

November 5, 2018

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.
COUNCIL MEMBERS HOLLAND, SOFEY, STEELE,
STEVENSON, TEAMANN.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

PRESENTATION TO POLICE & FIRE ASSOCIATIONS

These public servants “are special and lay their lives on the line each day to protect and help others. They face danger without waiver, while others are running for safety.”

Checks in the amount of \$8,360 each were presented to Sergeant Kevin Garbacik and Sergeant Sam Boyle representing the Police Association, and to Captain Shane Kinney representing the Firefighters Association.

He also thanked sponsors of the event including Texoma Educators Federal Credit Union, Douglass Distributing, Lone Star Foods, Orscheln Farm and Home, Plyler Construction, Los Hermanos Realty, Hoyte Chrysler Dodge Jeep Ram, and Dudes Music, as well as the artists, volunteers, and all who attended the event.

HAWN SKATE PARK

upgrade. Mr. Hope said it's a good Skate Park and gives people something healthy to do and keeps kids off the street.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6159 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 AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT VENUE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 1615 NORTH MAXEY STREET AND 810 NORTH FRISCO ROAD, BEING PART OF LOTS 1-5, BLOCK 1, JONES & SUMMIT ADDITION, ALSO BEING 1.154 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ALLEN MARTIN, OWNER; AND DAVID FITE SURVEYING, SURVEYOR); 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 6159
ZONE CHANGE &
SUP FOR
EVENT VENUE
(1615 N. MAXEY &
810 N. FRISCO RD)

Mr. Shadden said the Event Center would be located at the site of the old Gardenland Nursery. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

Allen Martin, owner of the property, said he purchased the property several months ago, and they were already hosting events. They plan to host private parties and events at the facility.

No other citizens appeared before the City Council to discuss Ordinance No. 6159.

Mayor Plyler introduced Ordinance No. 6160 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 R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1606, 1610, AND 1614 SOUTH RUSK STREET AND 415 WEST LAKE STREET; TRACT 1: BEING LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION; TRACT 2: BEING THE EAST 55' OF LOTS 6, 7 AND 8, BLOCK 4, MAYHEW ADDITION (BARTON CAPITAL, LTD, OWNER; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6160
ZONE CHANGE
(1606, 1610 & 1614
S. RUSK & 415 W.
LAKE)

Mr. Shadden said the zone change was a request to change to R-1 for single-family homes. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

A representative from Barton Capital was in attendance to answer any questions the Council might have.

COUNCIL MINUTES – NOVEMBER 5, 2018

No other citizens appeared before the City Council to discuss Ordinance No. 6160.

Mayor Plyler introduced Ordinance No. 6161 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 R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT IN THE 1100-1300 BLOCKS OF SOUTH F.M. 1417 (HERITAGE PARKWAY) AND THE 3800-4000 BLOCKS OF QUAIL RUN ROAD; TRACT 1: BEING 19.967 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT; TRACT 2: BEING 6.141 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT (RSCL HOLDINGS, LLC, OWNERS; WYLDEWOOD HOMES, PROSPECTIVE BUYER; AL DENSON, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

**ORD 6161
ZONE CHANGE
(1100-1300 BLOCKS
S. FM 1417 & 3800-4000
BLOCKS QUAIL RUN
RD)**

Mr. Shadden said the request was to change the zoning from Multi-Family to Single-Family, and to Commercial along FM 1417. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6161.

Mayor Plyler introduced Ordinance No. 6162 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 AUTOMOBILE AND HEAVY VEHICLE REPAIR, TRANSMISSIONS, BRAKES, MUFFLERS, SHOCKS, OIL AND LUBE WITH BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 4114 TEXOMA PARKWAY, BEING 0.4986 ACRES IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969 (DAS SAM ENTERPRISES, LLC, OWNERS; WILLIAM DOWNEY, DOWNEY AUTOMOTIVE, APPLICANT; AND HELVEY-WAGNER SURVEYING, SURVEYOR); 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 6162
SUP FOR AUTO &
HEAVY VEHICLE
REPAIR
(4114 TEXOMA PKWY)**

COUNCIL MINUTES – NOVEMBER 5, 2018

Mr. Shadden said the property has been used for automotive repair in the past, however the permit has expired. They would like to renew the Specific Use Permit for automotive work.

The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter. A representative of the owner was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6162.

Mayor Plyler introduced Ordinance No. 6163 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 AUTOMOBILE SALES AND IMPOUND LOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5504 TEXOMA PARKWAY, BEING 5.188 ACRES IN THE D.C. SHELPS SURVEY, ABSTRACT NO. 1097 (ROBERT AND TAMMY ALLEN, OWNERS; LONE STAR HAULING, LLC, TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); 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 6163
SUP FOR PARKING
LOT & IMPOUND LOT
(5504 TEXOMA PKWY)**

Mr. Shadden said this site has served as a wrecking yard in the past, and they are asking for it to be automotive sales and an impound lot. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

Ryan Johnson, Attorney, appeared representing the owners, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6163.

Mayor Plyler introduced Ordinance No. 6164 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 PARKING LOT EXTENSION FOR ADDITIONAL RV STORAGE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING TRACT 1: 7.036 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; TRACT 2: BEING ALL OF BLOCK 32 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION; TRACT 3: ALL OF BLOCKS 38 & 39 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION CONTAINING 0.487 ACRES;

**ORD 6164
SUP FOR PARKING
LOT EXTENSION &
RV STORAGE
(2005 S. SAM RAYBURN
FRWY)**

AND TRACT 4: 0.888 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, BEING A STRIP OF LAND KNOWN AS COTTAGE AVENUE (UNIMPROVED) AND PLATTED AS A CITY STREET (FRHP LINCOLNSHIRE, LLC, OWNERS; CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER; DAVID TIPTON, REPRESENTATIVE; GONZALES & SCHNEEBERG, ENGINEERS & SURVEYORS, INC., SURVEYOR; AND NOLTE & ASSOCIATES, P.A., ARCHITECT); 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 Specific Use Permit was to add on to Camping World. The owners would like to extend their RV parking lot to the south and east of their existing lot. They would also like to construct a 10,600 square foot metal maintenance building behind their existing building.

