STATE OF TEXAS §

November 18, 2019

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 November 18, 2019.

MEMBERS PRESENT:	**MAYOR DAVID PLYLER; DEPUTY MAYOR SHAWN TEAMANN.** **COUNCIL MEMBERS HOLLAND, HOWETH, MELTON, STEELE, STEVENSON.**
MEMBERS ABSENT:	**NONE.**

CALL TO ORDER

<u>CALL TO ORDER</u>
Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Willie Steele.

APPROVE MINUTES

<u>APPROVE MINUTES</u>
The Council reviewed the Minutes of the Regular City Council Meeting of November 4, 2019. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Melton; All present voted AYE.
MOTION CARRIED.

CANVASS OF ELECTION RETURNS

<u>DECLARE RESULTS OF NOVEMBER 5, 2019 REGULAR MUNICIPAL ELECTION</u>
<u>CANVASS OF ELECTION RETURNS</u>
Mayor Plyler canvassed the Election returns of the November 5, 2019 Special Municipal Elections by reading the number of early votes, Election Day votes, and total votes received for the Proposition and Charter Amendments.

The detail of the Election returns are maintained in the permanent record file entitled "Elections" in the Office of the City Clerk. The canvass statistics are attached and made a part of these Minutes. (Exhibit A)

Mayor Plyler asked for a motion accepting Resolution 6561, declaring the official results of the November 5, 2019 Special Municipal Elections.

RES 6561 DECLARING ELECTION RESULTS

<u>RESOLUTION NO. 6561 – DECLARING THE RESULTS OF THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6561, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

OATH OF OFFICE

OATH OF OFFICE
OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Linda Ashby, City Clerk, administered the Oath of Office to the following Council-elect positions.

Council Member, District 1	**Shawn Teamann**
Council Member, District 3	**Pamela Howeth**

A Certificate of Election was presented to each of the newly sworn-in Council Members. The new members were seated at the Council table.

NEW COUNCIL SEATED
MEMBERS PRESENT: Mayor David Plyler.
Council Members Holland, Howeth, Melton, Steele, Stevenson, Teamann.

MEMBERS ABSENT: None.

DEPUTY MAYOR ELECTION

COUNCIL ELECTION OF DEPUTY MAYOR
Mayor Plyler said all Council Members are fully capable of performing the duties of Deputy Mayor, therefore he usually considers term dates. He said Council Member Willie Steele is the next person with seniority.

ACTION TAKEN.

Motion by Council Member Stevenson to nominate Council Member Willie Steele to serve as Deputy Mayor from November 19, 2019 until November 3, 2020. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CITIZEN'S REQUESTS

STREET REPAIRS

STREET REPAIRS
Peter Tracy, 705 S. Valentine, said at the last meeting he discussed street repairs that were needed in the Oak Park Addition. He said the repairs were done within the following week, and he thanked the Street Department.

INSPECTION OF HOUSE FOUNDATIONS

INSPECTION OF HOUSE FOUNDATIONS
Mr. Tracy said there are several homes under construction in the Oak Park Addition and they are hauling in loose dirt. He expressed concern about future foundation problems for

these homes. He asked who inspected the foundations. Mayor Plyler said the Building Department inspects the rebar.

MUNICIPAL AIRPORT

MUNICIPAL AIRPORT
Mr. Tracy said at a previous meeting someone asked if jet aircraft would be landing at the Municipal Airport. He said the Airport's runway is 4,000 feet long and small jet aircraft only need a 3,000 foot long runway. So there is the potential for small jet aircraft to land at that Airport.

MUNICIPAL AIRPORT ACCESS BY FIRE DEPT.

MUNICIPAL AIRPORT ACCESS BY FIRE DEPARTMENT
Mr. Tracy expressed concern as to whether or not the Fire Department adjacent to the Municipal Airport had adequate equipment to deal with a fuel fire at the facility. He also asked if they would have rapid access to the Airport in the event of an emergency.

AIRPORT MASTER PLAN

OTHER BUSINESS
RECEIVE PRESENTATION FROM CORGAN ON RESULTS OF PHASES I AND II OF THE SHERMAN MUNICIPAL AIRPORT MASTER PLAN PROJECT
Robby Hefton, City Manager, said Corgan Associates, Inc. has spent the last couple of months working on Phase I and Phase II of the Sherman Municipal Airport Master Plan. Representatives will give an update on the Plan and how it ties in with some of the other agenda items that relate to the Airport.

Keith O'Connor, Senior Aviation Planner and Vice President, Corgan Associates, Inc., said they began work on the Airport Master Plan in the early Spring of this year. They reviewed the facilities that might be required and the best way to phase these. He said good, solid input was obtained through several public hearings, and through the steering committee.

Their process follows the Federal process and uses a three phase approach. First there was an inventory of the existing conditions and the forecast of the aviation demand and what would be needed to meet that demand. Then the recommended development was studied with an implementation plan.

Phase I was completed in May 2019, and Phase II was started in August 2019. Phase III will conclude on November 21, 2019. The Plan will include a technical report with recommendations and a flexible plan for expansion of the Airport.

