

STATE OF TEXAS

§

August 18, 2014

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 August 18, 2014.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR ROBERT SOFTLY.  
COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, WATT.

MEMBERS ABSENT: COUNCIL MEMBER SOFEY.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of August 4, 2014. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Watt. All present voted AYE.  
MOTION CARRIED.

APPROVE MINUTES

SECOND PUBLIC HEARING OF ORDINANCE NO. 5822

Mayor Wacker called for the second public hearing of Ordinance 5822:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; PROVIDING FOR A REPEALER.

ORD 5822  
ANNUAL BUDGET

Mayor Wacker read the following statement, "This budget will raise more total property taxes than last year's budget by \$992,000 and 13%, and of that amount \$424,000 is revenue to be raised from new property to be added to the roll this year."

No citizens appeared before the City Council to discuss Ordinance 5822.

INTRODUCTION AND FIRST PUBLIC HEARING OF ORDINANCE NO. 5823

Mayor Wacker introduced Ordinance 5823 and called for the first public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2014; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE

ORD 5823  
LEVY OF AD  
VALOREM TAXES

**COUNCIL MINUTES – AUGUST 18, 2014**

**TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW;  
PROVIDING FOR A REPEALER.**

Mayor Wacker said the City Council will consider the adoption of the tax rate ordinance at the Regular Meeting scheduled for 5:00 p.m. on Monday, September 15, 2014, at Sherman City Hall, 220 West Mulberry Street, Sherman, Texas.

No citizens appeared before the City Council to discuss Ordinance 5823.

**INTRODUCTION AND PUBLIC HEARING OF ORDINANCE  
NO. 5824**

Mayor Wacker introduced Ordinance 5824 and called for a public hearing:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 4<sup>TH</sup> DAY OF NOVEMBER, 2014, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.**

**ORD 5824  
CALL ELECTION  
FOR NOV. 4, 2014**

No citizens appeared before the City Council to discuss Ordinance 5824.

The Public Hearing was closed.

**OTHER BUSINESS  
PROVIDING FOR THE RATIFICATION OF THE PROPERTY  
TAX INCREASE**

Mayor Wacker explained that the ratification of the property tax increase was required by law to be considered prior to the vote on the adoption of the budget and the adoption of the tax rate. The property tax increase is proposed in the 2014-2015 Operating Budget.

**RATIFY PROPERTY  
TAX INCREASE**

**ACTION TAKEN.**

Motion by Council Member Plyler to ratify the property tax increase, as presented. Second by Council Member Watt.

VOTING AYE: Wacker, Johnson, Plyler, Softly, Watt.

VOTING NAY: Davis.

MOTION CARRIED.

**ADOPTION OF ORDINANCES**

**Ordinance 5822**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES**

**ORD 5822  
ANNUAL BUDGET**

**COUNCIL MINUTES – AUGUST 18, 2014**

**FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; PROVIDING FOR A REPEALER.**

**Council Member Davis said he supported almost all of the expenditures in the proposed budget, but he does not support the property tax rate increase.**

**He said when he ran for Council he told the voters he wouldn't raise their taxes unless it was absolutely necessary, and he hasn't been convinced that it is absolutely necessary. The property tax increase raises about \$550,000 in a \$65 million budget.**

**Property tax appraisals have increased, sales tax revenue has increased significantly over the last couple of years, and the Panda Plant will soon be on line. These are all positive economic gains for the City.**

**The proposed budget is increasing expenditures from last year's budget by about \$6 million. The City certainly has issues that need to be addressed, but he preferred that the City survive on a \$5.5 million increase and not raise the property tax rate.**

**Council Member Davis said there are probably many ways to do this, but one possible solution would be to postpone purchasing the land for a new fire station, postpone the expensive flood study, and reduce the General Fund Reserves by a few days, keeping them above the 70 day target. He felt this would not have any effect on the City's bond rating or good credit rating.**

**For those reasons, Council Member Davis said he could not support the budget or the property tax increase.**

**Mayor Wacker said the Council has previously had good and thorough discussions on the budget, agreeing that this is the best course of action to preserve the things that are important to the City. She said the Council appreciates the diverse viewpoints, but have agreed on this proposed budget, as a whole.**

**Ordinance 5824**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 4<sup>TH</sup> DAY OF NOVEMBER, 2014, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.**

**ORD 5824  
CALL ELECTION  
FOR NOV. 4, 2014**

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**ACTION TAKEN.**

Motion by Council Member Watt to approve Ordinance Nos. 5822 and 5824, as presented. Second by Council Member Plyler.

VOTING AYE: Johnson, Plyler, Softly, Watt.

VOTING NAY: Davis.

MOTION CARRIED.

**CONSENT AGENDA**

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

**CONSENT AGENDA**

**RESOLUTIONS**

**RESOLUTION NO. 5873 – AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 4, 2014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 4, 2014.

**RES 5873  
JOINT ELECTION  
AGREEMENT**

**ACTION TAKEN.**

Motion by Council Member Watt to approve Resolution No. 5873, as presented. Second by Council Member Plyler.

VOTING AYE: Davis, Johnson, Plyler, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 5874 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2014 AUDIT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADAMI, LINDSEY & COMPANY, L.L.P. TO PERFORM THE FISCAL YEAR 2014 AUDIT.

