

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
MUNICIPAL BALLROOM
405 N. RUSK ST
SHERMAN, TEXAS
MONDAY, OCTOBER 7, 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 JUSTON DOBBS**
- A.3. APPROVE MINUTES OF THE JOINT CITY COUNCIL/SHERMAN ECONOMIC DEVELOPMENT CORPORATION CALLED MEETING OF SEPTEMBER 10, 2024, THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 16, 2024, AND THE CALLED CITY COUNCIL MEETING OF SEPTEMBER 23, 2024.**

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Citizen Comments

C.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

D.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

E.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6775

Authorizing the Issuance of "CITY OF SHERMAN, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"; Specifying the Terms and Features of Said Certificates; Providing for the Payment of Said Certificates of Obligation by the Levy of an Ad Valorem Tax Upon All Taxable Property within the City and a Limited Pledge of the Net Revenues from the Operation of the City's Waterworks and Sewer System; Resolving Other Matters Incident and Relating to the Issuance, Payment, Security, Sale and Delivery of Said Certificates, Including the Approval and Execution of a Paying Agent/Registrar Agreement and the Approval and Distribution of an Official Statement; and Providing an Effective Date

E.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6776

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, Repealing Ordinance 6608, And Granting A Specific Use Permit To Allow A Correctional Or Detention Facility Or Jail In A C-1 (Retail Business) District/Central Business District Overlay Located At 200 South Crockett Street, City Of Sherman, Grayson County, Texas Grayson County, Texas (Owner), Bruce Dawsey (Representative) And Underwood

Drafting & 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

E.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6777

Amending The Code Of Ordinances Of The City Of Sherman, Texas, Chapter 14 (Zoning Ordinance), Articles 14.06 (Development Procedures), 14.08 (Definitions) And 14.10 (Use Chart); Modifying Certain Existing Regulations And Prescribing New Regulations Relating To The Land Use Of Temporary Concrete Batching Plant; 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.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6778

Adopting a Local Property Tax Exemption for Qualifying Child-care Facilities, as Defined by Texas Tax Code Section 11.36, and Amending Chapter 11 "Taxation" of the Code of Ordinance of the City of Sherman, Texas, by Adding Section 11.02.006 "Child-care Facilities Exemption"

Close Public Hearing and Consider Adoption of Ordinances

F.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6775, 6776, 6777 & 6778.

F.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6774 (TABLED AT THE SEPTEMBER 16, 2024 CITY COUNCIL MEETING)

Repealing Ordinance No. 6354 and Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land, Consisting Of 438.99 Acres In The John Jennings Survey, Abstract No. 647, And The Uriah Burns Survey, Abstract No. 121, City Of Sherman, Grayson County, Texas, Located In The 3500-4500 Blocks Of North F.M. 1417 (Heritage Parkway) And The 600-1900 Blocks Of West U.S. Highway 82, Heretofore Zoned Planned Development (PD) District; Providing That The Tract Is Rezoned And Placed In The Planned Development (PD) Zoning Classification With Modified Development Standards; Describing The Tract To Be Rezoned; Providing For A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

Resolutions

G.1. RESOLUTION NO. 7367

Awarding a Bid to and Authorizing Execution of a Contract with Lynn Vessels Construction, LLC Based on an Invitation to Bid for the Heritage Ranch Public Improvements Phase 1

G.2. RESOLUTION NO. 7368

Awarding a Bid to and Authorizing Execution of a Contract with Texana Land & Asphalt Inc. Based on an Invitation to Bid for the Street Maintenance Project - Phase 2

G.3. RESOLUTION NO. 7369

Authorizing the City Manager or His Designee to Execute a Special Warranty Deed and Execute Contract Documents for The Purchase and Acquisition of Real Property from Wattman Holdings LLC Located at 324 North Crockett Street, being 0.1148 Acres in the J.B McAnair Survey, Abstract 763

G.4. * RESOLUTION NO. 7370

Determining a Public Necessity to Acquire Certain Property Interests for Public Use, Dedication for Construction and Expansion of FM 1417 (Heritage Parkway) from SH 56 to West Travis Street, Authorizing the City Manager or His Designee to Execute Right-of-Way Warranty Deeds for the Dedication of Land in Sherman, Grayson County, Texas

- G.5. * RESOLUTION NO. 7371**
Authorizing Execution of a Professional Services Agreement with Wade Trim, Inc. for the US 82 Wastewater Replacement Project
- G.6. * RESOLUTION NO. 7372**
Authorizing Execution of Amendment No. 2 to the Professional Services Agreement with Parkhill, Smith & Cooper, Inc. for the Water System Emergency Backup Power Project
- G.7. * RESOLUTION NO. 7373**
Authorizing Execution of a Professional Services Agreement with Mead & Hunt, Inc. for the North Wastewater Treatment Plant Expansion Study and Preliminary Engineering Feasibility Report
- G.8. * RESOLUTION NO. 7374**
Authorizing the Execution of an Encroachment Agreement with GM Sherman Owner LP for the Encroachment of a Monument Sign within 20-foot Utility Easement Established in Vol. 17, Pages 99 & 100, Plat Records, Grayson County, Texas.
- G.9. * RESOLUTION NO. 7375**
Authorizing the Execution of an Encroachment Agreement with CastleRock Communities LLC for the Encroachment of a Retaining Wall within a 10-foot Utility Easement and Right-of-Way Established in Instrument No. 2023-245, Plat Records, Grayson County, Texas
- G.10. * RESOLUTION NO. 7376**
Authorizing Execution of Amendment No. 1 to the Professional Services Agreement with Halff Associates, Inc. for Right-Of-Way Assistance
- G.11. * RESOLUTION NO. 7377**
Authorizing Execution of a Discretionary Service Agreement with Oncor Electric Delivery Company, LLC for the Extension of Overhead Electric Supply within the Wastewater Treatment Plant for Power to the MBR Plant Expansion
- G.12. * RESOLUTION NO. 7378**
Approval of Grayson Central Appraisal District's Resolution #2024-02 Grayson Central Appraisal District
- G.13. * RESOLUTION NO. 7379**
Authorizing Purchase of a 2025 Chevy Silverado from Sames Motor Company through BuyBoard for the Sherman Fire Department
- G.14. * RESOLUTION NO. 7380**
Authorizing Purchase of A 2025 Chevy Tahoe from Sames Motor Company through BuyBoard for the Sherman Fire Department
- G.15. * RESOLUTION NO. 7381**
Authorizing Purchase of A 2025 Chevy Suburban from Sames Motor Company through BuyBoard for the Sherman Fire Department
- G.16. * RESOLUTION NO. 7382**
Authorizing the Approval of a Contract with Motorola Solutions for Body Cameras, In-Car Video Systems, and Cloud Service
- G.17. * RESOLUTION NO. 7383**

