

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COMMUNITY ROOM OF THE SHERMAN POLICE HEADQUARTERS
2600 W. TRAVIS
SHERMAN, TEXAS
MONDAY, OCTOBER 21, 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 DARON HOLLAND**
- A.3. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 7, 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. 6779

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, Repealing Ordinance 6752, And Granting A Specific Use Permit To Allow A High School with an Auditorium, Arena, Coliseum, Theater, or Amphitheater (grades 9-12) In An R-6 (Single Family Residential) District/C-1 (Retail Business) District/F.M. Highway 1417 Overlay District Located At 2907 West Travis Street, City Of Sherman, Grayson County, Texas; Sherman Independent School District (Owner), Brannon Kidd (Representative), Teague Nall & Perkins, Inc (Engineer/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.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6780

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 15.230 acres being part of the John Hendrix Survey, Abstract No. 503 and the Samuel McGlothlin Survey, Abstract No. 811, City Of Sherman, Grayson County, Texas, Located in the 4100 Block Dripping Springs Road, Heretofore Zoned R-A (Residential Agricultural) District; Rezoning And Placing The Tract In The R-4 (Single Family Residential) District Zoning Classification, Cody Slagle, CS2 Properties, LLC (Owner), Breaden Wright (Prospective Buyer), Philip Sarandos, JM Civil Engineering (Representative/Civil Engineer) and Copley 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.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6781

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.5872 acres being Lot A-1-1, Taylor Plaza Addition in the J.B. McAnair Survey, Abstract No. 763, City Of Sherman, Grayson County, Texas, Located at 705 East Taylor Street, Heretofore Zoned M-1 (Light Manufacturing) District; Rezoning And Placing The Tract In The C-2 (General Commercial) District Zoning Classification, NNN REIT, LP (Owner), Chandler Garrett (Representative/Tenant) and Gonzalez and Schneeberg Surveyors (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. 6782

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, To Rezone A Tract Of Land Consisting Of 0.870 acres being Lot 1, Lot 2 and Lot 3, Alvarado Estates, in the Robert Thompson Survey, Abstract 1200, City Of Sherman, Grayson County, Texas, Located at 2901, 2909 and 2913 South First Street, Heretofore Zoned R-6 (Single Family Residential) District; Rezoning And Placing The Tract In The R-4 (Single Family Residential) District Zoning Classification, BELACOO, LLC (Owner), Jay Peskuski (Representative) and Underwood Drafting and Surveying (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. 6783

Appointing an Alternate Municipal Court of Record Judge for the City of Sherman, Grayson County, Texas

D.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6784

Abandoning a Portion of One (1) Twenty-Foot (20') Wide Easement Located in the William Martin Survey, Abstract No. 765, Being More Particularly Described in the Exhibit "A" attached hereto and made a part hereof for all Purposes, which Easement is Established in Volume 1455, Page 255, Deed Records, Grayson County, Texas.

D.7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO 6785

Amending Chapter 13 Of The Code Of Ordinances, Entitled (Utilities), Article 13.08, Entitled (Utility Billing), at Sections 13.08.005 and Section 13.08.006, To Revise Rates For Water and Sewer Services; Providing A Savings/Repealing Clause, Severability Clause And An Effective Date; Providing For The Publication Of the Caption Hereof.

Close Public Hearing and Consider Adoption of Ordinances

E.1. CLOSE PUBLIC HEARING

Consider Adoption of Ordinances 6779, 6780, 6781, 6782, 6783, 6784 & 6785

Resolutions

F.1. RESOLUTION NO. 7357 (TABLED AT THE SEPTEMBER 16, 2024 CITY COUNCIL MEETING)

Awarding a Bid to and Authorizing Execution of a Contract Between Kitching & Co LLC and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Miscellaneous Water Line Improvements 2022

F.2. RESOLUTION NO. 7402

Awarding a Bid to and Authorizing Execution of a Contract Between Hayes Construction, LLC and the Greater Texoma Utility Authority Based on an Invitation to Bid for the Shepherd Drive Sewer Extension

F.3. RESOLUTION NO. 7403

Approving the Greater Texoma Utility Authority's Intention to Award the Laboratory Services Building

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

Addition and Remodel to Hawk Builders, LLC

F.4. RESOLUTION NO. 7404

Authorizing Execution of the Second Amended and Restated Master Development Agreement Between the City of Sherman and Sherman Hickory Hill, LLC, for the Construction of Public Facilities of the Planned Development know as Hickory Hill, Being a Residential Development West of Carriage Estates Road in the City of Sherman, Texas

