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“A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; THE WATER MAIN EASEMENT IS ESTABLISHED IN VOLUME 1147, PAGE 341 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

Wayne Lee, Director of Engineering, said the developer is planning on building a car wash, and there is a 20’ easement through the property. It is not in use, so they have requested that it be abandoned.

Clay Cristy, PE, ClayMoore Engineering

Mr. Cristy appeared representing the applicant, and was available if Council Members had any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6703.

The Public Hearing was closed.

Ordinance 6703

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A PORTION OF ONE (1) TWENTY-FOOT (20’) WIDE WATER MAIN EASEMENT LOCATED IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504, SAID PORTION IS MORE PARTICULARLY DESCRIBED IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; THE WATER MAIN EASEMENT IS ESTABLISHED IN VOLUME 1147, PAGE 341 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

ORD 6703
ABANDON WATER
MAIN EASEMENT

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Ordinance No. 6703, as presented. Second by Council Member Stevenson.
VOTING AYE: Dobbs, Holland, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6648 (TABLED AT SEPTEMBER 18, 2023, REGULAR CITY COUNCIL MEETING)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN’S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW HOOKAH BAR, SMOKING LOUNGE, SMOKE SHOP, OR VAPE SHOP IN THE C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 2201 TEXOMA PARKWAY, CONSISTING OF 0.382 ACRES IN THE SMITH McGLOTHLIN SURVEY, ABSTRACT NO. 808, BEING LOT 6, BLOCK 9, HIGHLAND PARK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (TEXOMA PARKWAY, SALMAN MAJOHIA, OWNER; DINESH SOOK TENANT; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6648
SUP FOR HOOKAH BAR
(2201 TEXOMA PKWY)
(DENIED)

ACTION TAKEN.

Motion by Deputy Mayor Teamann to remove Ordinance No. 6648, from table for discussion. Second by Council Member Dobbs.

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

VOTING NAY: None.

MOTION CARRIED TO REMOVE FROM TABLE.

Council Member Stevenson said this item was previously considered by the Council, before they updated the zoning ordinance as it relates to vape shops.

Rob Rae, Director of Development Services confirmed that the current ordinance would not be retroactive to this request, since the application was submitted prior to the changes. However, since it is for a Specific Use Permit, it is at the Council's discretion to approve or deny the request, based on those factors.

ACTION TAKEN.

Motion by Council Member Stevenson to deny Ordinance No. 6648, as presented. Second by Council Member Dobbs.

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

VOTING NAY: None.

MOTION CARRIED TO DENY.

RESOLUTION NO. 7268 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BUREAU VERITAS FOR THE PLAN REVIEW AND BUILDING INSPECTION SERVICES FOR SHERMAN ISD ELEMENTARY SCHOOL PROJECTS

**RES 7268
SISD ELEMENTARY
SCHOOL PROJECTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BUREAU VERITAS FOR PLAN REVIEW AND BUILDING INSPECTION SERVICE FOR SHERMAN ISD ELEMENTARY SCHOOL PROJECTS.

Mr. Rae said there were five bids received, with Bureau Veritas being selected. The contract amount was \$263,394, to provide the third-party review and inspections for the three proposed elementary schools for the Sherman Independent School District.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7268, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7269 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WADE TRIM, INC. FOR THE 3116 - STREET MAINTENANCE PROGRAM (FY24)

**RES 7269
FY 2024 STREET
MAINTENANCE
PROGRAM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WADE TRIM, INC. FOR THE 3116 - STREET MAINTENANCE PROGRAM (FY24).

Mr. Lee said this Professional Services Agreement was to engage Wade Trim, Inc. for the engineering and design services for the City's street maintenance program.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7269, as presented. Second by Council Member Holland.
VOTING AYE: Dobbs, Holland, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

**REQUEST TO ADVERTISE
ANNUAL WATER AND SEWER MAINTENANCE SUPPLIES AND
PARTS**

The City Council approved the request to advertise for the annual supply of water and sewer supplies and parts, used in the maintenance of the City's water and sewer system.
CONSENT AGENDA.

**REQUEST TO ADV
WATER & SEWER
MAINTENANCE
SUPPLIES & PARTS**

**REQUEST TO ADVERTISE
TENNIS COURTS IMPROVEMENTS AT FAIRVIEW PARK**

The City Council approved the request to advertise for tennis court improvements at Fairview Park. Improvements include resurfacing, fencing, lighting, and shading, and are included in the 2023-2024 CIP Budget.
CONSENT AGENDA.

**TENNIS COURTS
IMPROVEMENTS
(FAIRVIEW PARK)**

**OTHER BUSINESS
REVIEW SOLID WASTE FUND**

Robby Hefton, City Manager, briefed the City Council on the status of the Solid Waste Fund. When the budget was developed, there were unknown issues, especially the Texoma Area Solid Waste Authority's annual disbursement to the City. At that time, there was a \$700,000 to \$800,000 deficit.

**SOLID WASTE
FUND REVIEW**

At the time, Council decided to wait and see what TASWA's disbursement would be. There is still a \$518,000 deficit in the fund. For the fund to be at the reserve target of 60 days, it would need to be at \$1.6 million. Therefore, the fund is about \$200,000 or \$300,000 short for FY 24, from that reserve level. Currently there is about 50 days of reserves.

Possible options are to leave the fund alone and work with a lower reserve balance; to transfer money from the General Fund to reach the 60-day target; or a rate increase for commercial or residential rates, or both.

Reserves in the General Fund are currently at 115 to 120 days. If used, two days of General Fund reserves is what would be needed to bring the Solid Waste Fund up to \$1.6 million.

Several Council Members felt it would be beneficial to transfer General Fund money into the Solid Waste Fund to bring the reserves up to where they should be.

COUNCIL COMMENTS

- Congratulations to the Library team for their hard work. (Juston Dobbs)
- Council Member Daron Holland was recognized as a “Living Legend” during the Grayson College Black History Month program. (David Plyler)

COUNCIL COMMENTS

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

EXECUTIVE SESSION

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.

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

Receive legal advice regarding Sun Sherman 185 TX LLC Proposal

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

- A) Hospital
- B) Harvest Hill

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:28 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:03 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 6:03 p.m.

ADJOURNMENT

MAYOR

CITY CLERK