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

Authorizing the Purchase of a New U55-5R3A Mini Excavator from Zimmerer Kubota for the Distribution Services Department through Sourcewell.

G.18. * RESOLUTION NO. 7384

Authorizing the Purchase of a New 2024 Ford F-350 Regular Cab from Rush Truck Center for the Distribution Services Department through BuyBoard.

G.19. * RESOLUTION NO. 7385

Authorizing the Purchase of a New 2024 Ford F-350 Crew Cab from Rush Truck Center for the Distribution Services Department through Buyboard

G.20. * RESOLUTION NO. 7386

Authorizing the Purchase of a New 2024 Ford F-250 Regular Cab from Rush Truck Center for the Distribution Services Department through BuyBoard

G.21. * RESOLUTION NO. 7387

Authorizing the Purchase of a New 2024 T480 Kenworth Dump Truck from MHC for the Distribution Services Department through BuyBoard

G.22. * RESOLUTION NO. 7388

Authorizing the Purchase of Three New 2025 Chevy Tahoes from Silsbee Ford, Inc. through TIPS Purchasing Cooperative for the Sherman Police Department.

G.23. * RESOLUTION NO. 7389

Authorizing the Purchase of Vehicle Upfitting from Haloz36 Corp for the Three New 2025 Chevy Tahoes Through TIPS Purchasing Cooperative for the Sherman Police Department

G.24. * RESOLUTION NO. 7390

Authorizing the Purchase of a New Peterbilt 548 Knuckle Truck from Rush Truck Centers - Austin for the Solid Waste Department through Buyboard

G.25. * RESOLUTION NO. 7391

Authorizing the Purchase of a New Freightliner Rear Load Truck from Doggett Freightliner of South Texas LLC - Austin for the Solid Waste Department through the TIPS Purchasing Cooperative

G.26. * RESOLUTION NO. 7392

Authorizing the Purchase of a New 2024 Ford F-450 Regular Cab from Rush Truck for the Distribution Services Department Center through BuyBoard

G.27. * RESOLUTION NO. 7393

Authorizing the Purchase of a New Wilkens Transfer Trailer from Wilkens Industries, Inc. for the Solid Waste Department through the Buyboard

G.28. * RESOLUTION NO. 7394

Authorizing the Purchase of a New Mclaughlin VX50-500 Vacuum Excavator Trailer from Vermeer for the Distribution Services Department through BuyBoard

G.29. * RESOLUTION NO. 7395

Authorizing the Purchase of a New Peterbilt Roll Off Truck from Rush Trucking Center - Austin for the Solid Waste Department through Buyboard

G.30. * RESOLUTION NO. 7396

Authorizing the Purchase of a New Peterbilt Transfer Truck from Rush Trucking Center - Austin for the Solid Waste Department through Buyboard

G.31. * RESOLUTION NO. 7397

Authorizing the Purchase of a New Kenworth Roll Off Truck from MHC Kenworth - Dallas for the Solid Waste Department through Buyboard

G.32. * RESOLUTION NO. 7398

Authorizing Execution of Purchase with SoftwareOne for Annual Renewal of Microsoft Enterprise Agreement for Licenses including Office 365 and SQL Server through TIPS Purchasing Cooperative Contract

G.33. * RESOLUTION NO. 7399

Authorizing Execution of an Agreement with Knight Furniture Co Inc Under the City of Sherman's Downtown Building Improvement Grant Program for Renovations at 108 W Lamar Street

G.34. * RESOLUTION NO. 7400

Authorizing Execution of a Chapter 380 Grant Agreement with Ash & Barrel LLC for the Grant of Incentives Pursuant to Chapter 380 of the Texas Local Government Code under the City's Main Street Reimbursement Program

G.35. * RESOLUTION NO. 7401

Authorizing the Execution of a Contract from SpectrumVoip through Buyboard Buyboard Co-op #498-15 to Provide City Telephone Service using SpectrumVoip Cloud Based Phone System.

Request to Advertise

H.1. * REQUEST TO ADVERTISE

Purchase Multiple Fleet Vehicles for Multiple City Departments

H.2. * REQUEST TO ADVERTISE

Requesting to Advertise for Competitive Bids for the Replacement of the Kidd-Key Conservatory Fountain Located at Kidd-Key Park

Other Business

I.1. OTHER BUSINESS

Receive Semi-Annual Report on the Sherman Cultural District

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:

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.

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

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.

a) Sherman Crossroads Development

b) Project Milwaukee

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. 2024 AND 2025 COUNCIL CALENDARS

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 (317 S. Travis) of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Friday, October 4, 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 October 4, 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