The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter, and reviewing in one year from the date the Certificate of Occupancy Permit is issued. They are also required to construct an 8' wood privacy fence on the east side adjacent to the residential properties.

Brandon Waldrum, CEI Engineering, appeared representing Camping World. He was available if the Council had any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6164.

Mayor Plyler introduced Ordinance No. 6165 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 LIVING QUARTERS IN A MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 4615 NORTH TRAVIS STREET, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7 OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1 (YOUNG ENTERPRISES, LP, OWNERS; TODD YOUNG, REPRESENTATIVE; AND DAVID BACA STUDIO, LLC, ARCHITECT); 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 6165
SUP FOR LIVING
QUARTERS IN A
MINI-STORAGE
FACILITY
(4615 N. TRAVIS ST)

Mr. Shadden said the Specific Use Permit is to allow living quarters in a mini-storage facility to allow for a manager on site. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter.

COUNCIL MINUTES – NOVEMBER 5, 2018

No citizens appeared before the City Council to discuss Ordinance No. 6165.

Mayor Plyler introduced Ordinance No. 6166 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT “STOP” SIGN ON NORTHGATE DRIVE AT HERITAGE PARKWAY (WEST F.M. 1417) WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6166
STOP SIGN**

Clint Philpott, Director of Engineering, said a new stop sign was installed at Northgate Drive and FM 1417, as a part of the Northgate Drive Extension Project. It was installed for 90 days and there were no complaints or traffic problems.

No citizens appeared before the City Council to discuss Ordinance No. 6166.

Mayor Plyler introduced Ordinance No. 6167 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED “UTILITIES”, AT ARTICLE 13.06, ENTITLED “SOLID WASTE”, AT SECTIONS 13.06.001, 13.06.005, 13.06.050, AND 13.06.051 TO REVISE RESIDENTIAL WASTE AND RECYCLING PROGRAMS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6167
RESIDENTIAL WASTE
& RECYCLING FEES**

Mary Lawrence, Director of Finance, said the City of Sherman must “clean up the stream” for the recycling. Contamination is the problem with the City’s stream and cleaning it up gives the City options. Contamination includes anything that is not recyclable under the City’s program, including yard waste and clothing.

The current market is dictating that recycling will now cost something. The sale of the recycling material will not support the program financially, as it has in the past.

Ms. Lawrence said in an effort to clean up the stream, the City will no longer accept glass, because the material processors don’t accept glass. Some cities still do accept glass, however she said some of them still have contracts that are in effect. Once those contracts expire and a new one has been negotiated, they will probably not accept the same materials as they previously did.

She said the City is also limited as to where the processor is located. Consideration must be given as to the distance City trucks must travel each day to deliver the recyclables.

Ms. Lawrence said the staff is proposing to keep the trash and recycling rate at the current rate of \$18.75. Previously Council discussed increasing the rate by \$1. The customer will have a choice in the type of carts they receive. They will have one trash cart and can choose a second trash cart or a recycling cart. The cost for a third cart will be reduced from \$15.60 to \$8.00 per month.

Senior citizens or disabled citizens can currently recycle for free, so they will be allowed to opt out of the recycling cart and will be allowed to keep their one cart at the \$15.60 rate.

The staff is also proposing a \$25 fee for a special pickup. A special pickup could include when a cart can't be picked up because it's too full and would dump trash or when a recycling cart is contaminated. Because it's inefficient and expensive to send a truck back out, the \$25 fee will help offset the cost.

Compliance will be enhanced by the use of a camera system which will have a search function so specific situations could be located. The staff will continue to use stickers to place on carts for non-compliance. For chronic non-compliance, the recycling cart can be switched to a regular trash cart.

Ms. Lawrence said the City will now accept the following material for recycling, clean fiber (cardboard, newspapers, cereal boxes, junk mail, catalogs); #1 and #2 plastics (drink bottles, milk jugs, detergent, shampoo bottles); tin (food cans); and aluminum (beverage cans). Containers should be lightly rinsed and should be placed loosely in the cart. Do not bag recyclables.

She felt education would be a key part of the program and said the staff would use the City's website, social media, stickers on the recycle carts listing materials accepted, a utility bill flyer, public service announcements, and partnerships with organizations such as the Austin College Environmental Studies Department, the Earth Day Planning Committee, and the Keep Sherman Beautiful Commission.

Cart color will no longer distinguish recycling carts from regular trash carts. New yellow lids will be placed on recycling carts to distinguish the type of service. One type of carts that the City currently uses will not accommodate a different type of lid, so those carts will need to be replaced. Cost of the new lids is expected to be approximately \$50,000.

She also addressed the huge undertaking that will be required to make these changes, including "touching" all 10,000 customer accounts to make billing changes. Routing will also probably be changed after citizens have had a chance to opt in or out of the recycling program. She said they estimate it will take about one month per zone to make the changes, resulting in a four month transition period for the entire program.

Originally two additional driver positions had been budgeted for the 2018-2019 fiscal year. They will only be filling one of those positions now. They had also budgeted for another solid waste truck to add a fifth route, but that will also be delayed until they see what the recycling changes do to the operation.

Mr. Hefton said the staff has received a lot of input from citizens and the Council Members over the last few weeks, and clearly everyone wants the recycling program to continue.

The main issue to deal with is contamination. If a big problem with contamination is people using their recycling cart as a trash cart, that can be solved by eliminating the separate recycling fee and letting them select the types of cart they would like. Reducing the cost of the third cart, if needed, should also help with contamination.