F.5. RESOLUTION NO. 7405

Authorizing Execution of a Settlement Agreement and Release with the Property Owner of 900 E Wells to Address Unlawful Building Conditions and Unlawful Property Conditions

F.6. RESOLUTION NO. 7406

Authorizing Execution of a Settlement Agreement and Release with the Property Owner of 1023 E Odneal to Address Unlawful Building Conditions and Unlawful Property Conditions

F.7. * RESOLUTION NO. 7407

Authorizing Purchase of a Training Tower from WHP Trainingtowers through Sourcewell for the Fire Department

F.8. * RESOLUTION NO. 7408

Authorizing the Purchase of a New Ford F-750 Dump Truck from Rush Truck Center for the Street Maintenance Department through BuyBoard

F.9. * RESOLUTION NO. 7409

Authorizing the Purchase of Three New Dodge Ram 4x4 Crew Cab 2500 for the Parks Maintenance Department from Grapevine Dodge through Buyboard

F.10. * RESOLUTION NO. 7410

Authorizing the Purchase of one Dodge Ram 4500 4x4 Regular Cab for the Parks Maintenance Department from Grapevine Dodge through BuyBoard.

F.11. * RESOLUTION NO. 7411

Authorizing the Purchase a New Dodge Ram 2500 4x4 Crew Cab Truck for the Cemetery Department from Grapevine Dodge through BuyBoard

F.12. * RESOLUTION NO. 7412

Authorizing the Purchase of a New 2500 Crew 4x4 Short Bed from Grapevine Dodge for the Street Maintenance Department through BuyBoard

F.13. * RESOLUTION NO. 7413

Authorizing the Purchase of a New 2025 Ford F-750 with a 2,000 Gallon Water Body from Rush Truck Center for the Street Maintenance Department through BuyBoard

F.14. * RESOLUTION NO. 7414

Authorizing the Purchase of a New SVL97 Skid Steer from Zimmerer Kubota for the Street Maintenance Department through Sourcewell

F.15. * RESOLUTION NO. 7415

Authorizing the Purchase of a New 2025 Ford F-550 Pothole Repair Truck from Texas Pack + Load for the Street Maintenance Department through Sourcewell

Change Order

G.1. * CHANGE ORDER NO. 2

Change Order No 2. to Provide Water/Wastewater Rate Update Services

Payment Authorization

H.1. * PAYMENT AUTHORIZATION

Year Two Payment of the TASER 7 Certification Bundles for the Sherman Police Department.

Other Business

I.1. OTHER BUSINESS (TABLED AT THE SEPTEMBER 16, 2024 CITY COUNCIL MEETING)

Site Plan of Heritage Ranch Multi-Family Phase 1, Tract 1, consisting of 14.650 acres of land located in the 300-1000 Blocks West Highway 82 in the Heritage Ranch PD (Planned Development)/75&82 Overlay District.

I.2. OTHER BUSINESS

Receive Presentation from Police Sergeant Brandon Hughes on the Police Department's Annual Halloween Event, "Fright Fest"

I.3. OTHER BUSINESS

Presentation from Freese and Nichols, Inc. on the Lead and Copper Rule Revisions (LCRR)

I.4. OTHER BUSINESS

Receive Drone Update from Community and Support Services Manager Nate Strauch

I.5. * OTHER BUSINESS

Approve Investment Report for Quarter Ended September 30, 2024

Consider Board/Commission Appointments

J.1. BOARD/COMMISSION APPOINTMENT

Main Street Advisory Board (7)

J.2. BOARD/COMMISSION APPOINTMENT

Library Board (2)

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:

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

L.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 the WWTP MBR Project

L.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.

L.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.

L.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) Sherman Economic Development Corporation Board of Directors (3)
- b) Planning and Zoning Commission (2)

L.5. TEX. GOV'T CODE § 551.076

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

L.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.

L.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

N.1. COUNCIL CALENDARS

Council Calendars 2024 and 2025

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 18, 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 18th day of October. 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

Council Members

Henry Marroquin, Council-At-Large, PL #1
Juston Dobbs, Council-At-Large, PL #2
Clay Barnett, Council – District #1

Josh Stevenson, Council – District #2
Pamela L. Howeth, Council – District #3
Daron Holland, Council – District #4