

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 17, 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 MAY 20, 2024, THE TAX INCREMENT FINANCING BOARD #7 MEETING OF MAY 20, 2024, AND THE REGULAR CITY COUNCIL MEETING OF JUNE 3, 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. 6731

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 2.11 acres being a part of the Samuel Blagg Survey, Abstract No. 56 and being Lot 2 in Block 1 of Travelers Inn Addition, City Of Sherman, Grayson County, Texas, Located At 401 South Sam Rayburn Freeway, Heretofore Zoned C-2 (General Commercial) District; Rezoning And Placing The Tract In The C-1 (Retail Commercial) District Zoning Classification, Haresh Surti (Owner) and Sartin & Associates, Inc. (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

D.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6732

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow A Hotel Or Motel In A C-1 (Retail Business) District/Sam Rayburn Overlay District., Located At 401 South Sam Rayburn Freeway, Consisting Of 2.11 Acres Being A Part Of The Samuel Blagg Survey, Abstract No. 56 And Being Lot 2 In Block 1 Of Travelers Inn Addition, City Of Sherman, Grayson County, Texas Haresh Surti (Owner) And Sartin & Associates, Inc. (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

D.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6733

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting of 6.68 Acres Being A Part Of The Preston Kitchens Survey, Abstract No. 667, City Of Sherman, Grayson County, Texas, Located In The 2400-2500 Blocks South East Street, Heretofore Zoned R-5 (Single Family Residential) District; Rezoning And Placing The Tract In The R-4 (Single Family Residential) District Zoning Classification, Three Oaks Development Construction Company (Owner) and Underwood Drafting & Surveying (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date.

D.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6734

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 13.627 acres in the W.S. Thurman Survey, Abstract No. 1265 and in A.C. Smith Survey, Abstract No. 1561, City Of Sherman, Grayson County, Texas, Located In The 7000 Block FM 691 and the 4000 Block North Highway 75, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The MF-30 (Multi Family Residential) District Zoning Classification, Christopher LeUnes (Owner), Nathan McCartney, Waypoint Land and Capital, LLC (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

D.5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6735

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 27.101 Acres In The W.S. Thurman Survey, Abstract No. 1265 And In A.C. Smith Survey, Abstract No. 1561, City Of Sherman, Grayson County, Texas, Located In The 7000 Block FM 691 And The 4000 Block North Highway 75, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The C-1 (Retail Business) District Zoning Classification, Christopher LeUnes (Owner), Nathan McCartney, Waypoint Land And Capital, LLC (Representative) And Underwood Drafting & Surveying, Inc. (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date.

D.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6736

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.172 acres being Lots 1, 2, 3, 4, 5 and 6, Block 9 of G.W. Bond's Second Addition, City Of Sherman, Grayson County, Texas, Located In The 516 Block East Pacific Street, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The R-5 (Single Family Residential) District Zoning Classification, Allen Sheehan (Owner), Sarah Sheehan (Representative) and Barry Rhodes, RPLS (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

D.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6737

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow A Tattoo Studio in a C-2 (General Commercial) District/Central Business District Overlay, Located At 125 East Wall Street, Consisting Of 0.031 acres being in the J.B. McAnair Survey, Abstract No. 763 and being part of Lot 7 in Block D of the T.J. Shannon Supplement, City Of Sherman, Grayson County, Texas Madelyn Greenwood and Olga Kladova, Bold & Beauty, LLC (Owners), Tommy Juarez (Applicant) and Preston Trail 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

D.8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6738

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.214 acres being a part of the Samuel Blagg Survey, Abstract No. 56 and being the East ½ of Lot 8, Block 7 of the B.H. Moore Heirs Addition, City Of Sherman, Grayson County, Texas, Located At 303 West Steadman Street, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The R-4 (Single Family Residential) District Zoning Classification, NRG Investments, LLC (Owner), Veronica Garcia (Representative) and Underwood Drafting & Surveying (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date.

D.9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6739

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow Automobile, Motorcycle, Boat, or Trailer Sales, New or Used in a C-1 (Retail Business) District, Located At 1309 West Houston Street, being Lot Two (2) of the Replat of the South Ten Feet of Lot Three, and all of Lots Five, Seven, Nine and Eleven, Block Two, Green Mount Addition, City Of Sherman, Grayson County, Texas Blake Andrews (Owner), S & G Auto Sales (Applicant) and Sartin & Associate, Inc. (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

D.10. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6740

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 4.38 acres being Lot 2, Block 1 of the Palabra de Fe de Sherman Addition, City Of Sherman, Grayson County, Texas, Located At 601 North Harrison Avenue, Heretofore Zoned MF-30 (Multi Family Residential) District; Rezoning And Placing The Tract In The R-6 (Single Family Residential) District Zoning Classification, Palabra de Fe (Owner), Valentin Salinas (Representative) and Underwood Drafting & Surveying (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date.