A critical part of the Plan is the Airport Layout Plan, which is required to receive funding from the Texas Department of Transportation. The ALP shows the existing facilities at the Airport, and planned future expansion. This Plan allows the projects to be considered for TxDOT funding, which will be a key part of going forward.

Mr. O'Connor presented a schedule of the scope of work for Phase II and Phase III, which included five public meetings and meetings with the steering committee.

Out of those meetings came the goals and objectives. These goals include becoming a general aviation reliever airport for the surrounding area and for recreational flyers. He also discussed the goals for airport operations, including fostering a balance of commercial and aviation related development, and remaining a non-towered airport.

The goals also include a long-term strategic development plan for 20 years, that includes alternate funding sources. Twenty years would be the requirement for the FAA process.

Mr. O'Connor presented the existing layout of the Airport. Currently the runway is 4,000 feet long and 75 feet wide. There are 10 T-hangars at the Airport, with 21 based aircraft, and three aircraft that are not stored in hangars.

He said there is a tremendous opportunity at the Airport and discussed the need for additional fueling to meet the demands of the future development. There is also a higher level of demand for additional hangars. He discussed the forecast for based aircraft, as well as for operations within a 100 mile radius.

The Plan predicted, eventually growing the based aircraft to 40. He added that there is a long waiting list for hangars at the Airport from pilots that have their aircraft at airports in other cities.

Mr. O'Connor said they studied what would be a realistic size of expansion that could be accommodated at the Airport, and wouldn't be onerous from an investment standpoint, making sure that the growth was incremental.

He recommended that two T-hangars be constructed immediately, which would hold 14 additional based aircraft. There are currently more than 14 people on the waiting list for hangar space. Based on the additional T-hangars, the airport operations would grow from approximately 8,000 today up to about 15,500, over the 20 year horizon.

Once they determined that the Airport was designed for Group II aircraft, or medium sized aircraft, they could determine the recommended development that would be needed. The recommended development includes 21 new T-hangars, three new box hangars, three commercial box hangars, 16 additional auto parking spaces, removal of the 13 tie-down positions, a new fueling location south of the box hangars, and new above ground self-service tanks.

In order to plan the development over the 20 year period, they broke the projects into three planning activity levels or PALS. The projects are not tied to a calendar year, but are tied to

demand. They are listed in a range of years for budgeting and priority purposes. The projects fall into two types, expansion projects and pavement maintenance projects, and there must be a balance of these types of projects.

Funding sources for the projects include TxDOT CIP program, TxDOT Ramp program, and Airport or City funds. CIP projects are through a 90/10 split and Ramp projects are a 50/50 split up to a maximum value of $50,000.

Mr. O'Connor discussed the specific projects included in each of the three PALS with projected cost estimates and possible funding sources. The first recommended project would be the seven T-hangars.

Council Member Stevenson asked if the Master Plan took into account the proposed hangar homes that were being considered. Mr. O'Connor said they were not considered for hangar space or for based aircraft, because they are "off Airport." However, they were considered under the need for fueling, and Council Member Melton confirmed that the hangar homes would use the City's fuel.

Mr. Hefton added that the proposed projects were a "wish list of projects" and each would come back for consideration and approval by the City Council. There is no actual request being made at tonight's meeting.

He said there is one agenda item on tonight's meeting for a request to advertise for hangar construction. That is not a request to actually build the hangar, but only to solicit responses for construction.

Council Member Teamann asked if there was any plan for the return on investment for fuel sales, hangar space, and the construction of the proposed hangar homes. Mr. O'Connor said that was not part of their calculation.

However, TxDOT has published what the economic value of the Airport is to the region. Currently the Airport has $900,000 to $1 million worth of impact to the local community. Mr. Hefton said that would be a part of the annual budget process to project the net effect of the profit from selling fuel.

Council Member Teamann asked if the staff had determined a return on investment for the construction of the T-hangar facility that they are requesting to advertise for. Mr. Hefton said an analysis will be done on the timeframe for the return on investment, to determine if it is five years, seven years, or thirty years. That calculation of rental charges would be made prior to construction of the hangars.

Council Member Holland asked about the proposed update of the Airport Master Plan. Mr. Hefton said that would be in the future and would be re-evaluated as growth happens. Mr.

O'Connor said TxDOT recommends updating the Master Plan every seven to ten years.

Deputy Mayor Steele asked how the Municipal Airport's airspace fit into the growth. Mr. O'Connor said they did look at the overall capacity and the Airport's capacity is close to 100,000 operations per year. They originally looked at whether or not the runway needed to be extended, and determined that it did not. This will assure that it remains a "smaller" airport, attracting smaller aircraft.

Deputy Mayor Steele asked if there was the ability to increase the airspace in the future. Mr. O'Connor said they could increase the airspace capacity without adding length to the runway or without adding another runway. He added that the capacity of the Airport today is "well beyond" the 20 year horizon.

Deputy Mayor Steele said with the proposed development to the west of the Airport, there would not be the ability to ever add a separate runway. Mr. O'Connor said not on this site. However, they did not see that level of activity requiring an additional runway, within the 20 year horizon.