He reiterated that citizens that were repeatedly non-compliant, would lose their recycling cart and receive two trash carts. He felt all the changes would be a big step in cleaning up the recycling stream.

Originally the recycling program provided a revenue stream and also helped avoid the landfill. The program will still help avoid the landfill, but there is no revenue to be made.

Mr. Hefton said there were also members of various environmental groups that reached out to the City and wanted to be a part of the solution. He said the changes will take a while to accomplish and hoped that they would be long-lasting. He reiterated the changes that were addressed in Ordinance 6167.

He urged citizens to begin recycling the correct items today to help clean the stream, and reminded them that glass was not a recyclable item in Sherman.

Mr. Hefton said there would be some decrease in revenue because the third trash cart will cost less, however he did not know what the full financial impact would be. The City will defer the purchase of one additional trash truck and the hiring of one additional employee, until the full impact can be determined. These costs are approximately \$350,000 to \$400,000.

Peter Tracy, 705 S. Valentine, confirmed that the only thing he doesn't need to include in his recycling is glass. He urged the City to include a list of what can be recycled with the water bills.

Jason Davis, said a State permit is required by the Texas Commission on Environmental Quality to look into someone's trash. He also suggested putting a sticker on the recycling cart that lists what types of items can be recycled.

Dr. Peter Schultz, Austin College Director of the Center for Environmental Studies, said he was impressed with the creative problem solving and would be willing to help any way he could. He said the recycling market is fluctuating and there is a lot of contamination. He said that the proposed ordinance looks great, and is a good way to deal with the market problems. He said it never made sense to accept glass for recycling anyway.

Mary Boring, Rolling Hills Drive, expressed concern about a recent story in the media about the City spending \$50,000. Mr. Hefton confirmed that she was talking about the additional money the City was spending because the loads were being rejected for contamination. He agreed it was a lot of money and said that's why the City is trying to change the program as quickly as possible.

Ms. Boring asked if it was legal for the company to charge that amount. Mr. Hefton said they were a vendor and were charging because of the contamination of the stream. The proposed plan is to help clean up the stream and reduce the cost. If that doesn't work, the City will have to do something different.

Mr. Hefton added that the City was not going to continue to pay the vendor \$150 per ton to put it in the landfill, when they could pay \$35 per ton and put it in the landfill.

Amy Hoffman-Shehan, Organizer of the Earth Day Festival, said there are many questions about what people can recycle and education is needed. She said she was very encouraged about the "deep look" into this program and what can be done to save it. She said education of the program should be ongoing.

No other citizens appeared before the City Council to discuss Ordinance No. 6167.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6159

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 AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT VENUE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 1615 NORTH MAXEY STREET AND 810 NORTH FRISCO ROAD, BEING PART OF LOTS 1-5, BLOCK 1, JONES & SUMMIT ADDITION, ALSO BEING 1.154 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (ALLEN MARTIN, OWNER; AND DAVID FITE SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE

ORD 6159
ZONE CHANGE &
SUP FOR
EVENT VENUE
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PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Ordinance 6160

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ORD 6160
ZONE CHANGE
(1606, 1610 & 1614
S. RUSK & 415 W.
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Ordinance 6161

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ORD 6161
ZONE CHANGE
(1100-1300 BLOCKS
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Ordinance 6162

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ORD 6162
SUP FOR AUTO &
HEAVY VEHICLE
REPAIR
(4114 TEXOMA PKWY)

Ordinance 6163

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ORD 6163
SUP FOR PARKING
LOT & IMPOUND LOT
(5504 TEXOMA PKWY)

Council Member Steele asked about Ordinance 6162 and 6163 for automotive repair and the impound lot on Texoma Parkway. He said there are a lot of these facilities located on Texoma Parkway with vehicles sitting in front of their business. He felt that the vehicles should be behind a screen or behind a wall and not visible to the roadway.

He said Ordinance 6163 had also requested to sell cars in front of their business, but there was no concrete there. Mr. Shadden said they did have the base rock, sealcoat chad.

Mr. Johnson was in attendance representing the request. He said the auto sales would be on an improved surface in front of the building and would be "an occasional sale." The facility will not be a used car lot. It's primary purpose is a towing facility and to store vehicles for insurance or for the police.

He said they have requested an exception for gravel for the drive in back of the property, behind a solid fence. The surface is a combination of gravel, concrete, and asphalt. The site will not be seen from Texoma Parkway.

Council Member Steele verified that, if they did want to expand the improved surface in front of the building, it would need to be an improved, dust-free surface.

Council Member Teamann confirmed that the occasional car sale would probably be an auction to sell off vehicles left in impound. Mr. Johnson said they are combining their Denison and Sherman locations into one facility in Sherman.

Ordinance 6164

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 PARKING LOT EXTENSION FOR ADDITIONAL RV STORAGE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING TRACT 1: 7.036 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; TRACT 2: BEING ALL OF BLOCK 32 OF

ORD 6164
SUP FOR PARKING
LOT EXTENSION &
RV STORAGE
(2005 S. SAM RAYBURN
FRWY)

THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION; TRACT 3: ALL OF BLOCKS 38 & 39 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION CONTAINING 0.487 ACRES; AND TRACT 4: 0.888 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, BEING A STRIP OF LAND KNOWN AS COTTAGE AVENUE (UNIMPROVED) AND PLATTED AS A CITY STREET (FRHP LINCOLNSHIRE, LLC, OWNERS; CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER; DAVID TIPTON, REPRESENTATIVE; GONZALES & SCHNEEBERG, ENGINEERS & SURVEYORS, INC., SURVEYOR; AND NOLTE & ASSOCIATES, P.A., ARCHITECT); 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.

