

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, APRIL 1, 2024
5:00 PM**

- A.1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2. PLEDGE OF ALLEGIANCE AND INVOCATION LED BY COUNCIL MEMBER JOSH STEVENSON**
- A.3. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 18, 2024.**

Citizen Comments

B.1. CITIZEN COMMENTS

During this meeting, the City Council welcomes public comment only on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours, or with the Mayor or any Council member by contacting them at times other than at City Council meetings.

Consent Agenda

C.1. 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

Public Hearing

D.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6709

Amending Chapter 13 Of The Code Of Ordinances, Entitled "Utilities", Article 13.08, Entitled "Utility Billing", at Section 13.08.005, To Revise Rates For Water Services; Providing A Savings/Repealing Clause, Severability Clause And An Effective Date; Providing For The Publication Of the Caption Hereof.

Close Public Hearing and Consider Adoption of Ordinances

E.1. CLOSING OF PUBLIC HEARING

Consider Adoption of Ordinance Number 6709

Resolutions

F.1. RESOLUTION NO. 7274

Opposing Air Quality Permit 167047, Preventing of Significant Deterioration (PSD) Permit PSDTX1602, Greenhouse Gas Prevention of Significant Deterioration (GHGPSD) Permit GHGPSD TX212, and all Other Permits Submitted to the Texas Commission on Environmental Quality and Other Governmental Agencies by BM Dorchester, LLC Regarding the Construction of the Proposed Dorchester Cement Production Plant (Precalciner Kiln and Associated Equipment Facility) and Operation of Permanent Rock and Concrete Crusher (Quarry) at a Site East of the Highway 289 and FM 902 Intersection Approximately .80 Miles, Directly North of FM 902 after the Taylor Road Intersection; Recognizing the Public Health, Safety, and Welfare Implications

of the Proposed Operation; and Urging Thorough Review of Said Applications

F.2. RESOLUTION NO. 7275

Awarding a Bid to and Authorizing Execution of a Contract Between ANA Site Construction and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Sherman Downtown Wastewater Improvements, Phase 1

F.3. * RESOLUTION NO. 7276

Authorizing Execution of a Professional Services Agreement with Halff Associates, Inc. for Design of the City of Sherman Southwest Trail

F.4. * RESOLUTION NO. 7277

Awarding a Bid to and Authorizing Execution of a Contract with Glenn Polk Autoplex, Inc. for the Purchase of Three New Dodge Ram Ambulance Chassis for the Sherman Fire Department

F.5. * RESOLUTION NO. 7278

Authorizing Execution of a Professional Services Agreement with Huitt-Zollars, Inc, for Erosion Evaluation and Design At West Hill Cemetery

F.6. * RESOLUTION NO. 7279

Authorizing the Purchase of Rubrik Backup Hardware and Subscription for Data Protection, Backup, and Recovery of Information Systems through CDW-G under the TXDIR - Rubrik Carahsoft DIR-CPO-4444 (DIR-CPO-4444)

F.7. * RESOLUTION NO. 7230

Authorizing the Purchase of Dell Storage Solution through Dell Technologies under the National Cooperative Purchasing Alliance (NCPA)

Request to Advertise

G.1. * REQUEST TO ADVERTISE

Annual Services for Finish and Rough Mowing of Various City Properties

Other Business

H.1. OTHER BUSINESS (TABLED AT THE MARCH 18, 2024, REGULAR CITY COUNCIL MEETING)

Consider Request for a Variance to Allow Alcoholic Beverage Sales within 300 Feet of a School (Fairview Elementary); Mark Schuster, Owner, Sherman F&B, LLC, on premises located at Fairview Park, 1121 W. Taylor Street, pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code

H.2. OTHER BUSINESS

Receive Semi-Annual Report on the Sherman Cultural District

H.3. * OTHER BUSINESS

Consider and Act on Petition from Furizon, Limited related to 312.05 acres of land located in part of the James McKinney Survey, Abstract No. 777 and a part of the Mary Miller Survey, Abstract No. 775, as recorded in Volume 3697, Page 766 of the Grayson County Property Records, Grayson County, Texas, a portion of which is located within the City of Sherman's Extraterritorial Jurisdiction ("ETJ").

H.4. * OTHER BUSINESS

Consider and act on petition from Ray C. Davis and Linda B. Davis related to 44.802 acres of land located in part in the T.J. Shannon Survey, the W Hobson Survey and the W. G. Reynolds Survey, as recorded in Volume 4559, Page 338 of the Grayson County Property Records, Grayson County, Texas, located within the City of Sherman's Extraterritorial Jurisdiction ("ETJ").

H.5. * OTHER BUSINESS

Emergency Sewer Repair at Bordeaux Street and Burgundy Lane under Emergency Designation

H.6. * OTHER BUSINESS

Emergency Sewer Repair in the area from 505 to 719 Kessler Blvd under Emergency Designation

Consider Board/Commission Appointments

I.1. ANIMAL CONTROL ADVISORY COMMITTEE

Animal Control Advisory Committee (3)

COUNCIL COMMENTS

EXECUTIVE SESSION

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may hold an Executive Session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

K.1. 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.

K.2. 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.

K.3. 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.

K.4. 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

K.5. TEX. GOV'T CODE § 551.076

Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.

K.6. 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.

Bel Air

K.7. TEX. 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.

The Council reconvenes into General Session

COUNCIL CALENDAR

M.1. COUNCIL CALENDAR

2024 Council Calendar

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Thursday, March 28, 2024, at 5:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 28th day of March 2024. City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

David Plyler

Deputy Mayor

Shawn C. Teamann

Council Members

Henry Marroquin, Council-At-Large, PL #1
Juston Dobbs, Council-At-Large, PL #2
Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2
Pamela L. Howeth, Council – District #3
Daron Holland, Council – District #4

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code