

STATE OF TEXAS §
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 February 5 2024.

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR SHAWN TEAMANN.
COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH,
MARROQUIN, STEVENSON.**

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were led by Deputy Mayor Shawn Teamann.

APPROVE MINUTES

**The Council reviewed the Minutes of the Regular City Council Meeting of January 16, 2024. Council Member Holland moved to approve the Minutes, as presented; Second by Council Member Stevenson; All present voted AYE.
MOTION CARRIED.**

CITIZEN'S COMMENTS

There were no citizen's comments.

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately.

Mayor Plyler removed Item I-2, entitled “Request to Advertise for Public Bids to Redesign the City of Sherman Website” from the Consent Agenda for consideration in its regular order of business.

The Council reviewed the Consent Agenda. Deputy Mayor Teamann moved to approve the Consent Agenda, with the exception of Item I-2, which will be considered in its regular order of business. Second by Council Member Howeth. All present voted AYE.

PROCLAMATION

“UNITED ACTS OF KINDNESS DAY” - February 16, 2024

Mayor Plyler presented a proclamation to Greg Kirkpatrick, Sherman Market President, First United Bank, designating February 16, 2024 as “United Acts of Kindness Day” in Sherman.

SPECIAL PRESENTATION

RECEIVE PRESENTATION FROM THE LEADERSHIP SHERMAN'S CLASS OF 2024

Teri Fine, appeared representing the Leadership Sherman Class of 2024, to discuss their community service class project. They will be renovating the restrooms at the North Texas Youth Connection, including electrical, flooring, and plumbing.

PUBLIC HEARING

PUBLIC HEARING FOR THE REAUTHORIZATION OF THE INDUSTRIAL AND COMMERCIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

Mary Lawrence, Director of Finance, said this public hearing is in conjunction with Resolution 7254, later on the agenda. The Tax Code requires renewal of the program every two year.

**REAUTHORIZATION
OF INDUSTRIAL &
COMMERCIAL TAX
ABATEMENT
PROGRAM**

No citizens appeared before the City Council to discuss the reauthorization of the Industrial and Commercial Tax Abatement Program.

Mayor Plyler asked to read the captions of Ordinance Nos. 6689 and 6690 together, and called for a public hearing:

**ORD 6689
ANNEXATION OF
PROPERTY
(GREENWAY)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN AREA OF LAND CONSISTING OF APPROXIMATELY 220.18 ACRES OF LAND LOCATED WEST OF F.M. 1417 (HERITAGE PARKWAY) AND NORTH OF O.B. GRONER ROAD ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION, ON APPLICATION OF THE LANDOWNER; PROVIDING THAT THE OWNERS AND INHABITANTS OF THE SUBJECT AREA OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF SHERMAN AND SHALL BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREINAFTER ADOPTED; AUTHORIZING EXECUTION OF THE ANNEXATION SERVICE PLAN AGREEMENT; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE AND SHERMAN'S GENERAL ZONING ORDINANCE, ORDINANCE NO. 2280; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 220.18 ACRES BEING A PART OF THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND THE JASON STAMPS SURVEY, ABSTRACT NO. 1115, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 3000 BLOCK WEST OB GRONER ROAD AND THE 4500 BLOCK WEST PARK AVENUE, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURE) DISTRICT; REZONING AND PLACING THE TRACT IN THE PD (PLANNED DEVELOPMENT) ZONING CLASSIFICATION; SHAKIR REHMATULLAH, FLATO DEVELOPMENT, INC. (OWNER), RICK LEISNER, NORRIS DESIGN (REPRESENTATIVE) AND ATWELL-GROUP (SURVEYOR); PROVIDING FOR A PENALTY NOT

**ORD 6690
ZONE CHANGE
FOR PLANNED
DEVELOPMENT
(APPEAL FROM P&Z)**

TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Rob Rae, Director of Development Services, said the zone change is from an R-A to a Planned Development, and is not located in the Sherman City Limits. Before the Council can take action on the zoning item, the annexation would need to be approved, and he asked that the items be considered together.

There was a petition by residents of the nearby Western Acres development, in opposition to the proposed planned development. The Planning and Zoning Commission denied the zone change, and the developer has appealed that decision to the City Council. An affirmative vote of six Council Members will be required to overturn the denial of the Planning and Zoning Commission.

