

STATE OF TEXAS

§

October 21, 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 October 21, 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 David Plyler.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of October 7, 2013. Deputy Mayor Howeth moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5801 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 5784 TO APPOINT ELECTION OFFICIALS, PROVIDE A SCHEDULE FOR EARLY VOTING, AND DESIGNATE A DATE FOR THE CANVASS OF AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2013, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY.

ORD 5801
AMEND ELECTION
ORDINANCE

No citizens appeared before the City Council to discuss Ordinance 5801.

Mayor Wacker introduced Ordinance 5802 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5780 IN ITS ENTIRETY; CREATING A JOINT AIRPORT ZONING BOARD AND INVESTING SUCH JOINT AIRPORT ZONING BOARD WITH THE POWERS SUCH BOARDS ARE AUTHORIZED TO EXERCISE UNDER THE PROVISIONS OF THE AIRPORT ZONING ACT, TEXAS LOCAL GOVERNMENT CODE §241.001, ET. SEQ.; DECLARING AN EMERGENCY; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

ORD 5802
JOINT AIRPORT
ZONING BOARD

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Mayor Wacker explained that there are four different political subdivisions participating in the Joint Airport Zoning Board and all the ordinances must be consistent. This new ordinance addresses administrative details and makes the language consistent with the other entities.

She also thanked Council Member Johnson and Council Member Sofey for representing Sherman on this Advisory Board.

No citizens appeared before the City Council to discuss Ordinance 5802.

Mayor Wacker introduced Ordinance 5803 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 McLAIN DRIVE AND WOODS STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 5803
STOP SIGNS**

No citizens appeared before the City Council to discuss Ordinance 5803.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5801

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 5784 TO APPOINT ELECTION OFFICIALS, PROVIDE A SCHEDULE FOR EARLY VOTING, AND DESIGNATE A DATE FOR THE CANVASS OF AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2013, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY.

**ORD 5801
AMEND ELECTION
ORDINANCE**

ACTION TAKEN.

Motion by Council Member Johnson to approve Ordinance No. 5801, as presented. Second by Council Member Sofey.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5802

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NO. 5780 IN ITS ENTIRETY; CREATING A JOINT AIRPORT ZONING BOARD AND INVESTING SUCH JOINT AIRPORT ZONING BOARD WITH THE POWERS SUCH BOARDS ARE AUTHORIZED TO EXERCISE UNDER THE PROVISIONS OF THE AIRPORT ZONING ACT, TEXAS LOCAL GOVERNMENT

**ORD 5802
JOINT AIRPORT
ZONING BOARD**

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CODE §241.001, ET. SEQ.; DECLARING AN EMERGENCY; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

George Olson, City Manager, said the motion should also include the appointment of Council Member Johnson and Council Member Sofey to the Joint Airport Zoning Board.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5802, as presented, and to appoint Ryan Johnson and Jason Sofey to serve on the Joint Airport Zoning Board as Sherman’s representatives. Second by Council Member Sofey.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 5803

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “STOP” SIGNS AT THE INTERSECTION OF McLAIN DRIVE AND WOODS STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 5803
STOP SIGNS**

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Ordinance No. 5803, 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 Softly. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5814 – AUTHORIZING EXECUTION OF AN AGREEMENT FOR FIRE PROTECTION SERVICES BETWEEN GRAYSON COUNTY AND THE CITY OF SHERMAN FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014

**RES 5814
FIRE SERVICES FOR
GRAYSON COUNTY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT FOR FIRE PROTECTION SERVICES BETWEEN GRAYSON COUNTY AND THE CITY OF SHERMAN FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014.

RESOLUTION NO. 5815 – AUTHORIZING EXECUTION OF AN AGREEMENT FOR AMBULANCE SERVICES WITH

**RES 5815
AMBULANCE**

GRAYSON COUNTY FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014

SERVICES FOR
GRAYSON COUNTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT FOR AMBULANCE SERVICES WITH GRAYSON COUNTY FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014.

Jeff Jones, Fire Chief, explained that Resolution 5814 and 5815 are the annual contract renewals with Grayson County to provide fire and EMS services in the unincorporated areas around Sherman. Sherman responds to approximately 100 fire calls and over 300 EMS calls in those areas each year. In addition to the services provided in the corporate limits of Sherman, services are also provided in the unincorporated area, making the total service area 111 square miles.

