

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, NOVEMBER 20, 2023
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER DARON HOLLAND**
- A. 3. INVOCATION BY COUNCIL MEMBER DARON HOLLAND**

Declare Results of the November 7, 2023 Regular and Special Municipal Elections

CANVASS OF ELECTION RETURNS

- B. 2. RESOLUTION NO. 7227**
Declaring the Results of the November 7, 2023 Regular and Special Municipal Elections held in the City of Sherman, Grayson County, Texas

Oath of Office

- C. 1. OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION**

Deputy Mayor Election

- D. 1. COUNCIL ELECTION OF DEPUTY MAYOR**

Citizen Comments

- E. 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

- F. 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

G. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6675

Confirming and Validating the Reauthorization of the Levy and Collection of a Sales and Use Tax of One-Eighth (1/8) of One Percent to Provide Revenue for the Maintenance and Repair of Municipal Streets, as Authorized by Chapter 327 of the Texas Tax Code; Providing for a Repealing Clause and an Effective Date

Close Public Hearing and Consider Adoption of Ordinances

G. 2. ORDINANCE NO. 6649 (Tabled at the September 18, 2023 City Council Meeting)

Amending Sherman's Zoning Ordinance/Code of Ordinances Chapter 14, and Granting a Specific Use Permit to Allow a Vape Shop in the C-1 (Retail Business) District/75 & 82 Overlay District, Located at 738 East Highway 82, consisting of 1.830 acres, being Lots 1 & 2, Block 1, 82-75 Addition, City of Sherman, Grayson County, Texas (W Douglass Distributing, LTD, Owner; Samir Bhimani, Tenant; David Weaver, Representative; 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

G. 3. ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers 6675 & 6649.

Resolutions

H. 1. RESOLUTION NO. 7228

Approval of Guaranteed Max Pricing with Byrne Construction Services, as Construction Manager-at-Risk (CMAR), for the Remodel and Addition to Fire Station 1

H. 2. RESOLUTION NO. 7229

Approving the Greater Texoma Utility Authority's Intention to Amend No. 2 Guaranteed Maximum Pricing C and to Award the Guaranteed Maximum Pricing D, to Kiewit Water Facilities South Co. for the South Wastewater Treatment Plant - MBR Project

H. 3. * RESOLUTION NO. 7230

Authorizing Execution of a Memorandum of Understanding with the Sherman Independent School District Police, Grayson County Sheriff's Office, Sherman Police Department and Denison Police Department to Outline Reasonable Communication and Coordination Efforts

H. 4. * RESOLUTION NO. 7231

Awarding a Bid to and Authorizing Execution of a Contract with Pegasus CDJR, LLC for the Purchase of Multiple Fleet Vehicles for Multiple City Departments

H. 5. * RESOLUTION NO. 7232

Casting Votes to Elect a Candidate to Serve as a Member of the Grayson Central Appraisal District Board of Directors

H. 6. * RESOLUTION NO. 7233

Authorizing Submission of an Application for a Grant Awarded by the Texas Department of Transportation under the Routine Airport Maintenance Program to Fund Improvements at the Sherman Municipal Airport; Designating the City Manager as the Authorized Official to Accept, Reject, Alter or Terminate the Grant on Behalf of the City

H. 7. * RESOLUTION NO. 7234

Authorizing the Purchase of Vehicle Upfitting from Haloz36 Corp for the Sherman Police Department Patrol Vehicles

Other Business

I. 1. OTHER BUSINESS

Consider and act on petition from Sherman Ventures LLC related to 632.811 acres of land located in the Robert Thompson Survey, Abstract No. 625, the Thomas Jones Survey, Abstract No. 635, and the William Martin Survey, Abstract No. 765, Grayson County, Texas

I. 2. Other Business

Receive Updates on Downtown Sherman Initiatives

I. 3. OTHER BUSINESS

Staff to review the Tree Ordinance presented by Halff from the Developers Workshop.

J. COUNCIL COMMENTS

Executive Session

K. 1. 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:

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 Senate Bill 2038 and petitions for release of extraterritorial jurisdiction

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.

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.

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) Planning and Zoning Commission (1)
- (b) Planning and Zoning Commission Alternate Members (4)
- (c) Sherman Economic Development Corporation Board of Directors (2)

Tex. Gov't Code §
551.076

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

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.

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

L. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

M. ADJOURNMENT

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, November 17, 2023 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 17th day of November 2023.
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

Josh Stevenson

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