Rick Leisner, Landscape Architect and Planner, Norris Design
Mr. Leisner appeared representing the request.

Shakir Rehmatullah, President, Flato Development, Inc.
Mr. Rehmatullah is the owner of the development and appeared representing the request. He said they are here to work with the community and address the comments from the nearby residents. He described the project and discussed how they are addressing citizen concerns, including greenspace, sewer connections, the height of buildings, and roads.

Mr. Leisner discussed Flato Development and their plans for regional development, and specifically the Greenway Planned Development in Sherman. He also addressed a Drainage Study that will be completed to increase the surface flow into the Greenway community, and help remedy the flooding in the Rolling Hills area.

David Swindell, 2701 S. Rolling Hills
Mr. Swindell expressed concern about the two-story houses that will “back up to” the current residential property, and the commercial development “in their backyard.”

Stephen Harris, 2401 Friendship Road
Mr. Harris was concerned that the two-story buildings will be higher than the tree buffer area, and residents of the new development will be “looking in their backyards.”

Patricia Davis, 2609 Valley Ridge
Ms. Davis asked about the location of Park Avenue and the proposed intersection with Pintail Drive. She also expressed concern about the major drainage issues that currently exist. She urged them to locate single-story homes by the existing single-story homes.

Doug Garrett, 4700 Park Avenue
Mr. Garrett was concerned about the drainage ditch and erosion, and asked if additional stormwater would drain into the existing drainage ditch. He also asked about the tree buffer area between existing properties and the new properties.

Wes Stone, Realtor, KW Commercial Real Estate, 6308 Teal Ct. Plano

Mr. Stone appeared representing the landowner that sold the property to Flato Development. When Mr. Rehmatullah originally looked at the property, they wanted to be sure they could create a premium development that would be good for Sherman and keep as much natural beauty as they could.

Dorothy Schmoker, 2516 Rolling Hills Drive

Ms. Schmoker said greenways and trails are for people, and she encouraged the Council to consider the wildlife, and the impact this development will have on the wildlife. She said this will destroy nature and their habitat.

Jane Sieber, 2503 S. Rolling Hills Drive

Ms. Sieber expressed concern about the drainage problems and how they would be enhanced with any fence that is installed. She said they needed action, not a study.

No other citizens appeared before the City Council to discuss Ordinance Nos. 6689 and 6690.

Mayor Plyler introduced Ordinance No. 6691 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 3 (BUILDING REGULATIONS) AND APPENDIX C (COMPREHENSIVE FEE SCHEDULE); MODIFYING CERTAIN EXISTING REGULATIONS AND ESTABLISHING CERTAIN NEW REGULATIONS RELATING TO BUILDINGS, CONTRACTOR REGISTRATION, BUILDING PERMITS AND INSPECTIONS, SUBSTANDARD STRUCTURES, BACKFLOW DEVICES, MANUFACTURED HOUSING, MOBILE HOMES AND TRAVEL TRAILERS, STREETS AND SIDEWALKS, RESIDENTIAL RENTAL PROPERTY LICENSE AND STANDARDS, FLOOD DAMAGE PREVENTION, STORMWATER DISCHARGES RESULTING FROM CONSTRUCTION ACTIVITIES AND ADMINISTRATIVE PROVISIONS; ADOPTING TECHNICAL BUILDING CODES AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, AND AMENDMENTS THERETO; PROVIDING FOR RIGHTS OF APPEAL; MODIFYING CERTAIN EXISTING FEES AND CHARGES AND ESTABLISHING CERTAIN NEW FEES AND CHARGES; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6691
BUILDING
REGULATIONS &
FEE SCHEDULE

Mr. Rae said a presentation on this proposed ordinance was presented at the January 16, 2024 City Council Meeting. He outlined the proposed changes since that meeting, including deleting two sections from the International Property Maintenance Code. He also discussed the proposed increase in building fees.

Kyle Wiser, 1820 N. Ricketts

Mr. Wiser is in property management and represents Southwest Management, which is composed of approximately 100 property

COUNCIL MINUTES – FEBRUARY 5, 2024

owners that manage over 200 units in Sherman. He said the Texas Property Code already regulates this, and expressed concern about the financial burden and time required for the property owners. He felt there were other “avenues” that could be taken, that this was a redundant action, and it would result in a rent increase for the renters.

