

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, MAY 20, 2024
5:00 PM**

- A.1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2. PLEDGE OF ALLEGIANCE AND INVOCATION LED BY MAYOR DAVID PLYLER**
- A.3. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 6, 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

Special Presentations

D.1. SPECIAL PRESENTATIONS

To Present Communications Officer Arthur Coker, Patrol Officer Christian Ericksen, and Patrol Officer Caleb Burke with Life Saving Awards.

Proclamations

E.1. PROCLAMATION

"Motorcycle Safety Awareness Month" - May 2024

E.2. PROCLAMATION

"Children's Chorus of Greater North Texas" - 20th Anniversary

Public Hearing

F.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6717

Approving an Amended Project and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven, City of Sherman, Texas, Established Pursuant to Chapter 311 of the Texas Tax Code; Providing a Repealer Clause, Severability Clause and an Effective Date

F.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6718

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

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land being in Block 1, Lots 27, 28, 29 and 30 of HM Sumners 2nd Addition, City Of Sherman, Grayson County, Texas, Located At 923 East Jones Street, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The R-5 (Single Family Residential) District Zoning Classification, Jose Tobar (Owner), Diego Tobar (Representative) and Preston Trail Land Surveying (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

F.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6719

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow A Smoke Shop in a C-2 (General Commercial) District, Located At 4520 Texoma Parkway Suites M & N, being a part of the W.M. Patterson Survey, Abstract No. 503, City Of Sherman, Grayson County, Texas Texoma South Development Corporation (Owner), Vapor Maven TX, LLC (Representative) and Copley Land 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

F.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6720

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 13.982 Acres in the Elizabeth Jones Survey, Abstract No. 625 and being a Portion of a Called 28.989 Acre Tract in the FM 1417 Overlay District, City Of Sherman, Grayson County, Texas, Located In The 3400 Block West Houston Street, Heretofore Zoned C-2 (General Commercial) District; Rezoning And Placing The Tract In The MF-15 (Multi Family Residential) District Zoning Classification, Harvest Time Assembly of God Church (Owner), Shay Geach, P.E. (Representative) and Kimley Horn (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

F.5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6721

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow Dwellings, Single-family for Rent (build-to-rent) in a MF-15 (Multi Family Residential) District, Located In The 3400 Block West Houston Street, Consisting Of 13.982 acres in the Elizabeth Jones Survey, Abstract No. 625 and being a portion of a called 28.989 acre tract in the FM 1417 Overlay District, City Of Sherman, Grayson County, Texas; Harvest Time Assembly of God Church (Owner), Shay Geach, P.E. (Representative) and Kimley Horn (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

F.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6722

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow A Veterinarian, Animal Hospital, Pound or Shelter, Indoor or Outdoor Kennels in a C-2 (General Commercial) District, Located At 5444 Texoma Parkway, being Lot 3 of Barnes/Kirkpatrick Addition, City Of Sherman, Grayson County, Texas Nathan Gill (Owner), Will Knobler (Representative) and Underwood Drafting & Surveying, LLC (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;

F.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6723

Extending the Corporate Limits of Said City so as to Annex an Area of Land Consisting of Approximately 2.02 acres of Land Located North of Post Oak Creek and South of Three Oaks, Phase II, and West of Three Oaks Phase III 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

F.8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6724

Closing and Abandoning a Portion of Right of Way in the City of Sherman, Grayson County, Texas, Said Right of Way being Established in Instrument Number 2022-55 of Plat Records of Grayson County, Texas; Authorizing the City Manager to Execute a Quitclaim Deed Conveying the Same to Terra Perpetua, LLC, the Adjoining Property Owner

F.9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6725

Abandoning a Portion of One (1) Fifteen-foot (15') wide Sanitary Sewer Easement Located in Lot 2-HOA, Block F of Replat Bel-Air Village, Phase 1, Being More Particularly Described in the Exhibit "A" Attached Hereto and Made a Part Hereof for all Purposes, which Sanitary Sewer Easement is Established in Instrument No. 2022-55, Plat Records, Grayson County, Texas

