

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, NOVEMBER 16, 2009
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 REGULAR CITY COUNCIL MEETING OF NOVEMBER 2, 2009**

Special Presentation

- A.5 SPECIAL PRESENTATION**
Announcing the Winner of the Second Annual “Sherman Today” Photo Contest

Public Hearing

- B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5630**
Amending Ordinance No. 5103 to Provide for the Removal of “No Parking” Signs Restricting Parking along Portions of North Walnut Street, between Brockett Street and College Street
- B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5631**
Establishing Maximum, Reasonable and Prudent Rates of Speed on Certain Portions of Frisco Road in the City of Sherman; Fixing Penalties for Violation Thereof

Close Public Hearing and Consider Adoption of Ordinances

- B.3 ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers:
 - (a) 5630
 - (b) 5631
- 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. 5436

Appointing a Successor Paying Agent/Registrar for the “City of Sherman, Texas, Combination Tax and Tax Increment Revenue Certificates of Obligation, Series 2004 (Reinvestment Zone Number One)”; Approving and Authorizing the Execution of a Paying Agent/Registrar Agreement with Said Bank; Resolving Other Matters Incident and Related Thereto

C.2 * RESOLUTION NO. 5437

Authorizing Execution of a Contract with Weisinger Water Well, Inc. for Repairs to Russell 1 Trinity Water Well

Requests to Advertise

D.1 * REQUEST TO ADVERTISE

Construct Phase IV Concrete Solid Waste Parking Lot

D.2 * REQUEST TO ADVERTISE

Repair of a Damaged Storm Sewer at Archer Drive

Payment Approval

D.3 * PAYMENT APPROVAL

Texas Commission on Environmental Quality (TCEQ) Annual Consolidated Water Quality Assessment Fee for Fiscal Year 2009-2010: \$69,645.00

Other Business

D.4 OTHER BUSINESS

Consider Request of the Sherman Chamber of Commerce and the Sherman Tourism Department to Temporarily Close Certain Streets for the Annual Sherman Christmas Parade on Friday, December 4, 2009

D.5 * OTHER BUSINESS

Replat Approval of Carrus Medical Plaza, a Replat of Lot 2 of Post Oak Crossing East Addition, being 19.749 acres in the Uriah Burns Survey, Abstract No. 121; SDB Partners dba Carrus Specialty Hospital, Owners; Sterling Engineering & Design Group, LTD, Developer; Teague, Nall and Perkins, Inc., Engineers; and Underwood Drafting and Surveying, Surveyors (1810 U.S. Highway 82 West)

D.6 * OTHER BUSINESS

Replat Approval of Lots 1, 2, & 3, Block 5, Exstein’s Maple Addition, being 0.48 acres in the J.B. McAnair Survey, Abstract No. 763; Horace A. Roberson, Owner, and Underwood Drafting and Surveying, Surveyors (316 and 320 North Woods Street)

D.7 CITIZEN REQUESTS

D.8 MEDIA QUESTIONS

D.9 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 551.074 Personnel Matters

- (a) Deliberate the Evaluation of a Public Officer or Employee:
 - (i) Annual Performance Evaluation of the City Manager
 - (ii) Six-Month Evaluation of the City Attorney

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 November 12, 2009 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of November, 2009
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
Joe N. Smith

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

Robert G. Softly, Council – District #2
Pamela L. Howeth, Council – District #3
Chip Adami, Council – District #4