

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
MUNICIPAL BALLROOM
405 N. RUSK ST
SHERMAN, TEXAS
TUESDAY, SEPTEMBER 3, 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 AUGUST 19, 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 PRESENTATION

To Present Life Saving Awards to Patrol Officer Chad Johnson, Patrol Officer Kendall Foster, and Patrol Officer Albert Torres

Public Hearing

E.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6766

Declaring as Elected the Unopposed Candidates for the Office of Mayor and City Council Members for At-Large, Place 1 and At-Large, Place 2; Finding that All Necessary and Required Legal Conditions have been Satisfied; Providing that the November 5, 2024 Regular Municipal Election for City Council Shall Not be Held; Providing for Posting of this Ordinance on Election Day, November 5, 2024

E.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6767

Repealing Ordinance No. 5562 and Adopting this Ordinance to Grant to Atmos Energy Corporation, a Texas and Virginia Corporation, Its Successors and Assigns, a Non-Exclusive Franchise to Construct, Maintain and Operate Gas Pipelines and Equipment in the City of Sherman, Grayson County, Texas, for the Transportation, Delivery, Sale, and Distribution of Gas In, Out of and Through said City for all Purposes; Providing for the Payment of a Fee or Charge for the Use of Rights-of-Way; and Providing that Such Fee Shall be in Lieu of Other Fees and Charges, Except AD Valorem Taxes

E.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6768

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

Approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2024 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Adopting a Savings Clause. Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Council.

E.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6769

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 13 (Utilities), Article 13.06 (Solid Waste); Establishing Requirements for Commercial Solid Waste and Recycling Container Enclosures; Modifying Certain Fees and Other Regulations Relating to Solid Waste Collection and Removal; 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

E.5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6770

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 13 (Utilities), Article 13.09 (Service Fees); Modifying Certain Fees and Other Regulations Related to Laboratory Testing Fees, Industrial Pretreatment Program Administrative Fees, and Fats, Oil and Grease Program Administrative Fees; Providing a Penalty Clause with a Maximum Fine of \$2,000, Saving/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

E.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6771

Consider all Matters Relating to the Greater Texoma Utility Authority Contract Revenue Bonds, Series 2024A (City of Sherman Project); and Approving the Issuance thereof and the Facilities to be Constructed or Acquired by such Authority

E.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6772

Approving the 2024-25 Annual Service and Assessment Plan Update for the Bel Air Village Public Improvement District

Close Public Hearing and Consider Adoption of Ordinances

F.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6766, 6767, 6768, 6769, 6770, 6771 & 6772.

Resolutions

G.1. RESOLUTION NO. 7350

Authorizing Execution of an Interlocal Agreement Between the City of Sherman and the North Texas Municipal Water District

G.2. RESOLUTION NO. 7351

Authorizing Execution of a Professional Services Agreement with Freese and Nichols, Inc. for the Eastside Lift Station and Regional Sewer

G.3. * RESOLUTION NO. 7352

Authorizing the City Manager or His Designee to Execute a Special Warranty Deed for the Purchase and Execute Contract Documents for The Purchase and Acquisition of Real Property from Tamie Lee Pedraza Located at 1402 West Center Street, being .5481 Acres in the Elizabeth Jones Survey, Abstract 625

G.4. * RESOLUTION NO. 7353

Authorizing Execution of an Agreement with John C. Dannel Funeral Home Under the City of Sherman's Downtown Building Improvement Grant Program for Renovations at 302 S Walnut Street

G.5. * RESOLUTION NO. 7354

Adopting an Investment Policy for the City of Sherman

Other Business

H.1. OTHER BUSINESS

Appoint a Special Districts Subcommittee

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.

- a) Receive legal advice regarding application for a specific use permit for an electric power substation or generation including ground-mounted solar and wind at 1512 Interurban Parkway

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

- a) Texoma Community Center Board of Trustees (1)
- b) Sherman Housing Authority (3)
- c) Civil Service Commission (1)

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 § 551.08

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.

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 and 2025 Council Calendars

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, 317 S. Travis of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Friday, August 30, 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 30th day of August 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

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

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Shawn C. Teamann, Council – District #1

Daron Holland, Council – District #4