Ordinance 6165

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 LIVING QUARTERS IN A MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 4615 NORTH TRAVIS STREET, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7 OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1 (YOUNG ENTERPRISES, LP, OWNERS; TODD YOUNG, REPRESENTATIVE; AND DAVID BACA STUDIO, LLC, ARCHITECT); 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 6165
SUP FOR LIVING
QUARTERS IN A
MINI-STORAGE
FACILITY
(4615 N. TRAVIS ST)

Ordinance 6166

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON NORTHGATE DRIVE AT HERITAGE PARKWAY (WEST F.M. 1417) WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6166
STOP SIGN

Ordinance 6167

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "UTILITIES", AT ARTICLE 13.06, ENTITLED "SOLID WASTE", AT SECTIONS 13.06.001, 13.06.005, 13.06.050, AND 13.06.051 TO REVISE RESIDENTIAL WASTE AND RECYCLING PROGRAMS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6167
RESIDENTIAL WASTE
& RECYCLING FEES

Council Member Teamann said the recycling changes would be phased in over time and the staff would need to decide how notifications will be made. He asked if the Council approves this ordinance, would all citizens automatically be opted out of

the recycling program and they would have to opt in. Mr. Hefton confirmed that was correct.

Michael Springer, Solid Waste and Recycling Manager, explained that if the Council approved the ordinance tonight, the City would continue collecting recycling in the current cart. The new program would be phased into each quadrant separately by changing lids and placing stickers on the recycling carts.

He said, today they picked up some of the cleanest recycling loads they have had in years, just from the input at the last Council Meeting. Mr. Hefton reiterated that the City will continue to pick up recycling, but asked that citizens not place glass or plastic bags in the recycling carts.

Mr. Springer discussed the difference between #1 and #2 plastics and other plastics that aren't accepted. He said they will not accept pizza boxes or yard waste.

Council Member Holland confirmed that once the system is fully implemented, the lid will tell them it's recycling and the sticker will tell what types of items are recyclable. The carts may be different colors, but the recycling carts will have a bright yellow lid.

Council Member Teamann asked how citizens should contact the City to make their cart selections known. Mr. Springer said they could call the Solid Waste Department or a "request tracker" will be added to the City's website so they can make their selection.

Council Member Steele asked what constitutes a contaminated load and do they reject the entire load. Mr. Springer said a load is dumped at the sorting facility and an operator looks at a load. If there is a lot of trash and debris they "shove" it out of the way and condemn the load. Glass bottles will break in the truck and spread throughout the load.

He said yard waste is one of the biggest problems they see. Some people also put clothing in their recycle carts. Both items are recyclable, but not through the City's recycling program. They contaminate the load.

Council Member Steele verified that the Council would vote tonight and if approved, the staff would move forward with the program. The Council would then re-evaluate the program in six months. Mr. Hefton said the program would be set up over the next few weeks, but there was no exact timeframe to tell how long it would take to implement. He estimated it would probably take three or four months to fully implement.

ACTION TAKEN.

Motion by Council Member Steele to approve Ordinance Nos. 6159, 6160, 6161, 6162, 6163, 6164, 6165, 6166, and

6167, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

Mr. Hefton explained that Agenda Items D-6 through D-18 are individual items for the purchase of various types of equipment, primarily for the Street Department and the Solid Waste Department.

They were all budgeted items that local vendors are providing, or that can't be provided by local vendors. These items include most of the big equipment purchases that will be made this year.

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

RESOLUTIONS

RESOLUTION NO. 6417 – AUTHORIZING THE ACCEPTANCE OF A CONTRACT AND CONVEYANCE DOCUMENT FROM JANET KENT FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 205 EAST LAMBERTH ROAD, BEING 0.2066 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, AND A 1.061 ACRE PART OF LOT 1, BLOCK 2 OF THE CORNERSTONE ADDITION, TOTALING APPROXIMATELY 1.2667 ACRES, MORE OR LESS, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONTRACT AND CONVEYANCE DOCUMENT FROM JANET KENT FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 205 EAST LAMBERTH ROAD, BEING 0.2066 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, AND A 1.061 ACRE PART OF LOT 1, BLOCK 2 OF THE CORNERSTONE ADDITION, TOTALING APPROXIMATELY 1.2667 ACRES, MORE OR LESS, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS.

Mr. Philpott said this residential property on the north side of Lamberth Road between US Hwy 75 and Travis Street, is adjacent to the east fork of the Post Oak Creek. The property does have an issue with flooding and the property owner is willing to sell the property.

The property is also adjacent to the proposed drainage improvements and a culvert is currently under design. The purchase of this property will save the City money on that

CONSENT AGENDA

RES 6417
ACQUISITION OF
PROPERTY
(205 E. LAMBERTH RD)

drainage project and will eliminate the need for a rock retaining wall.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6417, as presented. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6418 – AUTHORIZING EXECUTION OF AN AGREEMENT FOR RIGHT OF WAY PROCUREMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR RIGHT OF WAY ACQUISITION SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 1417 (HERITAGE PARKWAY) FROM US 82 TO SH 56]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT FOR RIGHT OF WAY PROCUREMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR RIGHT OF WAY ACQUISITION SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 1417 (HERITAGE PARKWAY) FROM US 82 TO SH 56].

RES 6418
ROW PROCUREMENT
FM 1417 FROM
US 82 TO SH 56

Mr. Philpott said this agreement between the City and the Texas Department of Transportation, will allow the City to purchase right of way on their behalf, for the FM 1417 Extension Project, between US Hwy 82 and SH 56.

The project began in 2016 with a schematic design, subject to the City purchasing the right of way and participating with local funding. The appraisals have been completed. The project is expected to bid in August 2019.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6418, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6419 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A NATIONAL HIGHWAY PROJECT FOR RECONSTRUCTION AND WIDENING FROM A 4-LANE TO A 6-LANE ON-SYSTEM HIGHWAY (US 75 “THE GAP” PROJECT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN

RES 6419
RECONSTRUCTION &
WIDENING US 75
(THE GAP PROJECT)

ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A NATIONAL HIGHWAY PROJECT FOR RECONSTRUCTION AND WIDENING FROM A 4-LANE TO A 6-LANE ON-SYSTEM HIGHWAY (US 75 “THE GAP” PROJECT).