Council Member Howeth expressed concern about adding 27 more hangars and said she didn't think there were that many citizens with planes. She felt it was hard to justify the cost for pilots that weren't citizens. She felt the City needed to show they were making enough money off the Airport to justify the expense.

Mr. Hefton said there would be more discussions about the Airport, its operations, the expansion, the financial statements, and the impact of the development. He said the intent is to have the Airport operations supported by themselves, and the Council will be involved in all discussions.

Mr. Tracy expressed concern about the fueling stations and asked if the dissimilar fuels would be far enough apart and well identified so there was no confusion about the type of fuel dispensed and putting it into the wrong aircraft. Mr. O'Connor said the fuel would be in two separate locations.

<u>FIRST PUBLIC HEARING</u>

ANNEXATION – REHMET PROPERTY

CONDUCT THE FIRST PUBLIC HEARING CONCERNING THE ANNEXATION OF A 95.277 ACRE TRACT OF LAND LOCATED SOUTH OF U.S. HIGHWAY 82, WEST OF S.H. 289, AND EAST OF PRESTON CLUB DRIVE, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION.

Brandon Shelby, City Attorney, said an annexation scheduling plan was approved at the last Council Meeting. The property is owned by one owner, and they are requesting the annexation. This is the first of two public hearings on the annexation.

No citizens appeared before the City Council to discuss the proposed annexation of a 95.277 acre tract of land south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive .

ORD 6261 REAUTHORIZATION OF STREET SALES TAX

Mayor Plyler introduced Ordinance No. 6261 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

Mr. Shelby said the voters "overwhelmingly" approved the reauthorization of the 1/8 of one percent, street sales tax, at the November 5, 2019 Election. The City's Charter requires that all levies of tax be approved by ordinance. This ordinance confirms the will of the voters in approving that tax.

No citizens appeared before the City Council to discuss Ordinance No. 6261.

ORD 6262 EXPANSION OF TIRZ #7

Mayor Plyler introduced Ordinance No. 6262 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXPANDING SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY.

Mary Lawrence, Director of Finance, said the owner of the property adjacent to the Tax Reinvestment Zone #7, where Movie Bowl Grill is located, has requested inclusion in that zone.

The existing zone is about 22 acres, and the additional tracts will add about 279 acres. The City's contribution will be 50% of the M&O rate on the incremental value. Grayson County is also being asked to contribute 50% of their rate.

The increment will be used for infrastructure improvements and amenities. The next step in the process is to approve the interlocal agreement with the County that is later in the agenda. The Tax Reinvestment Zone Committee will then meet and update the project and financing plan. That plan will then come back for City Council approval.

No citizens appeared before the City Council to discuss Ordinance No. 6262.

ORD 6263
SUP FOR
GATED AIRPORT
COMMUNITY

Mayor Plyler introduced Ordinance No. 6263 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A GATED AIRPORT COMMUNITY IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 32.740 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6264
SUP FOR
HANGAR HOMES
(MUNICIPAL AIRPORT)

Mayor Plyler introduced Ordinance No. 6264 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW HANGAR HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 11.412 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-9, BLOCK A, LOTS 1-13, BLOCK B, AND LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6265
SUP FOR
PATIO HOMES
(MUNICIPAL AIRPORT)

Mayor Plyler introduced Ordinance No. 6265 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 2.343 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-24, BLOCK D OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6266
ZONE CHANGE FOR RESIDENTIAL & COMMERCIAL (MUNICIPAL AIRPORT)

Mayor Plyler introduced Ordinance No. 6266 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 6.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER.

Mayor Plyler asked that Ordinance Nos. 6263, 6264, 6265, and 6266 all be read together.

Scott Shadden, Director of Development Services, said the four ordinances include 32.740 acres with 81 lots for residential and commercial development and will include hangar homes, homes with hangar access, a restaurant, a plane wash, and rental cars. The applicants have worked with the City departments, TxDOT, and the FAA to coordinate this project.

It includes three Specific Use Permits, one for the gated Airport community, one for hangar homes, and one for patio homes, and a zone change to C-1. The Planning and Zoning Commission recommended approval of the ordinances, subject to the Staff Review Letters.

Eric Cantrell, Representative with Strand A&E, was available to answer any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6266.

ORD 6267
SUP FOR DUPLEX (2413 N. HICKORY)

Mayor Plyler introduced Ordinance No. 6267 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2413 NORTH HICKORY STREET, BEING LOT 2, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6268
SUP FOR DUPLEX (2417 N. HICKORY)

Mayor Plyler introduced Ordinance No. 6268 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC

USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2417 NORTH HICKORY STREET, BEING LOT 1, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mayor Plyler asked that Ordinance Nos. 6267 and 6268 be read together.

Mr. Shadden said each of these requests are for a duplex. There will be four bedrooms on each side and they will provide off-street parking spaces for each one.

The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

James Green, General Contractor, was available to answer any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6268.