CONSENT AGENDA.

**RES 5874  
ANNUAL AUDIT**

**OTHER BUSINESS**

**REPLAT APPROVAL OF LOT 4A, BLOCK 1, CRESCENT OAKS PLAZA, CONTAINING 3.012 ACRES; P&B EYE INVESTMENTS LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS (1625 NORTH U.S. HIGHWAY 75)**

The City Council approved the Replat of Lot 4A, Block 1, Crescent Oaks Plaza, containing 3.012 acres, and located at 1625 North U.S. Highway 75, between Texoma Parkway and Taylor Street in the Crescent Oaks Plaza Addition.

**APPROVE REPLAT  
CRESCENT OAKS  
PLAZA  
(1625 N. HWY 75)**

The owners, P&B Eye Investments, LLC, would like to replat the property into two lots for commercial development. The

**COUNCIL MINUTES – AUGUST 18, 2014**

Planning and Zoning Commission recommended that the Replat be approved, subject to the Staff Review Letter.  
**CONSENT AGENDA.**

**CONSIDER REQUEST OF THE GRAYSON HISPANIC HERITAGE COUNCIL OF SHERMAN TO TEMPORARILY CLOSE CERTAIN STREETS AND USE CERTAIN CITY FACILITIES AND SERVICES FOR THE “ANNUAL HISPANIC HERITAGE FESTIVAL” ON SATURDAY, SEPTEMBER 13, 2014 WITH A RAIN DATE OF SUNDAY, SEPTEMBER 14, 2014**

The City Council approved the request of the Grayson Hispanic Heritage Council of Sherman to temporarily close certain streets and use certain City facilities and services for the “Annual Hispanic Heritage Festival” on September 13, 2014, with a Rain Date of September 14, 2014.

The request includes closing the streets around the Municipal Building and providing additional solid waste containers and barricades, as well as the labor and equipment to drop-off and pick-up the barricades and containers. They have also reserved the Oliver Dewey Mayor Outdoor Theater and the Municipal Ballroom for the event.

**CONSENT AGENDA.**

**CONSIDER REQUEST OF THE SHERMAN CHAMBER OF COMMERCE TO TEMPORARILY CLOSE CERTAIN STREETS AND USE CERTAIN CITY FACILITIES AND SERVICES FOR THE “32<sup>ND</sup> ANNUAL SHERMAN AUTUMN AND ARTS FESTIVAL” ON SATURDAY, SEPTEMBER 20, 2014**

The City Council approved the request of the Sherman Chamber of Commerce to temporarily close certain streets and use certain City facilities and services for the “32<sup>nd</sup> Annual Sherman Autumn and Arts Festival” on September 20, 2014.

The request includes closing the streets around the Municipal Building and the use of additional barricades, traffic control, trash carts, dumpsters, access to tables and chairs, and the sweeping of streets around the Municipal Building. The Oliver Dewey Mayor Outdoor Theater, the Municipal Building, and the Kidd-Key Auditorium have also been reserved for the event.

Labor and equipment will also be needed to assist with the control of traffic and implementation of barricades, placement of trash carts and dumpsters, sweeping of streets and the use of City facilities.

**CONSENT AGENDA.**

**CITIZENS REQUESTS**

There were no citizen’s requests.

**MEDIA QUESTIONS**

There were no media questions.

**CLOSE STREETS  
ANNUAL HISPANIC  
HERITAGE FESTIVAL  
(SEPT. 13, 2014)**

**CLOSE STREETS  
AUTUMN & ARTS  
FESTIVAL  
(SEPT. 20, 2014)**

**CITIZENS REQUESTS**

**MEDIA QUESTIONS**

**COUNCIL COMMENTS**

**DEWEY AVENUE RESURFACING**

Council Member Watt recognized the Texas Department of Transportation for the good job they did recently on the resurfacing of Dewey Avenue.

**DEWEY AVENUE  
RESURFACING**

**POLICE DEPARTMENT K-9 OFFICER**

Council Member Watt said there was a nice article in today's Herald Democrat about Police Officer Trevor Stevens and his new K-9 partner. He congratulated the Police Department and said Officer Stevens will do a great job.

**POLICE DEPT.  
K-9 OFFICER**

**KEEP SHERMAN BEAUTIFUL "YARD OF THE WEEK"**

Mayor Wacker was pleased that the Keep Sherman Beautiful Commission had started their "Yard of the Week" recognition program. She said there are other things in the works with the Keep Sherman Beautiful Commission and other citizen groups that are working on behalf of Sherman.

**KEEP SHERMAN  
BEAUTIFUL "YARD  
OF THE WEEK"**

**ANNUAL BUDGET**

Mayor Wacker said she felt good about the City's budget process and what has been accomplished by the staff and Council. There were good discussions.

**ANNUAL BUDGET**

This budget is about public safety and the services that are really important going forward for Sherman. She said it is always a difficult process to determine how the City will get the resources to do the projects, but she felt due diligence was done.

Mayor Wacker said it is always exciting to see what next year will bring as the City delivers quality services to the citizens and continues to build an excellent City.

**ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 5:13 p.m.

**ADJOURNMENT**

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**MAYOR**

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**CITY CLERK**