F.10. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6726

Abandoning One (1) 3.728 acre Detention Easement located in Lot 2-HOA, Block F of Replat Bel-Air Village, Phase 1, Being More Particularly Described in the Exhibit "A" Attached Hereto and Made a Part Hereof for all Purposes, which Detention Easement Being is Established in Instrument No. 2022-55, Plat Records, Grayson County, Texas

F.11. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6727

Closing and Abandoning Two (2) Platted Alleys in the City of Sherman, Grayson County, Texas, being more Particularly Described in the Exhibit "A" attached hereto and Made a Part of Hereof for all Purposes, said Alley being Established in Volume 203, Page 326 of Deed Records of Grayson County, Texas

Close Public Hearing and Consider Adoption of Ordinances

G.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6717, 6718, 6719, 6720, 6721, 6722, 6723, 6724, 6725, 6726 & 6727.

Resolutions

H.1. RESOLUTION NO. 7300

Confirming the Employment of the Sherman Parks and Recreation Department's Parks and Recreation Director

H.2. RESOLUTION NO. 7301

Authorizing Execution of the Third Amendment to the Bel Air Village Master Development Agreement with Terra Perpetua, LLC, a Delaware Limited Liability Company, Amending the Terms and Conditions of the Bel Air Master Development Agreement Dated December 18, 2020 and approved by Resolution No. 6676.

H.3. RESOLUTION NO. 7302

Authorizing the Execution of an Amended License Agreement with Sherman Sports and Entertainment, LLC, for the Use of Veterans Field

H.4. RESOLUTION NO. 7303

Authorizing Execution of a Street and Utility Agreement between the City of Sherman and Sherman Independent School District for Design and Construction of Certain Public Infrastructure Related to Lone Star Parkway and Heritage Ranch Trail

H.5. * RESOLUTION NO. 7304

Authorizing the City Manager or His Designee to Execute a Special Warranty Deed for the Purchase of 1.488 Acres of Land, More or Less, in the Friar Mcneely Survey, Abstract No. 826, in Sherman, Grayson County, Texas, Being More particularly Described on the Attached Exhibit "A" Attached Hereto and Made a Part of Hereof for All Purposes

H.6. * RESOLUTION NO. 7305

Authorizing Execution of Amendment No. 1 to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc, DBA Parkhill for Groundwater Analysis and Development Phase I: Hydrologic Conditions Assessment and Model

H.7. * RESOLUTION NO. 7306

Authorizing Execution of Amendment No. 3 to the Professional Services Agreement with Plummer Associates, Inc. for Engineering Services for Design of the Wastewater Treatment and Water Reuse Master Plan Project

H.8. * RESOLUTION NO. 7307

Awarding a Bid to and Authorizing Execution of a Contract Between Western Municipal Construction of Texas, LLC and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Post Oak Sanitary Sewer Improvements

H.9. * RESOLUTION NO. 7308

Awarding a Bid to and Authorizing Execution of a Contract with Mountain Cascade of Texas, LLC, Based on an Invitation to Bid for the NTMWD 72-inch WL Replacement

H.10. * RESOLUTION NO. 7309

Authorizing Execution of a Professional Services Agreement with Mead & Hunt, Inc. for the Post Oak Wastewater Treatment Plant Digester Evaluation and Preliminary Engineering Feasibility Report

H.11. * RESOLUTION NO. 7310

Awarding Bids to and Authorizing Execution of Contracts with Multiple Vendors for Annual Finish and Rough Mowing Services

H.12. * RESOLUTION NO. 7311

Authorizing the Execution of an Encroachment Agreement with Carlos Contreras for the Encroachment of an Existing Building within 20-foot Utility Easement Established in Vol. 662, Page 379, Deed Records, Grayson County, Texas.

H.13. * RESOLUTION NO. 7312

Authorizing Purchase of New Xybix Workstations (All Equipment and Electrical) for Sherman Police Department Emergency Communications Center through Government Cooperative Pricing

Other Business

I.1. OTHER BUSINESS

Discussion of Subdivision Ordinance and Engineering Design Standards Manual

COUNCIL COMMENTS

EXECUTIVE SESSION

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City
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

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.

Receive legal advice from City Attorney regarding election matters

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.

Crossroads Development

Utility Issues

Marriott Hotels

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 May 17, 2024 at 4:59 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 17th day of May 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