

STATE OF TEXAS

§

December 1, 2014

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 December 1, 2014.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR DAVID PLYLER. COUNCIL MEMBERS DAVIS, JOHNSON, SOFEY, STEELE, WATT.

MEMBERS ABSENT: NONE.

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 November 17, 2014. Council Member Steele moved to approve the Minutes as presented; Second by Deputy Mayor Plyler. All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5863 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS ON CALAIS DRIVE AT GALLAGHER DRIVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5863
STOP SIGNS

No citizens appeared before the City Council to discuss Ordinance 5863.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5863

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS ON CALAIS DRIVE AT GALLAGHER DRIVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5863
STOP SIGNS

ACTION TAKEN.

Motion by Council Member Watt to approve Ordinance No. 5863, as presented. Second by Council Member Johnson.

COUNCIL MINUTES – DECEMBER 1, 2014

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5920 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH GRAYSON CAPITAL, LLC UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 101 NORTH TRAVIS STREET

**RES 5920
HISTORIC BUILDING
RESTORATION &
IMPROVEMENT GRANT
(101 N. TRAVIS)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH GRAYSON CAPITAL, LLC UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 101 NORTH TRAVIS STREET.

Sherry Little appeared representing Grayson Capital, LLC, to discuss their project for 101 N. Travis Street. They plan to create a full-service restaurant in Downtown Sherman, and chose this location because of their strong ties to Sherman. The property was purchased in June 2014.

As they cleaned the building, they discovered several historical elements including ornate columns, beams and girders, doors from the original stores, and arched stained glass windows. The building was originally a three-story structure and housed dry good stores or department stores.

Today the facility is a one-story building and has been declared structurally sound by an engineer and is ready to be transformed from an “eyesore” to an attractive anchor building. With a view of the Courthouse Square and sitting on the corner of two of the busiest streets in Sherman, this building is truly an anchor building. She said the building is in need of restoration and renovation.

Ms. Little said they want to build something that will attract visitors and residents to the Downtown area and increase the energy and interest in the area. She added that the historic elements found in the building will be utilized, including some iron beams across the front, as the front and side walk are “pushed back” to create an outdoor patio with open air seating and a view of the Courthouse.

She said changing a building that was only used as a store into a full service restaurant is a huge project requiring a significant investment. New plumbing, electrical, and HVAC systems must be installed, and the fire safety system must

COUNCIL MINUTES – DECEMBER 1, 2014

be renovated and brought up to code. Major work must be completed on the interior and the exterior to make the facility inviting to guests and residents.

Ms. Little said to effectively use the historical elements that were uncovered and to reflect the rich history of the building, their renovation will be using materials that align with the historical era, such as wood and exposed brick. Modern elements will be used to make the restaurant functional and fun.

She said completion of the project is scheduled for Spring of 2015. Ms. Little asked the City Council to support their request for a grant through the City's Central Business District Historic Building Restoration and Improvement Grant Program.

Council Member Steele asked if the \$40,000 allocated from the Hotel/Motel Occupancy Tax for grants through this program was an ongoing fund or on an annual basis. Mayor Wacker said the Council has been budgeting an amount annually based on the amount of money in the fund. No grant was awarded last year.

Robby Hefton, Assistant City Manager/CFO, said the \$40,000 allocated this year was a small increase over the amount allocated last year, which was \$25,000. Council Member Steele verified that if another business applied for the grant during this budget year, the most they could receive was \$15,000.

Council Member Sofey said this was a great program and helped benefit the downtown area a great deal. He also felt it was important that the City continued the program.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5920, as presented. Second by Council Member Johnson.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5921 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT SEARS LIFT STATION RELIEF SEWER; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC

**RES 5921
SEARS LIFT STATION
RELIEF SEWER**

PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT SEARS LIFT STATION RELIEF SEWER; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
CONSENT AGENDA.

RESOLUTION NO. 5922 – AUTHORIZING EXECUTION OF AN AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WASTEWATER TREATMENT PLANT HEADWORKS LIFT STATION AND ELECTRICAL UPGRADE IMPROVEMENTS

RES 5922
WWTP HEADWORKS
LIFT STATION
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE WASTEWATER TREATMENT PLANT HEADWORKS LIFT STATION AND ELECTRICAL UPGRADE IMPROVEMENTS.
CONSENT AGENDA.

RESOLUTION NO. 5923 – AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM CALDWELL COUNTRY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 5923
POLICE PATROL
VEHICLES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM CALDWELL COUNTRY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 5924 – AUTHORIZING THE PURCHASE OF A FLAT BED DUMP TRUCK FOR THE UTILITY MAINTENANCE DEPARTMENT FROM SOUTHWEST INTERNATIONAL TRUCKS, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 5924
UTILITY MAINT.
VEHICLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A FLAT BED DUMP TRUCK FOR THE UTILITY MAINTENANCE DEPARTMENT FROM SOUTHWEST INTERNATIONAL TRUCKS, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 5925 – AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR THE UTILITY MAINTENANCE

RES 5925
UTILITY MAINT.

DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)

VEHICLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR THE UTILITY MAINTENANCE DEPARTMENT FROM ASSOCIATED SUPPLY COMPANY THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).
CONSENT AGENDA.

**CHANGE ORDER NO. 1
OLD SETTLERS TRINITY #1 WELL REPAIR; WEISINGER INCORPORATED; \$56,932.84 INCREASE**

CHANGE ORDER
OLD SETTLERS
TRINITY #1 WELL
REPAIRS

The City Council approved Change Order No. 1 for the Old Settlers Trinity #1 Well Repair Project. The change order is a final, reconciliatory change order to adjust the final project quantities for the project.

A suction basket and impeller from the old pump broke off and fell deep into the well. It was necessary to “fish” for these parts to clear the well. Additional well videos, fishing equipment and special equipment fabrications, jetting of the well, and acid treatment of the well added additional costs.

The change order results in a \$56,932.84 increase in the contract amount, yielding a final contract price of \$185,235.84.

CONSENT AGENDA.

**CHANGE ORDER NO. 1
STEPHENS TRINITY #1 WELL REPAIR; WEISINGER INCORPORATED; \$50,136.60 INCREASE**

STEPHENS TRINITY
#1 WELL REPAIR

The City Council approved Change Order No. 1 for the Stephens Trinity #1 Well repair. The change order is a final, reconciliatory change order to adjust the final project quantities for the project.

Following the well repair, it was necessary to clean the well by wire brushing the screens and chlorinating the well. Additional rock was added to pack the well casing and additional videos of the well were required during the process.

The change order results in a \$50,136.60 increase in the contract amount, yielding a final contract price of \$222,958.00.

CONSENT AGENDA.

**CHANGE ORDER NO. 1
STEPHENS WOODBINE #2 WELL REPAIR; WEISINGER INCORPORATED; \$36,318.40 INCREASE**

STEPHENS WOODBINE
#2 WELL REPAIR

The City Council approved Change Order No. 1 for the Stephens Woodbine #2 Well repair. The change order is a final, reconciliatory change order to adjust the final project quantities for the project.

The well required “fishing” to remove broken apparatus that had fallen down the well. The extra costs including fishing tools fabrication, crew costs, additional well videos, and acid treatment of the well.

The change order results in a \$36,318.40 increase in the contract amount, yielding a final contract price of \$143,643.40.

CONSENT AGENDA.

OTHER BUSINESS

CONTINUE THE REPAIR AND REWORKING OF THE DORCHESTER 10 TRINITY WELL UNDER AN EMERGENCY DESIGNATION

DORCHESTER 10 TRINITY WELL REPAIR

Mark Gibson, Director of Utilities, said there are 24 wells in the City, 13 are in the Trinity Formation and 11 are in the Woodbine Aquifer. The Dorchester 10 Trinity Well is located in the northwest portion of the service area and also serves the City of Dorchester and the Marilee Special Utility District.

Mr. Gibson said the City is okay losing one well, but if another well in that area is lost, there would be additional problems. By asking for the emergency designation, it will be put back into service quicker.

The company is already in town working on wells, so they were contacted to look at this well. After a preliminary look at the well, it was determined that the motor has burned out and some additional work will be required on the shaft, shaft bearings, and suction screens. Additional funding will probably be requested later as the needed repairs are better assessed.

Mr. Gibson asked that the City Council approve an emergency designation to repair the Dorchester 10 Trinity Well, in order to repair the well and return it to service.

Mr. Hefton said funding for the project would come from Greater Texoma Utility Authority funds and the City’s Utility Capital Improvement Program funds.

ACTION TAKEN.

Motion by Council Member Steele to approve the repair and reworking of the Dorchester 10 Trinity Well under an Emergency Designation, as presented. Second by Council Member Watt.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RECEIVE THE SHERMAN CHAMBER OF COMMERCE’S PRESENTATION ON THE SHERMAN CHRISTMAS PARADE AND SNOWFLAKE FESTIVAL ON DECEMBER 5, 2014

CHRISTMAS PARADE

Lauren Roth, Director of Tourism and Events, distributed a flyer highlighting the Christmas Parade, which will be held on December 5, 2014, at 7:00 p.m.

COUNCIL MINUTES – DECEMBER 1, 2014

Several changes were made this year including moving the Christmas tree to a location on Travis Street, along the parade route. Currently the mailbox for “Santa Letters” is next to the Christmas tree, but will be moved back to the Courthouse lawn.

After the parade, a “Meet & Greet with Santa” will be held and parents can take photos of their children with Santa Claus. The Festival will begin at 3:00 p.m. and the Tree Lighting will be held at 6:25 p.m.

CONSIDER REQUEST OF THE NEIGHBORHOOD RECREATIONAL COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE 2015 MARTIN LUTHER KING, JR. DAY PARADE ON SATURDAY, JANUARY 17, 2015

The City Council approved the request of the Neighborhood Recreational Committee to temporarily close certain streets for the 2015 Martin Luther King, Jr. Day Parade on January 17, 2015. City labor to provide traffic control assistance will be required.

CONSENT AGENDA.