Mr. Philpott said this is an Advance Funding Agreement that sets the amount of local funds that the City will provide for “The Gap” Project.

The City’s local match is about \$8 million and the County recently approved \$4.6 million. The total cost for the project is \$163 million. The project should begin in 2020.

Grayson County Judge Bill Magers thanked Mayor Plyler for his leadership as the Chairman of the Metropolitan Planning Organization. He said the \$161 million project is receiving about \$27 million from the MPO.

Part of the reason this project is happening in Sherman is that Denison forwent one of their projects to make sure the MPO had money to fund the Sherman project. He said Denison is approving the Advance Funding Agreement for their SH Spur 503/FM 691 Project tonight. Sherman will also benefit from that project.

He said the area is receiving \$130 million in TxDOT funds for local projects. He thanked the City Council for their leadership in not letting turf battles interfere with their professionalism.

Mayor Plyler recognized that the US Hwy 75 and Hwy 82 interchange will finally be addressed.

Council Member Steele said the agreement stated that the local government (the City of Sherman) would be responsible for paying for any cost overruns. Mr. Philpott said this is a standard TxDOT contract and the City and County are “locked in” at their maximum contribution.

Council Member Steele said the agreement also said the City would incur some additional costs for the relocation of utilities. Mr. Philpott said there are several locations where water and sewer lines are crossing. Because those are the City’s lines in their right of way, the City is required to relocate them. They are working with the City to change the design so some don’t have to be relocated.

Mr. Hefton added that the engineering is not complete, but construction is scheduled to start during the first quarter of 2020.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6419, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6420 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH 300 SHERMAN, LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN QUAIL RUN, PHASE ONE, A 17.492-ACRE DEVELOPMENT WEST OF F.M. 1417 ALONG QUAIL RUN ROAD IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH 300 SHERMAN, LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN QUAIL RUN, PHASE ONE, A 17.492-ACRE DEVELOPMENT WEST OF F.M. 1417 ALONG QUAIL RUN ROAD IN THE CITY OF SHERMAN.

RES 6420
DEVELOPER'S
AGREEMENT
QUAIL RUN,
PHASE ONE

Mr. Philpott said this is a Development Agreement to develop 76 additional residential homes along Quail Run, west toward Friendship Road. The development will have several phases, and this is the first phase.

Part of this project does include the City partnering for reimbursement to the developer for a public park and public drainage improvements to the property. The approximately five acre park will be located north of Setting Suns, and will include detention and drainage improvements, a large playing field, and eventually a trail.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No. 6420, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6421 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GARRETT DEMOLITION, INC. BASED ON A REQUEST FOR PROPOSALS FOR BUILDING DEMOLITION OF FIRE STATION NO. 4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH GARRETT DEMOLITION, INC. BASED ON A REQUEST FOR PROPOSALS FOR THE BUILDING DEMOLITION OF FIRE STATION NO. 4.

RES 6421
FIRE STATION #4
DEMOLITION

Steve Ayers, Assistant City Manager, said the City advertised for bids for the demolition of Fire Station #4, that was located at US Hwy 75 and FM 1417. There were also some asbestos mitigation aspects to the project.

The City received four bids, but one was eliminated because they did not meet the requirement for references and experience concerning the asbestos.

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The bid was about \$64,000 and the two next bids were over \$100,000. The lowest bid did not meet the reference requirements.

The demolition is scheduled to begin between November 14 and 16, 2018, and should only take a few days to complete. Mike Grant, Facilities Superintendent, said he had received notification that they plan to start on November 12, 2018 and complete the project by November 16, 2018.

Council Member Teamann asked about the plan for the basement. Mr. Ayers said everything will be removed and it will be left as a “bowl shape.”

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6421, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6422 – ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC AS COMPLETE FOR ALL EQUIPMENT, MATERIALS AND CONSTRUCTION OF THE CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC AS COMPLETE FOR ALL EQUIPMENT, MATERIALS AND CONSTRUCTION OF THE CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT.

CONSENT AGENDA.

RES 6422
SHERMAN
INDUSTRIAL SEWER
REPLACEMENT
PROJECT

RESOLUTION NO. 6423 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PERKINS ENGINEERING CONSULTANTS, INC. FOR THE DESIGN OF THE AERATION AND SECONDARY TREATMENT IMPROVEMENTS AT THE SHERMAN WASTEWATER TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PERKINS ENGINEERING CONSULTANTS, INC. FOR THE DESIGN OF THE AERATION AND SECONDARY TREATMENT IMPROVEMENTS AT THE SHERMAN WASTE WATER TREATMENT PLANT.

CONSENT AGENDA.

RES 6423
WWTP
IMPROVEMENTS

RESOLUTION NO. 6424 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE DESIGN OF THE FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS

RES 6424
FAIRVIEW ELEVATED
TANK PAINTING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR THE DESIGN OF THE FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS.

Council Member Steele ask about repairs on the Fairview Elevated Water Tower.

Mark Gibson, Director of Utilities, said the Fairview Water Tower was originally scheduled in this year's Capital Improvement Program for repainting and repair. The staff decided to try and delay the project for another year. About a month ago, the tower developed a leak. This project includes repainting and repair of the tower.

Council Member Steele confirmed that the cost was already included in the budget, but was delayed. Mr. Hefton added that, because of the leak, the project can't be delayed.
CONSENT AGENDA.