ORD 6269
SUP FOR
CIGAR LOUNGE
(222 W. HOUSTON)

Mayor Plyler introduced Ordinance No. 6269 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CIGAR LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT AT 222 WEST HOUSTON STREET, BEING PART OF LOT 10, BLOCK 4, OTP SHERMAN (LAUREL ACRES, LTD, OWNERS; AND HAL HINTON, APPLICANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Shadden said the request is to allow a cigar lounge to operate with Fellas Barber Shop. The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

Hal Hinton, Applicant, was available to answer any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6269.

ORD 6270
SUP FOR TIRE
SALES & AUTO
REPAIR
(1521 TEXOMA PKWY)

Mayor Plyler introduced Ordinance No. 6270 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW TIRE SALES AND AUTOMOBILE

REPAIR WITH OUTDOOR DISPLAYS IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1521 TEXOMA PARKWAY, BEING 0.87 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ALWAHBAN REAL ESTATE, LLC, OWNERS; AND OMAR ALWAHBAN, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Shadden said this Specific Use Permit for tire sales and auto repair, received limited approval 5 to 2, from the Planning and Zoning Commission, subject to the Staff Review Letter.

The request was limited to two racks outside, 2'x10'x6' and four passenger vehicle tire stacks, not to exceed four tires in each stack. These should be flat against the wall of the building. They are also required to remove the northern most sign.

No citizens appeared before the City Council to discuss Ordinance No. 6270.

SECOND PUBLIC HEARING

ANNEXATION – REHMET PROPERTY

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF A 95.277 ACRE TRACT OF LAND LOCATED SOUTH OF U.S. HIGHWAY 82, WEST OF S.H. 289, AND EAST OF PRESTON CLUB DRIVE, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION.

Mr. Shelby said this is the required second public hearing on the proposed annexation of 95.277 acres of land, south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive. State law requires two public hearings on the annexation, but does not require them to be on separate dates.

No citizens appeared before the City Council to discuss the proposed annexation of a 95.277 acre tract of land south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive .

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6270

ORD 6270 SUP FOR TIRE SALES & AUTO REPAIR (1521 TEXOMA PKWY)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW TIRE SALES AND AUTOMOBILE REPAIR WITH OUTDOOR DISPLAYS IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1521 TEXOMA PARKWAY, BEING 0.87 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ALWAHBAN REAL ESTATE, LLC, OWNERS; AND OMAR ALWAHBAN, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT

THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Deputy Mayor Steele asked about outdoor storage at the tire sales and auto repair shop. In the past, the City has not allowed outdoor storage. He asked the reasoning behind allowing "a couple of racks" of outdoor storage and "so many tires."

Mr. Shadden said the request was for several more racks, but the Planning and Zoning Commission put this limit on their approval. The City Council does have the option to not allow any outdoor storage.

Deputy Mayor Steele asked how they distinguished between allowing some to do it while not allowing others. Mr. Shadden said there was a lengthy discussion. Deputy Mayor Steele asked who would monitor that requirement on an ongoing basis, and verified that they would lose their Specific Use Permit if they violated the requirement.

Deputy Mayor Steele asked if this was an established business. Mr. Shadden said the business appeared without any Occupancy Permit.

Council Member Stevenson verified that the tire racks were not covered. Council Member Teamann asked if it was common for these businesses to store tires outside. Mr. Shadden said the racks were on wheels.

Deputy Mayor Steele said other tire shops nearby were not allowed to display tires outside. He expressed concern about the look of Texoma Parkway, and did not want to deny the use, but did not want to approve outside storage.

ACTION TAKEN.
Motion by Deputy Mayor Steele to adopt Ordinance No. 6270, but to prohibit outdoor storage. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ORD 6263
SUP FOR
GATED AIRPORT
COMMUNITY

<u>Ordinance 6263</u>
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A GATED AIRPORT COMMUNITY IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 32.740 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC

CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6264
SUP FOR
HANGAR HOMES
(MUNICIPAL AIRPORT)

Ordinance 6264
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW HANGAR HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 11.412 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-9, BLOCK A, LOTS 1-13, BLOCK B, AND LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6265
SUP FOR
PATIO HOMES
(MUNICIPAL AIRPORT)

Ordinance 6265
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 2.343 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-24, BLOCK D OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6266
ZONE CHANGE
FOR RESIDENTIAL
& COMMERCIAL
(MUNICIPAL AIRPORT)

Ordinance 6266
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 6.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER.

Deputy Mayor Steele verified that "part of the deal" is that they will purchase fuel from the City. Council Member Teamann verified that the City is considering putting a fuel bay on their property.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6263, 6264, 6365, and 6266, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6261

ORD 6261 REAUTHORIZATION OF STREET SALES TAX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

Ordinance 6262

ORD 6262 EXPANSION OF TIRZ #7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXPANDING SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY.

