

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JULY 15, 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 JULY 1, 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. 6746

Repealing Section 1 of Ordinance No. 3161; Removing One-Way Designation of Portion of Eagle Lane; Providing a Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

D.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6747

Amending Ordinance No. 6728 to Appoint Election Officials and Designate Polling Locations for a Special Election of the Qualified Voters of the City of Sherman, Texas, on the 14th day of September 2024, for the Purpose of Electing One (1) Member of the Sherman City Council (District No. 1) to Fill the Vacancy Resulting from the Resignation of Council Member Shawn C. Teamann.

D.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6748

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Being Lot 6, Block 19, Supplemental Plat Of Block 19 South Sherman Known As South Side Addition, City Of Sherman, Grayson County, Texas, Located At 1822 South Montgomery Street, Heretofore Zoned C-1 (Retail Business) District; Rezoning And Placing The Tract In The R-5 (Single Family Residential) District Zoning Classification, Giovanni Garcia (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.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6749

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 16.690 acres Being part of the Elizabeth Jones Survey, Abstract No. 625, City Of Sherman, Grayson County, Texas, Located In The 800 Block South Holly Avenue, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The MF-30 (Multi Family Residential) District Zoning Classification, Veronica Munoz, Salient Group, LLC (Owner), Jonathan Hake, Cross Engineering (Representative/Engineer) 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. 6750

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 3.020 acres situated in the George B. Pilant Survey, Abstract No. 963, City Of Sherman, Grayson County, Texas, Located At 2100 East Lamar Street, Heretofore Zoned MF-30 (Multi-Family Residential) District; Rezoning And Placing The Tract In The C-1 (Retail Business) District Zoning Classification, BTI Capital, LLC (Owner), Ben Betzold, CEC (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

D.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6751

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 9.975 acres situated in the George B. Pilant Survey, Abstract No. 963, City Of Sherman, Grayson County, Texas, Located At 2100 East Lamar Street, Heretofore Zoned MF-30 (Multi-Family Residential) District; Rezoning And Placing The Tract In The R-2F (Duplex Residential) District Zoning Classification, BTI Capital, LLC (Owner), Ben Betzold, CEC (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

D.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6752

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, Repealing Ordinance 6149 And 6495, And Granting A Specific Use Permit To Allow A High School (grades 9-12) in an R-1 (One Family Residential) District/C-1 (Retail Business) District/F.M. Highway 1417 Overlay District Located At 2907 West Travis Street, Consisting of 94.760 acres situated in the Elizabeth Jones Survey, Abstract 625, City Of Sherman, Grayson County, Texas: Brannon Kidd (Owner), Teague Nall & Perkins, Inc (Surveyor/Representative); 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. 6753

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.197 acres being in the Samuel Blagg Survey, Abstract 56, City Of Sherman, Grayson County, Texas, Located At 211 East King Street, Heretofore Zoned MF-30 (Multi Family Residential) District; Rezoning And Placing The Tract In The R-6 (Single Family Residential) District Zoning Classification, Leticia Murillo Chavarria (Owner), Roozie Marroquin (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

D.9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6754

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit To Allow A Secondhand Store or Rummage Shop in a C-1 (Retail Business) District, Located At 1908 East Lamar Street, Being Lot 1, Block One, East Side Business Park, City Of Sherman, Grayson County, Texas; Maria Isabel Ramirez (Owner) and Helvey-Wagner Surveying, 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

Close Public Hearing and Consider Adoption of Ordinances

E.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6746, 6747, 6748, 6749, 6750, 6751, 6752, 6753 & 6754.

Resolutions

F.1. RESOLUTION NO. 7320 (TABLED AT THE REGULAR CITY COUNCIL MEETING OF JUNE 17, 2024)

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 301 Block West Travis Street.

F.2. RESOLUTION NO. 7334

Authorizing Execution of a Contract with Whirlix Design, Inc. for the Purchase and Installation of an All-Inclusive Playground at Pecan Grove East Park through the Buyboard Purchasing Cooperative

F.3. * RESOLUTION NO. 7335

Authorizing the City Manager or His Designee to Execution of a Special Warranty Deed for the Purchase of 1.7857 acres of land, more or less, in the Elizabeth Jones Survey, Abstract No. 625 in Sherman, Grayson County, Texas being more Particularly Described on the Attached Exhibit "A-1" Attached Hereto on and Made a Part Hereof for all Purposes

F.4. * RESOLUTION NO. 7336

Authorizing Execution of an Interlocal Cooperation Contract with the Department of Public Safety of the State of Texas for Administration of the Failure to Appear Program.

F.5. * RESOLUTION NO. 7337

Authorizing Execution of a Cyber Liability and Data Breach Response Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool.

F.6. * RESOLUTION NO. 7338

Awarding a Bid to and Authorizing Execution of a Contract Between Triad Service Group, LLC and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Sherman Water Treatment Plant - Concentrate Discharge System - Force Main

F.7. * RESOLUTION NO. 7339

Awarding a Bid to and Authorizing Execution of a Contract Between Triad Service Group, LLC and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Sherman Water Treatment Plant - Concentrate Discharge System - Discharge Channel

F.8. * RESOLUTION NO. 7340

Authorizing Execution of a Professional Services Agreement with Bureau Veritas for the Plan Review and Building Inspection Services for Sherman ISD High School Addition

Change Order

G.1. CHANGE ORDER NO. 1

Sherman Downtown Wastewater Improvements - Phase 1; ANA Site Construction, LLC; \$264,299.00 Increase

Other Business

H.1. OTHER BUSINESS

Receive Quarterly Progress Report from Sherman Economic Development Corporation President Kent Sharp

H.2. OTHER BUSINESS

Preview of the 2024-2025 Draft Budget

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:

J.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 advise about a potential concrete crusher plant

J.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.

J.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.

J.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

City Manager's Evaluation

J.5. TEX. GOV'T CODE § 551.076

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

J.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.

Future Developments

J.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

L.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, July 12, 2024 at 4:59p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of July 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.

<u>Mayor</u>	<u>Deputy Mayor</u>	<u>Council Members</u>	
David Plyler	Shawn C. Teamann	Henry Marroquin, Council-At-Large, PL #1	Josh Stevenson, Council – District #2
		Juston Dobbs, Council-At-Large, PL #2	Pamela L. Howeth, Council – District #3
		Shawn C. Teamann, Council – District #1	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