RESOLUTION NO. 6425 – AUTHORIZING THE PURCHASE OF A NEW 2018 CATERPILLAR ASPHALT PAVER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6425
STREET
MAINTENANCE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2018 CATERPILLAR ASPHALT PAVER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6426 – AUTHORIZING THE PURCHASE OF TWO NEW 2019 KENWORTH T440 DUMP TRUCKS FOR THE STREET MAINTENANCE DEPARTMENT FROM MHC KENWORTH THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6426
STREET
MAINTENANCE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF TWO NEW 2019 KENWORTH T440 DUMP TRUCKS FOR THE STREET MAINTENANCE DEPARTMENT FROM MHC KENWORTH THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6427 – AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR MOTOR GRADER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6427
STREET
MAINTENANCE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR MOTOR GRADER FOR THE STREET MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH

THE TEXAS LOCAL GOVERNMENT PURCHASING
COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6429 – AUTHORIZING THE PURCHASE OF
A NEW CATERPILLAR CW34 PNEUMATIC ROLLER FOR THE
STREET MAINTENANCE DEPARTMENT FROM HOLT CAT
THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING
COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW
CATERPILLAR CW34 PNEUMATIC ROLLER FOR THE STREET
MAINTENANCE DEPARTMENT FROM HOLT CAT THROUGH
THE TEXAS LOCAL GOVERNMENT PURCHASING
COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6429
STREET
MAINTENANCE
EQUIPMENT

RESOLUTION NO. 6430 – AUTHORIZING EXECUTION OF AN
INTERLOCAL AGREEMENT BETWEEN THE CITY OF
SHERMAN AND THE COUNTY OF DALLAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN
INTERLOCAL AGREEMENT BETWEEN THE CITY OF
SHERMAN AND THE COUNTY OF DALLAS.
CONSENT AGENDA.

RES 6430
POLICE VEHICLE
PURCHASE THROUGH
DALLAS COUNTY

RESOLUTION NO. 6431 – AUTHORIZING THE PURCHASE OF
A NEW FLIP SCREEN FOR THE STREET MAINTENANCE
DEPARTMENT FROM FLIP SCREEN, LLC THROUGH THE
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE
(BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW
FLIP SCREEN FOR THE STREET MAINTENANCE
DEPARTMENT FROM FLIP SCREEN, LLC THROUGH THE
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE
(BUYBOARD).
CONSENT AGENDA.

RES 6431
STREET
MAINTENANCE
EQUIPMENT

RESOLUTION NO. 6433 – AUTHORIZING THE PURCHASE OF
A NEW HEIL FRONT LOAD TRUCK FOR THE SOLID WASTE
DEPARTMENT FROM HEIL OF TEXAS THROUGH THE TEXAS
LOCAL GOVERNMENT PURCHASING COOPERATIVE
(BUYBOARD)

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

RES 6433
SOLID WASTE
EQUIPMENT

RESOLUTION NO. 6434 – AUTHORIZING THE PURCHASE OF
A NEW 2019 AUTOCAR ACX64 BODY FOR THE SOLID WASTE
DEPARTMENT FROM CHASTANG ENTERPRISES, INC.

RES 6434
SOLID WASTE
EQUIPMENT

THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2019 AUTOCAR ACX64 BODY FOR THE SOLID WASTE DEPARTMENT FROM CHASTANG ENTERPRISES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6435 – AUTHORIZING THE PURCHASE OF A NEW 2019 HEIL BRUSH TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2019 HEIL BRUSH TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC OF TEXAS THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6435
SOLID WASTE
EQUIPMENT

RESOLUTION NO. 6436 – AUTHORIZING THE PURCHASE OF A KUBOTA M6060HDC TRACTOR FOR THE PARK MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A KUBOTA M6060HDC TRACTOR FOR THE PARK MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6436
PARK MAINTENANCE
EQUIPMENT

REQUEST TO ADVERTISE
FAIRVIEW ELEVATED TANK PAINTING IMPROVEMENTS

The City Council approved the request to advertise for the repair and painting of the Fairview Elevated Storage Tank, which was originally scheduled for repair and repainting in the next fiscal year.

REQ TO ADVERTISE
FAIRVIEW ELEVATED
TANK PAINTING

Several weeks ago the tank developed a significant leak. Following the repair of the leak, a detailed underwater inspection of the tank was undertaken and several significant areas of corrosion were noted throughout the tank. These areas represent the potential for additional failures of the tank structure resulting in significant leaks.

The project will be funded through the Greater Texoma Utility Authority.
CONSENT AGENDA.

REPAIRS TO SHEPHERD DRIVE #1 WOODBINE WATER WELL

The City Council approved the request to advertise for repairs to the Shepherd Drive #1 Woodbine Water Well. The motor on the well is failing and needs to be pulled and inspected. The pump and piping will also be inspected and repaired or replaced if necessary.

WATER WELL
REPAIRS

Funds for the well repairs are available in the Utility Fund Capital Improvement Program.

CONSENT AGENDA.

CHANGE ORDER NO. 1

APPROVING A CHANGE ORDER OF \$30,551.59 FOR THE SHERMAN FIRE STATION NO. 4 PROJECT; CROSSLAND CONSTRUCTION COMPANY, INC., AS CONSTRUCTION MANAGER-AT-RISK (CMAR)

CHANGE ORDERS
FIRE STATION #4

Mr. Hefton said this is the first and final Change Order for the \$3.5 million Fire Station #4 Project. The Change Order represents 0.8% of the total contract price and represents five or six different items.

Changes included modifications to the bay area from the original design and additional warranties for the generator that runs the entire facility. Total cost for the Change Order was \$30,551.59.

ACTION TAKEN.

Motion by Council Member Teamann to approve Change Order No. 1, for a \$30,551.59 increase to Crossland Construction Company, Inc., for the Fire Station No. 4

Project, as presented. Second by Council Member Sofey.

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

VOTING NAY: None.

MOTION CARRIED.

CHANGE ORDER NO. 4

APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENT TO EXECUTE CHANGE ORDER NO. 4; CITY OF SHERMAN INDUSTRIAL SEWER REPLACEMENT PROJECT; LYNN VESSELS CONSTRUCTION, LLC, \$37,899.64 DECREASE

SHERMAN
INDUSTRIAL
SEWER
REPLACEMENT

Mr. Gibson said this is a final, reconciliatory Change Order on the Industrial Sewer Replacement Project, in the Blalock Industrial Park.