Ordinance 6269

ORD 6269 SUP FOR CIGAR LOUNGE (222 W. HOUSTON)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CIGAR LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT AT 222 WEST HOUSTON STREET, BEING PART OF LOT 10, BLOCK 4, OTP SHERMAN (LAUREL ACRES, LTD, OWNERS; AND HAL HINTON, APPLICANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Ordinance Nos. 6261, 6262, and 6269, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ORD 6267
SUP FOR DUPLEX
(2413 N. HICKORY)

<u>Ordinance 6267</u>
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2413 NORTH HICKORY STREET, BEING LOT 2, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

ORD 6268
SUP FOR DUPLEX
(2417 N. HICKORY)

<u>Ordinance 6268</u>
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2417 NORTH HICKORY STREET, BEING LOT 1, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Council Member Melton expressed concern about the duplexes and said she would vote against those two ordinances. She was concerned about four bedrooms on each side.

Deputy Mayor Steele said he understood it to be two bedrooms on each side instead of four on each side. Mr. Shadden said it was four bedrooms on each side of the duplex.

Council Member Teamann confirmed that the duplexes had their own drive off of Hickory Street.

Mr. Green said each duplex has two bedrooms on each side of the duplex, but there are two duplexes adjacent to each other, on two separate lots. Council Member Stevenson confirmed that it is eight bedrooms altogether, but in two separate duplexes, so four bedrooms per duplex.

Council Member Howeth confirmed that there will be parking in a 25' front driveway.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Ordinance Nos. 6267 and 6268, as presented. Second by Council Member Teamann.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA
The Council reviewed the Consent Agenda. Council Member Howeth moved to approve the Consent Agenda, as presented. Second by Council Member Melton. All present voted AYE.

RESOLUTIONS

RES 6562 MOORE ST. AGREEMENT (MUNSON REALTY) (TABLED)

RESOLUTION NO. 6562 – AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED MOORE STREET AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE MUNSON REALTY COMPANY FOR THE CONSTRUCTION OF WEST MOORE STREET FROM WEST TRAVIS STREET TO F.M. 1417 IN THE CITY OF SHERMAN
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED MOORE STREET AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE MUNSON REALTY COMPANY FOR THE CONSTRUCTION OF WEST MOORE STREET FROM WEST TRAVIS STREET TO F.M. 1417 IN THE CITY OF SHERMAN.

Mr. Hefton said there are some “clean-up” items that need to be addressed in this agreement. There are also two items that were “more than administrative” but were necessary as part of the project, and those are included in this amended agreement.

The primary change is that the City construct Pond 1, which is part of the drainage structure for this area. It will serve the capacity for the new Sherman High School, for Moore Street, and some of the drainage for the Village Center Planned Development. He said the “spoils” from the digging out of Pond 1 would be used in the construction of Moore Street.

The other item for clarification was to put an anticipated timeframe on the project. It is expected that the City will be done with Phase I of the project by December 31, 2020. If approved, Mr. Hefton said this should be the last time for consideration of this agreement.

Council Member Teamann said he had questions about some of the language in the agreement. In several places, it talks about the City reimbursing the developer. One item says the City will pay the developer a 3% project management fee and another that says the City will reimburse them up to $15 million for the construction of public facilities. He did not feel that this has been done in the past.

Mr. Hefton said the expense reimbursement is because, in order to move forward with some of the projects, such as the sanitary sewer, there has been some preliminary engineering done. There was some design and engineering work done before the contract was in place. They bore these costs, even though they relate to public infrastructure. The expense reimbursement simply reimburses them for those types of costs that the City would have to spend anyway.

Deputy Mayor Steele asked what the estimated costs were for these items. Mr. Philpott said the fees were related to Phase I environmental studies, a historical study, and a detention analysis.

Mr. Hefton said the $2.5 million is an estimate for the design, engineering, and construction of Moore Street, for the construction of the western two lanes of Moore, and the construction of Pond I. Moore Street will ultimately be a four lane, median divided street.

Council Member Melton confirmed that this is an amendment of the original agreement that was approved by the City Council a few months ago. This amendment modifies that original agreement with the changes mentioned by Mr. Hefton.

He said the $15 million was in the original agreement, it was in the master agreement, and has been in all the agreements. It's meant to set the cap for the City's investment for public infrastructure.

Council Member Teamann thought they had discussed not doing a $15 million agreement. Mr. Hefton said the City actually spending that money would come through future agreements.

The cap is mentioned in the master agreement, the sanitary sewer agreement, the Moore Street agreement, and the greenbelt letter of intent. All the agreements include the City spending in the future, for projects yet to be approved by the Council. Each project would be presented to the Council for approval to spend money for those projects. This is the first project of any projects the City would do, under that cap.

Mr. Hefton said the Moore Street project has several pieces to it, but would be the first of future projects that have yet to be approved.

He said the 3% is a feature that is included in many development agreements, and is common in an agreement where the City and the developer are jointly working to put in public infrastructure, such as roads, storm drainage, water, sewer, and lighting.

Three percent is the cap that the City has set on those fees, and is lower than requested, but is on par with what has been done in the past. The fee is to cover costs they would have in managing things that might otherwise effect their property. It also covers their administrative cost for engineering, design, and review of the development of the public infrastructure.

Council Member Teamann said the cap is different from what is in the agreement. Mr. Hefton said the cap is "up to 3%" and is the management fee, which is "standard and typical" in the City's other development agreements.