Richard Oglesby, 2415 Meadows Lane

Mr. Oglesby asked what type of inspection would be done on the rental property. He works constantly to keep his rental properties repaired and in good condition. He said he complies with the State of Texas landlord/tenant regulations, and asked what the City would be inspecting.

He added that, according to the State, some issues are the landlord’s responsibility, until the tenant moves in, and then they become the tenant’s responsibility. He asked for clarification, and what “scope” of inspections the City would provide.

Wally Johnson, 1602 Glenway Drive

Mr. Johnson said he is a landlord and has personal standards for his home, and the properties he rents. He recognized that there are “slumlords,” but the majority of landlords have standards. He felt there was a better way to approach the problems, and that it was unfair to blame all landlords.

Joe Gage, 1405 N. Wharton

Mr. Gage said he owns rental properties and understands why there is a need for the regulations. However, with the rising costs of maintaining rental property, he is doing his best, and this would be another fee that he can’t afford. He said not all landlords are the problem.

Ginny Hampton, (no address given)

Ms. Hampton said she is currently not a landlord, but has been in the past. She asked about the proposed \$10 fee for registering rental property, and how often that would be assessed, and how much this program would cost the City to administer. She said the landlords will not incur this cost and will pass it along to their renters, causing a financial burden on low income renters.

Ms. Hampton said Texas is a “tenant right State” and that she is a Grayson County Justice of the Peace, and there were no tenant rights cases filed in her court last year. There is no cost for a tenant to file a case against their landlord. Council Member Dobbs felt that most tenants probably are not aware of that process.

She said the Texas Property Code regulates rental property and she didn’t feel the City’s proposed plan was a viable way to regulate rental property.

Jason Myers, 818 Valentine

Mr. Myers said it is currently cheaper for him to rent a home than it is to buy a home. He said he has good landlords.

Peter Tracy, 705 S. Valentine

Mr. Tracy said a house on North Carr Street has been gutted from fire, and he asked what the City would do about property like that. He also asked about fire hydrants throughout the City.

No other citizens appeared before the City Council to discuss Ordinance No. 6691.

Mayor Plyler introduced Ordinance No. 6692 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.04.006 (RESIDENTIAL AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS); MODIFYING CERTAIN EXISTING REGULATIONS RELATING TO RESIDENTIAL AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS AND THE PRESERVATION AND ADDITION OF PLANTS AND TREES; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6692
LANDSCAPE
REQUIREMENTS
FOR TREES

Mr. Rae introduced the second part of the proposed tree ordinance, relating to the Zoning Ordinance. The first part updated the Subdivision Ordinance.

James Kindred, Senior Landscape Architect/Project Manager, Half Associates

Mr. Kindred explained the proposed changes to the Zoning Ordinance, and said it would apply to all new development and redevelopment. He outlined proposed changes to the ordinance.

No other citizens appeared before the City Council to discuss Ordinance No. 6692.

Mayor Plyler introduced Ordinance No. 6693 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE COMPOSITION AND POWERS OF THE BOARD OF DIRECTORS FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SEVEN, CITY OF SHERMAN, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, EXTENDING THE TERM OF THE ZONE, AND MODIFYING CERTAIN PROVISIONS RELATED TO THE TAX INCREMENT BASE AND THE TAX INCREMENT FUND FOR THE ZONE; AMENDING ORDINANCE NO. 6081, PREVIOUSLY APPROVED BY THE CITY COUNCIL ON DECEMBER 4, 2017, AS AMENDED BY ORDINANCE NO. 6262, APPROVED BY THE CITY COUNCIL ON NOVEMBER 8, 2019; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6693
TIRZ #7 BOARD
OF DIRECTORS

Ms. Lawrence said this amends the creation ordinance for Tax Increment Reinvestment Zone #7, which includes the Bel Air and Legacy Village developments. It extends the zone to agree with the Master Development Agreement, and adds the State Senator and

COUNCIL MINUTES – FEBRUARY 5, 2024

State Representative to the Board of Directors, as required by the Tax Code. It also clarifies the increment for each development, and keeps it in the appropriate development.