The Change Order represents 12 items, some decreasing and some increasing, for a total \$37,899.64 decrease. The result of all four Change Orders was an increase of \$120 over the original bid price.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Greater Texoma Utility Authority's intent to execute Change Order No. 4, for a \$37,899.64 decrease to Lynn Vessels Construction, LLC, for the Sherman Industrial

Sewer Replacement Project, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

**RECOGNITION OF CITY OF SHERMAN AWARD:
“CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN
FINANCIAL REPORTING”**

**FINANCIAL
REPORTING**

Mr. Hefton recognized Ms. Lawrence, Tammy Davis, Controller, and the Finance Department staff, and said the City of Sherman has received the “Certificate of Achievement for Excellence in Financial Reporting” for 32 consecutive years.

He said the award is a testament to their professionalism and their ability, year after year, to have a “clean audit”, and to present the financial statements in a way that is recognized by the industry.

**APPROVE QUARTERLY INVESTMENT REPORT FOR
QUARTER ENDED SEPTEMBER 30, 2018**

**QUARTERLY
INVESTMENT REPORT**

The City Council approved the Quarterly Investment Report for the quarter ended September 30, 2018. The portfolios were in compliance with applicable State laws and the Investment Policy.

The Operating Investment Portfolio had a book value of about \$13.5 million, a decrease of about \$3.8 million from the prior quarter of \$17.3 million, due to maturities of \$2.0 million in Certificates of Deposits, \$2.1 million in State of Texas political subdivision obligations, and a net deposit to the Local Government Investment Pools of \$300,000.

The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid, and its weighted-average maturity was about 407 days, up from 380 days from last quarter. The portfolio yield of 1.93% for the quarter is 66 basis points lower than the benchmark yield of 2.59%. The portfolio value on the City’s books is slightly below market value due to the effect of rising interest rates.

The Debt Proceeds Portfolio balance of \$32.3 million was invested in a Local Government Investment Pool, a U.S. Agency, and an FDIC insured money market account. Transactions in this portfolio included the receipt of proceeds from the 2018 Certificates of Obligation, interest income and payments for capital projects.

The yield of 1.78% was below the benchmark yield of 2.12% for this portfolio. Book value and market value were about the same.

CONSENT AGENDA.

VARIANCE AND SITE PLAN APPROVAL FOR DOUGLASS DISTRIBUTING, OWNERS; EIKON, ARCHITECT/ENGINEER; AND CHRIS FRERICH, REPRESENTATIVE UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTIONS 410 (2)(G) TO ALLOW A 10' SETBACK FROM THE F.M. 1417 (VIETNAM VETERANS PARKWAY) PROPERTY LINE FOR A VACUUM CANOPY FOR LEGACY VILLAGE GAS STATION, CONVENIENCE STORE AND CAR WASH IN THE BLALOCK INDUSTRIAL PARK AT 3707 SOUTH U.S. HIGHWAY 75

APPROVE VARIANCE
& SITE PLAN
(3707 S. US HWY 75)

The City Council approved the Variance and Site Plan for Douglass Distributing, to allow a 10' setback from the FM 1417 property line for a vacuum canopy for Legacy Village Gas Station, Convenience Store, and Car Wash in the Blalock Industrial Park at 3707 South US Hwy 75.

The site is also located in the Blalock Commercial Overlay District. The Planning and Zoning Commission recommended approval of the Variance and Site Plan, subject to the Staff Review Letter.

CONSENT AGENDA.

REPLAT APPROVAL OF EARNHARTBUILT'S FIRST ADDITION, BEING A REPLAT OF LOTS 1 & 2, BLOCK 7, OF THE SLAGLE REPLAT OF BLOCK 7 OF CHRISTIAN COLLEGE ADDITION, BEING ALL OF LOTS 1 & 2, BLOCK 7 OF THE SLAGLE REPLAT OF BLOCK 7, CHRISTIAN COLLEGE ADDITION, CONTAINING 0.544 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, 2101 & 2103 E PECAN SERIES, LLC, OWNERS; EARNHARTBUILT, LLC, DEVELOPER; AND COPLEY LAND SURVEYING, SURVEYOR (2100 BLOCK OF EAST MULBERRY STREET)

APPROVE REPLAT
(2100 BLOCK OF
E. MULBERRY)

The City Council approved the Replat of Earnhartbuilt's First Addition, being a Replat of Lots 1 and 2, Block 7, of the Slagle Replat of Block 7 of Christian College Addition, being all of Lots 1 and 2, Block 7 of the Slagle Replat of Block 7, Christian College Addition.

The 0.544 acre tract is located in the 2100 block of East Mulberry Street. The owners would like to replat the property into three, fifty foot lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA.

REPLAT APPROVAL OF LARA'S ADDITION, BEING A REPLAT OF LOTS 7 & 8, BLOCK 1 OF W.D. FITCH ADDITION, BEING LOT 7 AND PART OF LOT 8, BLOCK 1, W.D. FITCH ADDITION; JOSE AND MARIA LARA, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (926 AND 932 SOUTH THROCKMORTON STREET)

APPROVE REPLAT
(926 & 932 S.
THROCKMORTON)

The City Council approved the Replat of Lara's Addition, being a Replat of Lots 7 and 8, Block 1 of W.D. Fitch Addition, being Lot 7 and part of Lot 8, Block 1, W.D. Fitch Addition, located at 926 and 932 South Throckmorton Street.

The owners would like to plat 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.

CITIZENS REQUESTS
RECYCLING PROJECT

RECYCLING PROJECT

Sandra Melton, 2814 Shoreline, thanked the City Council for the hard work they did on the Recycling Program, and said she was afraid it would be “null and void.”