D.11. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6741

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow Automobile, Motorcycle, Boat, Or Trailer Sales, New Or Used, In A C-2 (General Commercial) District/Blalock Commercial Overlay District, Located At 3111 South Travis Street, Consisting of 0.47 acres being Lot 1, Block 1 of the Bryan Luckett Addition, City Of Sherman, Grayson County, Texas Bryan Luckett (Owner), Gregory Carson (Applicant) and Andrews & Sartin Surveying Company (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

D.12. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6742

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.172 acres being a part of the Samuel Blagg Survey, Abstract No. 56 and being all of the 50 feet by 150 feet tract of land, City Of Sherman, Grayson County, Texas, Located At 514 South Branch Street, Heretofore Zoned MF-30 (Multi Family Residential) District; Rezoning And Placing The Tract In The R-5 (Single Family Residential) District Zoning Classification, Salvador Rubel Lopez (Owner), Mario Tobar (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date.

D.13. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6743

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land being Lot 3-R Consisting of 0.785 acres being a part of the J.B. McAnair Survey, Abstract No. 763 being all of Lots 3, 4 and 5 and a part of Block 2 of Birge's Addition, City Of Sherman, Grayson County, Texas, Located At 710 West Birge Street, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The R-12 (Single Family Residential) District Zoning Classification, Rafael Rodriguez Azevedo (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

D.14. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6744

Amending The Code Of Ordinances Of The City Of Sherman, Texas, Chapter 14 (Zoning Ordinance), Article 14.07 (Signs), Section 14.08.001 (Definitions), Article 14.10 (Use Chart); Modifying Certain Existing Regulations And Prescribing New Regulations Relating To Signs; Prohibiting New Billboard Signs; 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

D.15. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6745

Abandoning a 0.188 acre portion of a 45' Wide Waterline Easement in the City of Sherman, Grayson County, Texas, said Easement being established in Instrument Number 2023-20602 of the Real Property Records of Grayson County, Texas; Authorizing the City Manager to execute a Release and Abandonment of Easement; Finding and Determining that the meeting at which this Ordinance is passed was noticed and is open to the public as required by law.

Close Public Hearing and Consider Adoption of Ordinances

E.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6731, 6732, 6733, 6734, 6735, 6736, 6737, 6738, 6739, 6740, 6741, 6742, 6743, 6744 & 6745.

Resolutions

F.1. RESOLUTION NO. 7319

Authorizing Execution of the First Amended and Restated Second TIRZ #3 Reimbursement and Development Agreement with Aspire Two, LLC for Reimbursement of the Construction of Public Infrastructure and Private Improvements within Sherman Tax Increment Reinvestment Zone, Number Three (#3) in the City of Sherman

F.2. RESOLUTION NO. 7320

Authorizing the Execution of an Economic Development Program Agreement with TEKMAK Sherman Hotel, LP for the Grant of Incentives Pursuant to Chapter 380 of the Texas Local Government Code for the Construction of a Hotel and Conference Center Located at 2708 North Cornerstone Drive

F.3. * RESOLUTION NO. 7321

Authorizing Execution of a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Sherman Crossroads Aston Drive Paving, Drainage and Utility Improvements

F.4. * RESOLUTION NO. 7322

Authorizing the Purchase of Two Ambulance Boxes from Frazer, LTD through BuyBoard

F.5. * RESOLUTION NO. 7323

Authorizing the City Manager to Execute a Contract with The Sherman Museum for Expenditure of a Portion of the Funds Collected by the City of the Hotel-Motel Occupancy Tax

F.6. * RESOLUTION NO. 7324

Approving the Greater Texoma Utility Authority's Intention to Contract with WWaterTech, Inc., for the PolyChem Chain and Flight Sludge Collection System Replacement Materials, Installation and Services

F.7. * RESOLUTION NO. 7325

Authorizing Execution of an Agreement with House of Eli, Inc. under the City of Sherman's Downtown Building Improvement Grant Program for Renovations at 125 N. Travis Street

F.8. *RESOLUTION NO. 7326

Awarding a Bid to and Authorizing Execution of a Contract with Knapheide Truck Equipment for the Purchase and Installation of a Utility Bed for a 2024 Dodge Ram 3500

Other Business

G.1. OTHER BUSINESS

Determination of Joiner Ranch Planned Development for fewer than 200 Acres

G.2. * OTHER BUSINESS

Accept Annual Audit Report for Year Ended September 30, 2023, from Pattillo, Brown and Hill, LLP

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:

I.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 regarding substandard structures and other code enforcement matters

I.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.

I.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.

I.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

I.5. TEX. GOV'T CODE § 551.076

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

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

I.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.

Project Safari

I.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

K.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 Friday, June 14, 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 14th day of June 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

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

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