No citizens appeared before the City Council to discuss Ordinance No. 6693.

Mayor Plyler introduced Ordinance No. 6694 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED ALLEY WEST OF LOTS 7-10, BLOCK 1, POST OAK ADDITION, AND EAST OF AUSTIN STREET CEMETERY, IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS BEING SHOWN IN VOLUME 35, PAGE 58, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBITS “A” AND “B” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

**ORD 6694
CLOSE & ABANDON
ALLEY
(POST OAK ADDITION)**

Wayne Lee, Director of Engineering, said the platted alley is located within Austin Street Cemetery, and the cemetery will be incorporating the abandoned alley into a replat of the surrounding properties.

No citizens appeared before the City Council to discuss Ordinance No. 6694.

The Public Hearing was closed.

RESOLUTION NO. 7254 -- REAUTHORIZING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL AND COMMERCIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

**RES 7254
INDUSTRIAL &
COMMERCIAL TAX
ABATEMENT
PROGRAM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REAUTHORIZING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL AND COMMERCIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY.

Ryan Pittman, City Attorney, said this was the resolution in conjunction with the public hearing for the reauthorization of the Industrial and Commercial Tax Abatement Program.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7254, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6689

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN AREA OF LAND CONSISTING OF APPROXIMATELY 220.18 ACRES OF LAND LOCATED WEST OF F.M. 1417 (HERITAGE PARKWAY) AND NORTH OF O.B. GRONER ROAD ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION, ON APPLICATION OF THE LANDOWNER; PROVIDING THAT THE OWNERS AND INHABITANTS OF THE SUBJECT AREA OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF SHERMAN AND SHALL BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREINAFTER ADOPTED; AUTHORIZING EXECUTION OF THE ANNEXATION SERVICE PLAN AGREEMENT; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE AND SHERMAN'S GENERAL ZONING ORDINANCE, ORDINANCE NO. 2280; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6689
ANNEXATION OF
PROPERTY
(GREENWAY)

Ordinance 6690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 220.18 ACRES BEING A PART OF THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND THE JASON STAMPS SURVEY, ABSTRACT NO. 1115, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 3000 BLOCK WEST OB GRONER ROAD AND THE 4500 BLOCK WEST PARK AVENUE, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURE) DISTRICT; REZONING AND PLACING THE TRACT IN THE PD (PLANNED DEVELOPMENT) ZONING CLASSIFICATION; SHAKIR REHMATULLAH, FLATO DEVELOPMENT, INC. (OWNER), RICK LEISNER, NORRIS DESIGN (REPRESENTATIVE) AND ATWELL-GROUP (SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6690
ZONE CHANGE
FOR PLANNED
DEVELOPMENT
(APPEAL FROM P&Z)

Deputy Mayor Teamann said he would abstain from the vote, since he owns adjacent property.

Mr. Pittman explained that a "super majority" vote is required for Ordinance 6690, because of the denial from the Planning and Zoning Commission and the protest from the property owners. Therefore, to approve, an affirmative vote of six members of the Council will be required, regardless of the abstention.

Council Member Stevenson felt that representatives from Flato Development did a good job of listening to, and addressing some of the concerns of nearby residents.

Mr. Rehmatullah addressed the design changes that they made to address citizen concerns, and drainage issues from the development. He also agreed to work with the City on whatever study was required.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance Nos. 6689 and 6690, as presented. Second by Council Member Howeth.

VOTING AYE: Plyler, Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

ABSTAIN: Teamann.

MOTION CARRIED.

Ordinance 6691

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 3 (BUILDING REGULATIONS) AND APPENDIX C (COMPREHENSIVE FEE SCHEDULE); MODIFYING CERTAIN EXISTING REGULATIONS AND ESTABLISHING CERTAIN NEW REGULATIONS RELATING TO BUILDINGS, CONTRACTOR REGISTRATION, BUILDING PERMITS AND INSPECTIONS, SUBSTANDARD STRUCTURES, BACKFLOW DEVICES, MANUFACTURED HOUSING, MOBILE HOMES AND TRAVEL TRAILERS, STREETS AND SIDEWALKS, RESIDENTIAL RENTAL PROPERTY LICENSE AND STANDARDS, FLOOD DAMAGE PREVENTION, STORMWATER DISCHARGES RESULTING FROM CONSTRUCTION ACTIVITIES AND ADMINISTRATIVE PROVISIONS; ADOPTING TECHNICAL BUILDING CODES AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, AND AMENDMENTS THERETO; PROVIDING FOR RIGHTS OF APPEAL; MODIFYING CERTAIN EXISTING FEES AND CHARGES AND ESTABLISHING CERTAIN NEW FEES AND CHARGES; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**ORD 6691
BUILDING
REGULATIONS &
FEE SCHEDULE**