CITIZENS REQUESTS

GOATS IN NEIGHBORHOOD

Jane Kelley, 704 E. Sycamore, said she has appeared before the City Council several times, and asked them to consider that goats are “large livestock.” These goats live next door to Ms. Kelley and are within seven feet of her fence.

In the past, Ms. Kelley said she has been told that pygmy goats were allowed inside the City. She did not think these were pygmy goats, but even so the goats make a lot of noise. She played a recording of the sound the goats are making.

Mayor Wacker said Ms. Kelley has been working with the City Attorney on the issue and has already been to Municipal Court and there has been some action taken. There is also a preliminary draft of an ordinance, however the Council cannot discuss that tonight since it is not on the agenda.

She said Brandon Shelby, City Attorney, will continue working with Ms. Kelley and she will be notified when the item is placed on the Council agenda for discussion.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

WELCOME TO COUNCIL MEMBER TERRENCE STEELE

Council Member Watt welcomed Council Member Terrence Steele to the City Council, saying he has worked many years with him as a City employee, and it is a pleasure working with him on the Council. He said his intelligence, integrity, and honesty are hallmarks of his character.

CLOSE STREETS FOR MARTIN LUTHER KING JR. DAY PARADE (JAN. 17, 2015)

GOATS IN NEIGHBORHOOD

MEDIA QUESTIONS

WELCOME TO COUNCIL MEMBER TERRENCE STEELE

MERRY CHRISTMAS

Council Member Sofey wished everyone a Merry Christmas.

MERRY CHRISTMAS

DOWNTOWN DEVELOPMENT

Deputy Mayor Plyler said he was glad to see the development taking place on Travis Street and hoped it would spur other development as well.

DOWNTOWN DEVELOPMENT

CHRISTMAS PARADE

Deputy Mayor Plyler invited everyone to the Christmas Parade on December 5, 2014.

CHRISTMAS PARADE

DOWNTOWN DEVELOPMENT

Council Member Johnson thanked the members of Grayson Capital LLC for believing and investing downtown, adding that great things are in store.

DOWNTOWN DEVELOPMENT

He also thanked Sean Vanderveer for his investments in the downtown area too.

DOWNTOWN DEVELOPMENT

Council Member Davis wished Grayson Capital LLC good luck with their project.

DOWNTOWN DEVELOPMENT

ANNOUNCEMENTS

Mayor Wacker announced the following:

ANNOUNCEMENTS

- Texoma Toys for Tots 2014 will be accepting applications through December 12, 2014 at the Parks and Recreation Office and Senior Citizens Center. More information is available on the City's website.
- The 4th Annual St. Mary's Run Run Rudolph 5K and Family Fun Run/Walk will be held on December 6, 2014, beginning at 8:45 a.m. at the St. Mary's parking lot.
- The Sherman Public Library will host Christmas Pajama Night Story Time on December 9, 2014, from 6:30 p.m. until 7:30 p.m.
- The Parks and Recreation Office will offer Family Christmas Craft on December 11, 2014, from 7:00 p.m. until 8:00 p.m.
- A Candy Cane Hunt will be held at Pecan Grove West Park on December 13, 2014, from 1:00 p.m. until 3:00 p.m.

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

EXECUTIVE SESSION

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.

COUNCIL MINUTES – DECEMBER 1, 2014

**SECTION 551.074 PERSONNEL MATTERS:
DELIBERATE THE APPOINTMENT,
EMPLOYMENT, EVALUATION,
REASSIGNMENT, DUTIES,
DISCIPLINE, OR DISMISSAL OF A
PUBLIC OFFICER OR EMPLOYEE**

**SECTION 551.074 CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
SHERMAN HIGHER EDUCATION
FINANCE CORPORATION BOARD
OF DIRECTORS (1)**

**GREATER TEXOMA UTILITY
AUTHORITY BOARD OF
DIRECTORS (1)**

On Motion duly made and carried, the Open Meeting recessed at 5:22 p.m. Mayor Wacker said a group photo would be taken of Council Members prior to reconvening in Executive Session.

The meeting reconvened in Executive Session at 5:26 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:00 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

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS
SHERMAN HIGHER EDUCATION FINANCE CORPORATION
BOARD OF DIRECTORS (1)**

**SHERMAN HIGHER
EDUCATION FINANCE
CORPORATION**

ACTION TAKEN.

Motion by Council Member Steele to appoint Sheryl Bradshaw to the Sherman Higher Education Finance Corporation Board of Directors to fill an unexpired term from December 2, 2014 to April 18, 2016. Second by Council Member Watt.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

**GREATER TEXOMA UTILITY AUTHORITY BOARD OF
DIRECTORS (1)**

**GREATER TEXOMA
UTILITY AUTHORITY**

ACTION TAKEN.

Motion by Council Member Johnson to reappoint Brad Morgan to the Greater Texoma Utility Authority Board of Directors for a term from December 31, 2014 to December 31, 2016. Second by Deputy Mayor Plyler.

COUNCIL MINUTES – DECEMBER 1, 2014

**VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.
VOTING NAY: None.
MOTION CARRIED.**

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
6:02 p.m.**

ADJOURNMENT

MAYOR

CITY CLERK