She did mention senior citizens and their option to opt out of the Recycling Program or not having to pay for it.

SOUND QUALITY

SOUND QUALITY

Peter Tracy, 705 S. Valentine, said it was hard to hear the Mayor when he spoke in the meeting.

CODE ENFORCEMENT

CODE ENFORCEMENT

Mary Boring, Rolling Hills Drive, said she would like to see better trash control in Sherman.

Mr. Hefton said part of the solution is what happens with the bulk waste program. Recent revisions have been made to the program. He said most of the citizens comply, but the ones that don't put their bulk waste out whenever they want and it sits on the curb until the pickup. He said there are also commercial areas where trash collects. He said the City can promote solutions, but it really amounts to citizens doing their part to comply.

Ms. Boring ask if the City offered bulk pick up for apartments. Mr. Hefton said there is a drop-off center that is very inexpensive to use. From a practical standpoint, he said bulk pick up at an apartment complex would be difficult. He added that educating citizens as to what is available might be useful.

She asked about new ordinances such as not allowing cars to be parked in residential front yards or about moving trash carts off the curb after pick up.

Mr. Hefton said the City does have ordinances that already address those issues. The issue is one of compliance and that is done on a drive-around basis and a complaint basis. If she has specific addresses or locations for problem areas, he encouraged her to contact the City and lodge the environmental code complaint.

MEDIA QUESTIONS
RECYCLING PROJECT

RECYCLING PROJECT

Meredith McCown, KXII Reporter, asked about the actual cost for citizens that choose to recycle.

Mr. Hefton said there is only one fee for solid waste service and it is \$18.75. There is no longer a separate recycling fee. It

also still covers two carts. The only group that can opt out of the fee itself are citizens over the age of 65 or that have carry-out service.

He reiterated that citizens will pay one fee and can choose whether or not they want to participate in the Recycling Program.

COUNCIL COMMENTS

WHAT'S GOING ON IN SHERMAN

Council Member Steele said when there is an agenda this long, there is a lot to discuss and a lot going on and many things that must be discussed as Sherman grows. He said it's always nice to have citizens come and speak.

**WHAT'S GOING ON
IN SHERMAN**

HAWN SKATE PARK

Deputy Mayor Howeth commended the citizens that came to talk about the Hawn Skate Park. She said the Parks and Recreation Department did a wonderful job of planning the ribbon cutting ceremony.

HAWN SKATE PARK

FRIGHT FEST

Deputy Mayor Howeth commended the Police Department for this year's Fright Fest. She said there has never been that many people at Midway Mall. She thanked everyone that participated.

FRIGHT FEST

UPCOMING ELECTION

Council Member Sofey encouraged citizens to vote in tomorrow's Election.

UPCOMING ELECTION

COUNCIL MEMBER SERVICE

Council Member Sofey said this is his last full City Council Meeting, but he said he has been involved with City Council or the Planning and Zoning Commission for the last 13 or 14 years.

**COUNCIL MEMBER
SERVICE**

He said today's Council is the best he has worked with, and "by far" the best staff. He said it has been a wonderful experience, and the City is in really good shape and in good hands.

WHAT'S GOING ON IN SHERMAN

Council Member Teamann agreed that an agenda this large is a great indication of what's happening in the City. He said they are voting on things that are happening right now, and it's an exciting time to be a part of Sherman.

**WHAT'S GOING ON
IN SHERMAN**

At this meeting, Council Member Teamann said the City partnered with the State, with the County, with private industry, and with people that are going to develop parks. All levels of government are working together.

COUNCIL MEMBER SERVICE

Council Member Teamann said he appreciated the years of service that Council Member Sofey has given to the City.

**COUNCIL MEMBER
SERVICE**

BLUE SKY SONGTELLERS' GATHERING

Council Member Teamann thanked Mr. Shadden for his work organizing the Blue Sky Songtellers' Gathering and said it was an amazing event. The event raised "a substantial" amount of money.

**BLUE SKY
SONGTELLERS'
GATHERING**

HAWN SKATE PARK

Council Member Holland commended the City on the Hawn Skate Park and said it was a great ribbon cutting event.

HAWN SKATE PARK

TxDOT ROAD PROJECTS

Mayor Plyler said as Chairman of the MPO, Sherman is fortunate to have partners in the County and the other area cities. He said all of the other area mayors came together, especially the City of Denison, and "stepped up to the plate" and they were able to put together the US Hwy 75 Project.

**TxDOT ROAD
PROJECTS**

He said this project will be critical to the community in the coming years. It will be painful and frustrating during construction, but it will be wonderful when it's completed. It will take care of "that awful" US Hwy 75 and US Hwy 82 interchange.

He thanked the City staff, the City of Denison, and everyone at the County level who worked so hard to partner with the City, to bring this project to fruition. He also thanked the State Representative and Sherman's friends in Austin that showed up to lobby on our behalf.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Municipal Election will be held Tuesday, November 6, 2018, and the Vote Centers open at 7:00 a.m. There are two City Council positions on the ballot. He urged citizens to vote.
- The First Annual Veteran's Day Parade will be held Saturday, November 10, 2018, at 11:00 a.m. in Downtown Sherman. He thanked Sarah McRae, Tourism/Main Street Manager, for her work in helping organize the event.
- The Christmas Parade and Snowflake Festival will be held on Saturday, December 1, 2018, at 6:00 p.m. The theme will be Cartoon Christmas.

ANNOUNCEMENTS

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

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

EXECUTIVE SESSION

COUNCIL MINUTES – NOVEMBER 5, 2018

**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**

**On Motion duly made and carried, the Open Meeting recessed
and reconvened in Executive Session at 6:48 p.m.**

**On Motion duly made and carried, the Executive Session
recessed at 7:18 p.m. and reconvened in Open Meeting.**

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
7:19 p.m.**

ADJOURNMENT

MAYOR

CITY CLERK