Mr. Rae discussed the proposed residential rental property fee and inspection program. He said the City is “already doing this” as part of the community improvement issue. The intent of the program is not for the “good” property owners, but for the “bad” property owners. The cost of the program is currently at the taxpayers expense.

Caleb Green, Inspector, Development Services, outlined the Residential Rental Property requirements, and how they would be administered. The program is to assure that the “bare necessities” are met and that renters are kept safe. They will be inspecting to ensure that the electrical service is safe, that smoke detectors work, things to keep people safe.

Mayor Plyler said “children in Sherman deserve to live in a place that’s not dangerous.” The proposed program will focus on derelict owners, and unsafe and unhealthy conditions.

Mr. Rae said the City has been able to get to these situations because they have CO violations, which allows inspections. They must have a way to enter the property for inspections, and this program will allow that.

Council Members discussed various “tweaks” to the program, and how they could best accomplish the goals. They also discussed specific situations that they were aware of in the community.

ACTION TAKEN.

Motion by Council Member Howeth to approve Ordinance No. 6691, deleting sections 304.2 and 305.3, and to exclude, from the rental registration scheme, single-family properties that have four or fewer units on a single lot or parcel, and also to exclude from the International Property Maintenance Code provisions, those same properties that are being currently used as a property with four or fewer units on a single lot or parcel, to be reviewed in one year. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.04.006 (RESIDENTIAL AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS); MODIFYING CERTAIN EXISTING REGULATIONS RELATING TO RESIDENTIAL AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS AND THE PRESERVATION AND ADDITION OF PLANTS AND TREES; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6692
LANDSCAPE
REQUIREMENTS
FOR TREES

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6692, as presented. Second by Deputy Mayor Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE COMPOSITION AND POWERS OF THE BOARD OF DIRECTORS FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SEVEN, CITY OF SHERMAN, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, EXTENDING THE TERM OF THE ZONE, AND MODIFYING CERTAIN PROVISIONS RELATED TO THE TAX INCREMENT BASE AND THE TAX INCREMENT FUND FOR THE ZONE; AMENDING ORDINANCE NO. 6081, PREVIOUSLY APPROVED BY THE CITY COUNCIL ON DECEMBER 4, 2017, AS AMENDED BY ORDINANCE NO. 6262, APPROVED BY THE CITY COUNCIL ON NOVEMBER 8, 2019; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6693
TIRZ #7 BOARD
OF DIRECTORS

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Ordinance No. 6693, as presented. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED ALLEY WEST OF LOTS 7-10, BLOCK 1, POST OAK ADDITION, AND EAST OF AUSTIN STREET CEMETERY, IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS BEING SHOWN IN VOLUME 35, PAGE 58, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBITS "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ORD 6694

**CLOSE & ABANDON
ALLEY
(POST OAK ADDITION)**

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6694, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Mayor Plyler asked that the captions of Resolution Nos. 7247 and 7248 be read together.

RES 7247

**SHERMAN PARK
APARTMENTS
HIKE & BIKE TRAIL**

RESOLUTION NO. 7247 -- AWARDING A BID TO ALTERRAIN CAPITAL, LLC FOR THE CONVEYANCE OF APPROXIMATELY 0.5508 ACRES OF LAND IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT 1400 WEST TAYLOR STREET; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO ALTERRAIN CAPITAL, LLC FOR the CONVEYANCE OF APPROXIMATELY 0.5508 ACRES OF LAND IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT 1400 WEST TAYLOR STREET; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO.

