

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, FEBRUARY 5, 2007
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 MEETING OF JANUARY 16, 2007**

Proclamation

- A.5 PROCLAMATION**
“Black History Month” – February 2007

Introduction and Public Hearing of Ordinances

- B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5442**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 2400 Block of Loy Lake Road and Masters Street (Ameristate Bank, Owner)
- B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5443**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to BJH, Inc. (Owner) to Allow Automobile Sales and Repair in a C-1 (Retail Business) District and O-1.2 (Sam Rayburn) Overlay District at 1317 South Sam Rayburn Freeway East; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000

Close Public Hearing and Consider Adoption of Ordinances

- B.3 ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers:
 - a) 5442
 - b) 5443
- 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. 4954

Awarding a Bid to and Authorizing Execution of a Contract with Banc of America Public Capital Corporation for Financing to Purchase the New Computer System

C.2 * RESOLUTION NO. 4955

Authorizing Execution of a Contract with Carollo Engineers for Professional Engineering Services to Design the Wastewater Treatment Plant Digester Rehabilitation

C.3 RESOLUTION NO. 4956

In Response to a Draft Report Issued by the Texas Commission on Environmental Quality Relating to an Updated Evaluation of the Trinity and Woodbine Aquifers and a Priority Groundwater Management Study Area for North Central Texas

C.4 * RESOLUTION NO. 4957

Approving Greater Texoma Utility Authority's to Enter into a Contract with Morris Engineers for the Engineering Services and Underwood Drafting and Surveying, Inc. for Surveying Services on the Texoma Parkway Phase II Water Main Replacement Project

C.5 RESOLUTION NO. 4958

Authorizing the Execution of an Agreement with Cupid Investments, Inc. for the Abatement of Ad Valorem Property Taxes for the Construction of One New Single-Family Residence at 106 West Lake Street

C.6 RESOLUTION NO. 4959

Authorizing the Execution of an Agreement with Barton Capital, LTD. for the Abatement of Ad Valorem Property Taxes for the Construction of One New Single-Family Residence 1201 North Throckmorton Street

C.7 RESOLUTION NO. 4960

Authorizing the Execution of an Agreement with Barton Capital, LTD. for the Abatement of Ad Valorem Property Taxes for the Construction of One New Single-Family Residence 1209 North Throckmorton Street

C.8 RESOLUTION NO. 4961

Authorizing the Execution of an Agreement with Barton Capital, LTD. for the Abatement of Ad Valorem Property Taxes for the Construction of One New Single Family Residence at 617 East Richards Street

Other Business

D.1 * OTHER BUSINESS

Approve Quarterly Investment Report for Period Ending December 31, 2006

D.2 * OTHER BUSINESS

Final Plat Approval of Ameristate Central Plaza, a Replat of Lots 1 & 2, Block 1 of J.H. Carraway's Subdivision; Ameristate Bank, Owners (2400 Block of Loy Lake Road and Masters Street)

D.3 * OTHER BUSINESS

Replat Approval of Lots 7 & 8, Block 1, Creekbend West Addition; R.W. Klas and Charles and Sandra Templeton, Owners (2400 and 2404 Creekbend Circle)

D.4 CITIZEN REQUESTS

D.5 MEDIA QUESTIONS

D.6 COUNCIL COMMENTS

Executive Session

E.1 EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections."

Section 551.071 Consultation with the City Attorney Concerning Legal Matters or Contemplated Litigation

The Council reconvenes into General Session

F.1 OPEN MEETING

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

F.2 ADJOURNMENT

COUNCIL CALENDAR

Certification

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on February 1, 2007 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 1st day of February, 2007
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agendaed items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor
Bill Magers

Deputy Mayor
Terrence R. Steele

Council Members
John Markl, Council-At-Large, PL #1
Carolyn S. Wacker, Council-At-Large, PL #2
Joe N. Smith, Council – District #1

Terrence R. Steele, Council – District #2
Curt Hughes, Council – District #3
Chip Adami, Council – District #4