Mr. Hefton said the $15 million is a separate item, that is meant to estimate the City's commitment in the future, if these projects are done, subject to other things happening. That's not included in the Moore Street agreement. The matching agreement says they will be reimbursed as value is added to the project.

Council Member Stevenson confirmed that it wouldn't be reimbursed until its built, and it may end up being a City project, that the City builds themselves.

Deputy Mayor Steele said the City is setting a precedent and there are some things that he is not comfortable with.

Mr. Hefton explained that there are two different aspects. Historically there has been a difference between infrastructure development for major thoroughfares and other developer responsibilities. A four lane, median divided street is a major thoroughfare. And up until now, the desire is for the City to be the "driver" for those projects. Moore Street fits that description, even though only two lanes will be constructed now.

There are also streets that may or may not be major thoroughfares, but are meant to be economic incentives for future development. If that development never occurs, the City's "not on the hook" for anything.

This agreement provides a mechanism for the City to put in half of a major thoroughfare, which the City would normally do "up front." He said the $15 million may never come up. The costs would be capped at $15 million, which is in agreements that have already been approved by the City Council.

Council Member Teamann said things have changed since the original discussions and he thought that item was "being removed from the table." Mr. Hefton said if that was the intent, he "missed that."

Because of the confusion, Council Member Stevenson recommended tabling Resolution 6562 for further discussion.

ACTION TAKEN.

Motion by Council Member Stevenson to table Resolution No. 6562, for further discussion. Second by Council Member Howeth.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO TABLE.

RESOLUTION NO. 6563 – AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) EXPANSION

RES 6563
AGREEMENT WITH GRAYSON COUNTY FOR TIRZ #7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) EXPANSION.

Ms. Lawrence said this is the interlocal agreement with Grayson County for their participation in the TIRZ #7 expansion that was discussed earlier in the meeting. The zone is on the east side of the Movie Bowl Grill property.

The Grayson County Commissioner's Court will consider approval of the expansion at their meeting tomorrow.

Jeff Whitmire, Grayson County Commissioner, Precinct 1, said he can't speak for the County, but this TIRZ is in his precinct and he supports it.

ACTION TAKEN.
Motion by Council Member Stevenson to approve Resolution No. 6563, as presented. Second by Council Member Howeth.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

<u>RESOLUTION NO. 6564 – RENAMING DEDICATED STREETS IN THE FINAL PLAT OF SUNRISE TRACT AS SHERMAN HILLS, PHASE I</u>

RES 6564
RENAME STREETS IN SUNRISE TRACT AT SHERMAN HILLS PHASE 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENAMING DEDICATED STREETS IN THE FINAL PLAT OF SUNRISE TRACT AT SHERMAN HILLS, PHASE 1.
CONSENT AGENDA.

<u>RESOLUTION NO. 6565 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1415 SOUTH AUSTIN STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)</u>

RES 6565
RESIDENTIAL TAX ABATEMENT (1415 S. AUSTIN)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1415 SOUTH AUSTIN STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

<u>RESOLUTION NO. 6566 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT</u>

RES 6566
RESIDENTIAL TAX ABATEMENT (2106 S. BRANCH)

<u>2106 SOUTH BRANCH STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2106 SOUTH BRANCH STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

<u>RESOLUTION NO. 6567 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSH WILLEFORD FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT</u>

RES 6567 AGRICULTURAL LEASE AT WWTP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSH WILLEFORD FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT.
CONSENT AGENDA.

<u>RESOLUTION NO. 6568 – AUTHORIZING THE EMERGENCY PURCHASE OF A NEW SPARTAN S-180 PUMPER FROM METRO FIRE FOR THE SHERMAN FIRE DEPARTMENT AND THE EMERGENCY PURCHASE OF TWO CHEVROLET PATROL TAHOES FROM FREEDOM CHEVROLET FOR THE SHERMAN POLICE DEPARTMENT WITH LEASE-PURCHASING FINANCING</u>

RES 6568 EMERGENCY PURCHASE OF POLICE & FIRE VEHICLES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EMERGENCY PURCHASE OF A NEW SPARTAN S-180 PUMPER FROM METRO FIRE FOR THE SHERMAN FIRE DEPARTMENT AND THE EMERGENCY PURCHASE OF TWO CHEVROLET PATROL TAHOES FROM FREEDOM CHEVROLET FOR THE SHERMAN POLICE DEPARTMENT WITH LEASE-PURCHASE FINANCING.
CONSENT AGENDA.

<u>RESOLUTION NO. 6569 – CASTING VOTES TO ELECT A CANDIDATE TO SERVE AS A MEMBER OF THE GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS</u>

RES 6569 GRAYSON APPRAISAL DISTRICT BOARD ELECTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CASTING VOTES TO ELECT A CANDIDATE TO SERVE AS A MEMBER OF THE GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.
CONSENT AGENDA.

<u>REQUEST TO ADVERTISE</u>
<u>CONSTRUCTION OF HANGARS AT THE SHERMAN MUNICIPAL AIRPORT</u>

REQUEST TO ADV AIRPORT HANGARS

Ms. Lawrence said one of the most desired improvements at the Municipal Airport, as shown by the Master Plan, is for additional hangars.