RESOLUTION NO. 7248 -- AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND ALTERRAIN CAPITAL, LLD FOR CERTAIN TRAIL IMPROVEMENTS, CONVEYANCE OF A 1.9-ACRE TRACT OF LAND FROM ALTERRAIN CAPITAL, LLC TO THE CITY OF SHERMAN AND OTHER MATTERS INVOLVING PROPERTY GENERALLY LOCATED AT 1400 WEST TAYLOR STREET

RES 7248

**SHERMAN PARK
APARTMENTS
HIKE & BIKE TRAIL**

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

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND ALTERRAIN CAPITAL, LLC FOR CERTAIN TRAIL IMPROVEMENTS CONVEYANCE OF A 1.9-ACRE TRACT OF LAND FROM ALTERRAIN CAPITAL, LLC TO THE CITY OF SHERMAN AND OTHER MATTERS INVOLVING PROPERTY GENERALLY LOCATED AT 1400 WEST TAYLOR STREET.

Mr. Rae said this is a multi-family project located across from Fairview Park and adjacent to the Taylor Street Gym. As part of the development, they would like to purchase the triangular piece of property for an 1,800 liner foot hike and bike trail, to connect Taylor Street to McGee Street. He outlined the details of the proposal.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Resolution Nos. 7247 and 7248, as presented. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7249 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH W. BROWN ENTERPRISES, INC. BASED ON AN INVITATION TO BID FOR THE WESTSIDE SANITARY SEWER REPLACEMENT

**RES 7249
WESTSIDE SANITARY
SEWER REPLACEMENT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH W. BROWN ENTERPRISES, INC., BASED ON AN INVITATION TO BID FOR THE WESTSIDE SANITARY SEWER REPLACEMENT.

Tom Pruitt, Utility Engineer, said this is a high priority sanitary sewer main replacement project, and would award the bid to the lowest bidder.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Resolution No. 7249, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7250 -- AUTHORIZING EXECUTION OF A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG SHEPHERD DRIVE IN THE CITY OF SHERMAN

**RES 7250
SHEPHERD DR.
OVERHEAD ELECTRIC
SUPPLY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG SHEPHERD DRIVE, IN THE CITY OF SHERMAN.

COUNCIL MINUTES – FEBRUARY 5, 2024

Wayne Lee, Director of Engineering, said this project is to relocate 4,350 feet of existing ONCOR overhead electrical lines located along Shepherd Drive.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7250, as presented. Second by Council Member Howeth.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 7251 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MEAD & HUNT, INC. FOR THE POST OAK WASTEWATER TREATMENT FACILITY TPDES PERMITTING ASSISTANCE

**RES 7251
POST OAK
WWTP FACILITY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MEAD & HUNT, INC. FOR THE POST OAK WASTEWATER TREATMENT FACILITY TPDES PERMITTING ASSISTANCE.

Mr. Pruitt said the City must maintain a Wastewater Discharge Permit, which must be renewed every five years. The permit is extensive to renew, so it is undertaken one year before it expires. It will also include an amendment for the next phase of the South MBR Plant.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7251, as presented. Second by Council Member Holland.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 7252 -- APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD BID PACKAGE 08-001 TO KIEWIT WATER FACILITIES SOUTH FOR THE PROCESS MECHANICAL AT THE SOUTH WASTEWATER TREATMENT PLANT

**RES 7252
SOUTH WWTP**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD BID PACKAGE 08-001 TO KIEWIT WATER FACILITIES SOUTH FOR THE PROCESS MECHANICAL AT THE SOUTH WASTEWATER TREATMENT PLANT.

Mr. Pruitt said this is a bid package for the Process Mechanical at the South Wastewater Treatment Plant. This project is a Greater Texoma Utility Authority Project.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Resolution No. 7252, as presented. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7253 -- APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD BID PACKAGE 05-002 TO KIEWIT WATER FACILITIES SOUTH FOR THE UNDERGROUND PIPING AND APPURTENANCES AT THE SOUTH WASTEWATER TREATMENT PLANT

**RES 7253
SOUTH WWTP**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD BID PACKAGE 05-002 TO KIEWIT WATER FACILITIES SOUTH FOR THE UNDERGROUND PIPING AND APPURTENANCES AT THE SOUTH WASTEWATER TREATMENT PLANT.