Grayson County has agreed to continue funding the fire service at \$103,000 and EMS at just over \$107,000 for the year. The contract also includes provisions to continue to provide mutual aid to other departments within the County for both fire and EMS services.

Council Member Smith asked if Sherman was losing money on the contracts. Chief Jones said the City is not, adding that it is a challenge sometimes. There are 19 Fire Departments in Grayson County, so the mutual aid response requires that Sherman respond when called. Sherman's fire district goes from S.H. 289 and EMS goes farther. The contract allows the City to recover a portion of the cost, and allows them to bill for EMS services, like they do for Sherman citizens. He added that it is probably "break even," but it is a good deal for the citizens.

Chief Jones added that the County districts are reviewed each year to define the area and to make sure that the quickest and best service is provided to the citizens in the County. The boundary lines may move depending on other service areas.

Mayor Wacker confirmed that the rates are basically the same as last year.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution Nos. 5814 and 5815, as presented. Second by Council Member Plyler.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5816 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH CONNIE HOLLIS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1201 NORTH ROSS AVENUE

RES 5816
RESIDENTIAL TAX
ABATEMENT
(1201 N. ROSS)

COUNCIL MINUTES – OCTOBER 21, 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CONNIE HOLLIS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1201 NORTH ROSS AVENUE.
CONSENT AGENDA.

RESOLUTION NO. 5817 – 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 1205 EAST JONES

RES 5817
RESIDENTIAL TAX
ABATEMENT
(1205 E. JONES)

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 1205 EAST JONES STREET.
CONSENT AGENDA.

RESOLUTION NO. 5818 – AUTHORIZING THE PURCHASE OF A 2014 AUTOCAR FRONT LOAD TRUCK CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM CHASTANG'S BAYOU CITY AUTOCAR THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 5818
SOLID WASTE
TRUCK CHASSIS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2014 AUTOCAR FRONT LOAD TRUCK CHASSIS FOR THE SOLID WASTE SERVICES DEPARTMENT FROM CHASTANG'S BAYOU CITY AUTOCAR THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 5819 – AUTHORIZING THE PURCHASE OF A NEW HEIL FULL EJECT FRONT LOAD TRUCK BODY FOR THE SOLID WASTE SERVICES DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 5819
SOLID WASTE
TRUCK BODY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW HEIL FULL EJECT FRONT LOAD TRUCK BODY FOR THE SOLID WASTE SERVICES DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

REQUEST TO ADVERTISE
INSTALLATION OF PREVIOUSLY ACQUIRED WATER METERS

REQ TO ADVERTISE
INSTALLATION OF
WATER METERS

The City Council approved the request to advertise for the installation of previously acquired water meters at eight City pump stations.
CONSENT AGENDA.

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CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

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

KEEP SHERMAN BEAUTIFUL COMMISSION (2)

ACTION TAKEN.

Motion by Deputy Mayor Howeth to appoint Dusty Payne to the Keep Sherman Beautiful Commission for a term beginning and ending when the entire board is appointed. Second by Council Member Smith.

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

VOTING NAY: None.

MOTION CARRIED.

Mayor Wacker added that the Advisory Board should convene their first meeting in November 2013.

COUNCIL COMMENTS

EARLY VOTING FOR NOVEMBER 5, 2013 ELECTION

Council Member Sofey said Early Voting started today and continues through November 1, 2013. He urged citizens to "get out and vote."

FRIGHT NIGHT

Council Member Sofey reminded citizens that there will be a Fright Night event held in downtown Sherman on Saturday, October 26, 2013. There will be activities for kids, bands, and a wine stroll.

SHERMAN HIGH SCHOOL BAND

Deputy Mayor Howeth said the Sherman High School Band was doing well. She invited citizens to attend a Bearcat Football Game to watch the Band.

HALLOWEEN EVENTS

Mayor Wacker reminded citizens that there were numerous Halloween activities in Sherman this year and she directed citizens to the City's website at www.ci.sherman.tx.us for details.

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

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

SECTION 551.071

CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED

CITIZENS REQUESTS

MEDIA QUESTIONS

**KEEP SHERMAN
BEAUTIFUL**

**EARLY VOTING FOR
NOV. 5, 2013 ELECTION**

FRIGHT NIGHT

SHS BAND

HALLOWEEN EVENTS

EXECUTIVE SESSION

**LITIGATION:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:12 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:20 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:21 p.m.

ADJOURNMENT

MAYOR

CITY CLERK