The Master Plan calls for a phased approach to hangar development, and this would be for the first phase, which is a

seven place T-hangar, located south of the existing hangars. After reviewing the proposals, the item will come back to the City Council for approval.

Deputy Mayor Steele asked who would be paying for the hangars. Ms. Lawrence said there would be a combination of a TxDOT grant and Airport revenue.

Council Member Melton verified that the money was budgeted and Ms. Lawrence said the staff would need to see how the bids come in. Mr. Hefton said this is not approval to build the hangars, but to ask people to build hangars.

ACTION TAKEN.
Motion by Council Member Howeth to approve the request to advertise for the construction of hangars at the Sherman Municipal Airport, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CHERRY STREET PARK PROJECT

<u>PURCHASE AND INSTALLATION OF VARIOUS SITE AMENITIES AND IMPROVEMENTS FOR THE CHERRY STREET PARK PROJECT</u>
The City Council approved the request to advertise for the purchase and installation of various site amenities and improvements for the Cherry Street Park Project.

On May 15, 2017, the City Council approved and adopted the 2017 Parks Master Plan. Included among the priority initiatives in the plan, were updates to existing parks, such as Cherry Street Park.

These amenities and improvements are estimated to cost $143,000, and will qualify for funding through the Community Development Block Grant, and will not require matching funds. CONSENT AGENDA.

CHANGE ORDER WEST TRAVIS STREET PROJECT ($41,891.48 DECREASE)

<u>CHANGE ORDER NO. 1 (FINAL)</u>
<u>WEST TRAVIS STREET PHASE IV PROJECT, VESSELS CONSTRUCTION ; $41,891.48 DECREASE</u>
Mr. Philpott said this is the first and final change order for Phase IV of West Travis Street, and results in a decrease of about $42,000. The changes include changes in paving and some storm drain modifications.

West Travis Street is complete, and the City plans to coordinate with the High School to leave it closed until the remainder of the phases of West Travis are complete and the High School is ready to open.

ACTION TAKEN.

Motion by Council Member Teamann to approve Change Order No. 1 (Final), to Vessels Construction, in the amount of a $41,891.48 decrease for the West Travis Street Phase IV Project, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CHANGE ORDER NO. 4 (FINAL)
APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENT TO EXECUTE CHANGE ORDER NO. 4; SHERMAN WATER TREATMENT PLANT EXPANSION PROJECT; MWH CONTRACTORS, INC.; $717.00 DECREASE

WATER TREATMENT PLANT EXPANSION ($717 DECREASE)

The City Council approved the Greater Texoma Utility Authority's intent to execute Change Order No. 4 for the Sherman Water Treatment Plant Expansion Project. The change order, to MWH Contractors, Inc., is for a $717 decrease in the contract price.

This is a final reconciliatory change order to adjust the final project quantities and the contract time. The change order adds four items addressed during construction, and deletes two items from the contract, resulting in a credit to the City.

The change order also extends the contract time by 315 days to account for equipment delivery delays, equipment modifications during construction, testing requirements, and weather delays.

The revised contract price, after the change order is $24,625.411.
CONSENT AGENDA.

OTHER BUSINESS
APPROVAL OF THE 2019 AD VALOREM TAX ROLL VALUE AND TAX LEVY

TAX ROLL & TAX LEVY

The City Council approved the 2019 Ad Valorem Tax Roll Value and Tax Levy, as provided for in the Texas Property Tax Code, Section 26.09(e).

The 2019 tax year represents taxes that will be collected during the City's 2019-2020 fiscal year. The Grayson County Tax Assessor/Collector's Office has provided Sherman's taxable value as $3,475,900,452, which produces a levy of $16,226,452.61, based on the City's total tax rate of $0.489000 per $100 valuation.
CONSENT AGENDA.

REPLAT APPROVAL OF LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION, BEING 0.705 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING LOTS 2, 3 & 4, BLOCK 4 OF THE MAYHEW ADDITION, KILLIAN LAND DEVELOPMENT, LP, OWNERS; AND HELVEY-WAGNER

APPROVE REPLAT (MAYHEW ADDITION)

SURVEYING, SURVEYOR (1606, 1610 AND 1614 SOUTH RUSK STREET)

The City Council approved the Replat of Lots 2, 3, and 4, Block 4, a 0.705 acre tract located at 1606, 1610, and 1614 South Rusk Street.

The property is zoned an R-1 (One Family Residential) District, and the owner would like to replat the property into two lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

APPROVE SECOND REPLAT (SHERMAN HILLS COUNTRY CLUB ADDITION)

SECOND REPLAT APPROVAL OF SHERMAN HILLS COUNTRY CLUB ADDITION, BEING 235.088 ACRES IN A PART OF THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING A PART OF THE SHERMAN HILLS COUNTRY CLUB ADDITION GOLF COURSE TRACTS ADDITION, SSCGC HOLDINGS, LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1200-2600 BLOCKS OF SOUTH U.S. HIGHWAY 75)

The City Council approved the Second Replat of Sherman Hills Country Club Addition, a 235.088 acre tract located in the 1200 to 2600 blocks of South U.S. Highway 75.

