas Counties for daily medical transportation. The service area includes 14 different counties and 8,800 square miles.

TAPS was founded in 1986 as a nonprofit, political subdivision of the State. Their annual adopted budget is \$11.8 million. They have a total of 94 buses in operation but that amount will increase to 120 in the next 90 days. TAPS operates six days per week from 4:00 a.m. until 1:00 a.m., with approximately 375,000 projected trips for 2013.

Mr. Underwood said TAPS has numerous funding sources with about 35 open contracts, including Federal and State funding, United Way, local municipalities, contracts, grants, Medicaid reimbursements, Fare box, tickets, and monthly passes.

He said about two-thirds of TAPS' business is through pre-paid fares. They have also enacted an online store where citizens can purchase fares and passes.

TAPS is currently replacing \$4.2 million in fleet and Mr. Underwood said they would add 37 new busses by June 2013. The money is funded through a nationwide competitive grant of which only nine agencies in Texas

received money. TAPS received \$4.2 million and is purchasing several different types of vehicles.

Mr. Underwood said TAPS offers fixed routes and demand/response service in the “urbanized area” of Sherman and Denison. This included 191,045 trips in FY 2011-2012. Of these trips, 19% were for elderly and/or disabled and 34% were for students.

There are also specific routes for both Austin College and Grayson College. The “Roo Route” and the “Viking Route” serve students free of charge and pick up students at each college every hour on the hour.

TAPS also offers a shuttle service to DFW Airport and added Love Field Airport in November 2012. This is a response service and requires a three day prior reservation. Cost of the service is \$40 one way.

Service is also offered to the DART Station at Parker Road on a daily basis, five days a week. The pick-up location is the TAPS Sherman Office. TAPS also has new Park and Ride Locations at Midway Mall and at the Morton Street Plaza in Denison.

Mr. Underwood said TAPS’ newest route is the Red River Route, which was launched in the Fall of 2012. It includes the “Storm Route” which goes to Southeastern Oklahoma State University, the “Red River Route” which goes to Choctaw Resort, and the “Victory Life Route” which goes to Victory Life Academy private school in Durant, Oklahoma.

Upcoming projects include a Veterans Project which would transport veterans to the Bonham VA and the Dallas VA. TAPS is currently working with the Bonham VA Hospital to bring veterans from Grayson County to their bus in McKinney for transport to the Dallas VA. They are also working with several organizations to determine the best way to serve local veterans.

Mr. Underwood said TAPS is planning construction of a new North Texas Regional Transportation Center on Texoma Parkway. They have outgrown their current facility. They are in the process of procuring an architect and applying for the remainder of the Federal money needed to construct the facility. Several other organizations will also be housed in the Center.

Evans Okeri Mosieeve, 2101 N. Hoard

Mr. Mosieeve asked about the possibility of plans to provide rides between Sherman and Texas A&M Commerce.

Mr. Underwood explained that the route would cross two separate rural transit districts. There are plans to work the eastern part of Texas, including Hunt and Lamar Counties. If that service becomes available, that would include Texas

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A&M Commerce. The project is for veterans, but would include the college.

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL TO RECEIVE A GENERAL SERVICES OVERVIEW AND FINANCIAL AND COMPREHENSIVE MASTER PLAN UPDATES

Mayor Wacker explained that this Special Meeting would be the first step in the annual budget process. Council Members discussed what days they would be available.

SET CALLED MEETING
(MARCH 13, 2013)

ACTION TAKEN.

Motion by Council Member Smith to schedule a Special Meeting of the City Council for March 13, 2013 at 12 noon, to receive a General Services Overview and Financial and Comprehensive Master Plan Update.

Second by Council Member Softly.

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

VOTING NAY: None.

MOTION CARRIED.

REPLAT APPROVAL OF LOTS 5 AND 6, BLOCK 3, WILSONWOOD ESTATES, CONTAINING 2.01 ACRES; VICTOR S. PANTUSO AND TAMMY E. ROQUE, OWNERS; SARTIN & ASSOCIATES, INC., SURVEYORS (2900 SOUTH CATHLEEN LANE AND 6516 CAROLYN COURT)

The City Council approved the Replat of Lots 5 and 6, Block 3, of Wilsonwood Estates, located at 2900 South Cathleen Lane and 6516 Carolyn Court. The 2.01 acre tract is located in Wilsonwood Estates Subdivision off of O.B. Groner Road. The owners would like to replat the property into one lot for residential development.

APPROVE REPLAT
WILSONWOOD
ESTATES
(2900 S. CATHLEEN &
6516 CAROLYN CT)

The Planning and Zoning Commission recommended approval of the Replat.

CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZEN'S REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

TAPS PRESENTATION

Council Member Johnson thanked Mr. Underwood for his presentation on TAPS and thanked the Board for their continued work. He said it was exciting and great for Sherman and the entire North Texas region.

TAPS PRESENTATION

TYSON FRESH MEATS ANNOUNCEMENT

Council Member Johnson thanked Tyson Fresh Meats for their continued investment in Sherman and added he looked forward to the increase in jobs.

TYSON FRESH MEATS
ANNOUNCEMENT

BUILDING FEE STUDY

Mayor Wacker asked for information on a building fee study to look at comparisons with Sherman's peer cities. Mr. Olson confirmed that this would include permit fees.

**BUILDING FEE
STUDY**

TOURISM DEPARTMENT

Mayor Wacker introduced Diana Adair as the new Tourism Manager for the City of Sherman. She has lived in the Texoma region since 2007 and previously worked with many of the non-profits in the area, such as the Community Series, Women Rock, Sherman Community Players, and the Oklahoma Shakespeare Festival.

**TOURISM
DEPARTMENT**

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:32 p.m.

ADJOURNMENT

MAYOR

CITY CLERK