Mr. Pruitt said this is another bid package for the South Wastewater Treatment Plant, and is a GTUA project for the underground piping.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7253, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7255 -- APPOINTING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH PATTILLO, BROWN & HIL, LLP TO PERFORM THE FISCAL YEAR 2023 AUDIT AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A TERMINATION AGREEMENT WITH FORVIS

**RES 7255
ANNUAL AUDIT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH PATILLO, BROWN & HILL, LLP TO PERFORM THE FISCAL YEAR 2023 AUDIT AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A TERMINATION AGREEMENT WITH FORVIS.

Ms. Lawrence said the City and the current auditors have been unable to agree on the application of an accounting standard that relates to the City's payments to GTUA. After consulting with the City's financial advisor and the bond counsel, the City has decided to terminate the contract with FORVIS, and contract with Pattillo, Brown and Hill, LLP, for the 2023 Audit.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7255, as presented. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7256 -- AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED COLLATERAL ASSIGNMENT OF THE MASTER DEVELOPMENT AGREEMENT BY RCICD HERITAGE RANCH LLC, FOR THE BENEFIT OF FIRST UNITED BANK AND TRUST COMPANY

**RES 7256
HERITAGE RANCH
MASTER
DEVELOPMENT
AGREEMENT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED COLLATERAL ASSIGNMENT OF THE MASTER DEVELOPMENT AGREEMENT BY RCICD HERITAGE RANCH LLC, FOR THE BENEFIT OF FIRST UNITED BANK AND TRUST COMPANY.

Robby Hefton, City Manager, said the agreement with Heritage Ranch, requires them to get Council approval anytime they make changes to their lending agreement. The agreement is with First United Bank and Trust Company, and is administrative on the City's part.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7256, as presented. Second by Council Member Howeth.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

**REQUEST TO ADVERTISE
REQUESTING AUTHORIZATION TO ADVERTISE FOR THE
ANNUAL SUPPLY OF WATER CHEMICALS**

**REQUEST TO ADV
ANNUAL SUPPLY
WATER CHEMICALS**

The City Council approved the request to advertise for the annual supply of water chemicals for use at the Water Treatment Plant, Wastewater Lift Stations, and the Wastewater Treatment Plant.
CONSENT AGENDA.

**REQUESTING AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS
TO REDESIGN THE CITY OF SHERMAN WEBSITE**

SHERMAN WEBSITE

Mayor Plyler removed this item from the Consent Agenda for discussion in its regular order of business.

Nate Strauch, Community and Support Services Manager, briefed the Council on the status of the redesign and updating of the City's website.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the request to advertise for public bids to redesign the City of Sherman website, as presented. Second by Deputy Mayor Teamann.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

**OTHER BUSINESS
DISCUSS AND CONSIDER APPROVAL OF THE BUDGET
CALENDAR FOR FISCAL YEAR (FY) 2024-2025**

BUDGET CALENDAR

COUNCIL MINUTES – FEBRUARY 5, 2024

Mr. Hefton presented the proposed Budget Calendar for meetings for the FY 2024-2025 budget process. Council Members needed to change the Budget Work Shop from June 13-14, 2024 to June 20-21, 2024.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt the Budget Calendar, with the change of the Budget Work Shop to June 20-21, 2024. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RECEIVE 2023 RACIAL PROFILING REPORT

The City Council approved the 2023 Racial Profiling Report from the Sherman Police Department. No “racial profiling” complaints were filed during 2023 from a traffic stop.

CONSENT AGENDA.

**2023 RACIAL
PROFILING REPORT**

COUNCIL COMMENTS

There were no Council comments.

COUNCIL COMMENTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Congratulated Sarah McRae, Main Street Manager, on being named Community Leader of the Year, from the Chamber of Commerce.
- The Hot Summer Nights 2024 lineup will be announced April 5, 2024, in the Municipal Ballroom.
- The Sherman Ex Students will hold a Mardi Gras party on February 13, 2024, from 5:00 pm until 8:00 pm, at Old Iron Post.

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

TEX. GOV'T CODE § 551.071 --

SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

TEX. GOV'T CODE § 551.072 --

DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING

WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --

DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --

DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 --

DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 --

DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

TEXAS GOV'T CODE § 551.089 --

DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

Executive Session was not needed.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:22 p.m.

ADJOURNMENT

MAYOR

CITY CLERK