The property is zoned an R-1 (One Family Residential) District and C-1 (Retail Business) District. The owners would like to replat the property into three lots.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

APPROVE REPLAT (HOLLEY HEIGHTS ADDITION)

REPLAT APPROVAL OF HOLLEY HEIGHTS ADDITION, A REPLAT OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION, BEING ALL OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION GOLF COURSE TRACTS, CONTAINING 22.822 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; SSCGC HOLDINGS, LLC, OWNERS; JOSHUA HOLLEY, DEVELOPER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (2100-2200 BLOCKS OF SOUTH U.S. HIGHWAY 75)

The City Council approved the Replat of the Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition. The 22.822 acre tract is located in the 2100 to 2200 blocks of South U.S. Highway 75.

The property is zoned an R-1 (One Family Residential) District and the owners would like to replat the property into 74 lots for residential development. The Planning and Zoning

Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

MEDIA QUESTIONS **MEDIA QUESTIONS**
There were no media questions

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS **APPOINTMENTS TO VARIOUS COUNCIL BOARDS**
COUNCIL AUDIT COMMITTEE (3)
INVESTMENT COMMITTEE (2)
TAX REINVESTMENT COMMITTEE (2)
TAX INCREMENT FINANCING BOARD #1 (3)
TAX INCREMENT FINANCING BOARD #2 (3)
TAX INCREMENT FINANCING BOARD #3 (3)
TAX INCREMENT FINANCING BOARD #5 (3)
TAX INCREMENT FINANCING BOARD #6 (3)
TAX INCREMENT FINANCING BOARD #7 (3)
ACTION TAKEN.

Motion by Deputy Mayor Steele that all Council Members currently serving on the Council Audit Committee, Investment Committee, Tax Reinvestment Committee, Tax Increment Financing Board #1, Tax Increment Financing Board #2, Tax Increment Financing Board #3, Tax Increment Financing Board #5, Tax Increment Financing Board #6, and Tax Increment Financing Board #7 be reappointed for terms from November 18, 2019 to November 2020. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS
VETERAN'S DAY **VETERAN'S DAY**
Council Member Stevenson spent Veteran's Day in New York City where his wife's uncle was awarded the Bronze Star for his service in Vietnam. He also thanked all veterans in the audience for their service.

THANK YOU TO VETERANS **THANK YOU TO VETERANS**
Council Member Holland thanked all veterans for their service.

THANK YOU TO VETERANS **THANK YOU TO VETERANS**
Council Member Teamann also thanked all veterans for their service.

EXCITING TIME TO BE IN SHERMAN

Council Member Teamann said it's an exciting time to be in Sherman, with all the developer's agreements and housing developments going on.

EXCITING TIME TO BE IN SHERMAN

CONGRATULATIONS TO POLICE AND FIRE DEPARTMENTS

Council Member Teamann congratulated the Police and Fire Departments for getting all their new equipment.

CONGRATULATIONS TO POLICE & FIRE DEPARTMENTS

NEW GRANDSON

Council Member Holland said he had a new grandson born on Veteran's Day.

NEW GRANDSON

VETERAN'S DAY PARADE

Council Member Howeth thanked the City staff that organized the Veteran's Day Parade and said the flyover was spectacular. She said she was honored to ride in the parade. She also thanked the veterans for their service.

VETERAN'S DAY PARADE

DEVELOPMENT IN SHERMAN

Council Member Howeth said the City is in "uncharted territory" with planned developments and hangar homes. She asked the developers to be patient with them and said they are wanted in Sherman.

DEVELOPMENT IN SHERMAN

DEVELOPMENT IN SHERMAN

Deputy Mayor Steele said with development comes a huge responsibility for the Council and the City staff. Sherman is "pro-development" but they want it to be done the right way.

DEVELOPMENT IN SHERMAN

THANK YOU TO VETERANS

Council Member Melton thanked the veterans, saying she still had family members serving. She also recognized the veterans that work for the City of Sherman.

THANK YOU TO VETERANS

MAKE THE RIGHT DECISIONS

Council Member Melton said the Council and staff are learning about development and want to make the right decisions for the City.

MAKE THE RIGHT DECISIONS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- **Shop Small Saturday will be held on November 30, 2019, and he urged citizens to support the local retailers.**
- **The Sherman Christmas Parade and Snowflake Festival will be held on December 7, 2019, at 6 p.m.**
- **The Sherman Symphony Orchestra will hold its annual Christmas Pops Concert on December 7, 2019 at 7:30 p.m. in the Kidd-Key Auditorium.**

ANNOUNCEMENTS

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

EXECUTIVE SESSION

SECTION 551.071 -- **CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION**

SECTION 551.071 -- **CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**

SECTION 551.087 -- **DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS:**
DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

No Executive Session was needed.

<u>ADJOURNMENT</u>
On Motion duly made and carried, the meeting adjourned at 6:34 p.m.

ADJOURNMENT

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MAYOR

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CITY CLERK