

STATE OF TEXAS §
 July 15, 2024
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on July 15, 2024.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR SHAWN TEAMANN.
 COUNCIL MEMBERS DOBBS, HOLLAND, STEVENSON.

MEMBERS ABSENT: COUNCIL MEMBERS HOWETH, MARROQUIN.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were led by Mayor David Plyler.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of July 1, 2024. Council Member Stevenson moved to approve the Minutes, as presented; Second by Deputy Mayor Teamann; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZEN'S COMMENTS

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.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Dobbs moved to approve the Consent Agenda, as presented. Second by Deputy Mayor Teamann. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6746 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6746
REMOVE ONE-WAY
DESIGNATION ON
PART OF EAGLE LN

Wayne Lee, Director of Engineering, said the City received a request from St. Anne's Catholic Church, to change Eagle Lane from a one-way street to a two-way street. This change would repeal the previous ordinance.

No citizens appeared before the City Council to discuss Ordinance No. 6746.

COUNCIL MINUTES – JULY 15, 2024

Mayor Plyler introduced Ordinance No. 6747 and called for a public hearing:

**ORD 6747
DESIGNATE ELECTION
OFFICIALS & UPDATE
VOTING LOCATIONS**

Linda Ashby, City Clerk, explained that this will amend the original ordinance calling a Special Election for September 14, 2024, to include the names of the Election judges and alternate judges, and to change the polling locations. This information was not available when the original ordinance was approved.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

No citizens appeared before the City Council to discuss Ordinance No. 6747.

Mayor Plyler introduced Ordinance No. 6748 and called for a public hearing:

**ORD 6748
ZONE CHANGE
(1822 S.
MONTGOMERY ST)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Rob Rae, Director of Development Services, said this was a zone change for a property where the owners would like to construct a single-family residence. The Planning and Zoning Commission and staff recommend approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6748.

Mayor Plyler introduced Ordinance No. 6749 and called for a public hearing:

**ORD 6749
ZONE CHANGE
(800 BLOCK
S. HOLLY AVE)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Mr. Rae said this zone change was requested because the owner would like to develop 336 units of multi-family residential on the property.

At the June 18, 2024 Planning and Zoning Meeting, they recommended approval by a vote of 5 to 2. The staff has now received a request from the applicant to table this item. The staff is also requesting that the request be tabled until further discussion with the applicant.

No citizens appeared before the City Council to discuss Ordinance No. 6749.

Mayor Plyler asked to read the captions of Ordinance Nos. 6750 and 6751 together.

ORD 6750
ZONE CHANGE
(2100 E. LAMAR ST)

Mayor Plyler introduced Ordinance No. 6750 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Mayor Plyler introduced Ordinance No. 6751 and called for a public hearing:

ORD 6751
ZONE CHANGE
(2100 E. LAMAR ST)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Mr. Rae explained that in 2021, Wildwood Homes requested that the property be zoned from MF to R-2, which has now been changed to MF-30. At the time, they wanted to develop 96 duplex units.

The property is now listed for sale, and the new buyer would like to rezone the property to commercial on the frontage, with duplex zoning on the remaining acreage, which would be consistent with what was approved in 2021.

The Planning and Zoning Commission and the staff recommend approval of both requests.

Peter Tracy, 705 Valentine, Sherman

Mr. Tracy said East Lamar Street is SH 56, and has increased traffic. He said the proposal shows two exits onto Lamar Street, and he recommended that there be no access on Lamar Street, but to move it to Colbert Street.

He said he understood that Colbert Street would eventually be extended across Lamar Street, and connect with Cherry Street. He also recommended placing a traffic light at the Colbert Street and SH 56 intersection.

Since the Middle School has been relocated nearby, SH 56 has seen a heavy increase in traffic. He said there has been some confusion as to whether the City or State has jurisdiction over that location.

No other citizens appeared before the City Council to discuss Ordinance Nos. 6750 and 6751.

Mayor Plyler introduced Ordinance No. 6752 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

**ORD 6752
SUP FOR HIGH
SCHOOL
(2907 W. TRAVIS ST)**

Mr. Rae said this repeals the other Specific Use Permits on the property because the Sherman Independent School District is requesting a 30,000 square foot addition for classrooms.

COUNCIL MINUTES – JULY 15, 2024

The Planning and Zoning Commission and the staff recommend approval of the Specific Use Permit.

No citizens appeared before the City Council to discuss Ordinance No. 6752.

Mayor Plyler introduced Ordinance No. 6753 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6753
ZONE CHANGE
(211 E. KING ST)

Mr. Rae said the current owner would like to add an addition on the home, but it is not properly zoned. This would change the zoning to R-6.

The Planning and Zoning Commission recommended approval of the Specific Use Permit. A representative was in attendance to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6753.

Mayor Plyler introduced Ordinance No. 6754 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6754
SUP FOR
SECONDHAND
STORE
(1908 E. LAMAR ST)

Mr. Rae said the applicant would like to open a secondhand store at this location, but said they would only be selling on the weekend. The ordinance does include some restrictions on where items can be placed for sale, which includes inside the building or on the sides or rear of the property. Sale items cannot be placed in front of the building or in the parking spaces.

The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter, and tying it to the applicant. The staff also recommends approval.

Peter Tracy, 705 Valentine, Sherman

Mr. Tracy said the business next door was supposed to adhere to the same rules about nothing out front to sell, however they have many things in the parking lot for sale.

He said the business did get “cleaned up” behind the building. He said they violated the requirements when their Specific Use Permit was approved. He asked if the City was going to enforce these requirements.

No other citizens appeared before the City Council to discuss Ordinance No. 6754.

The Public Hearing was closed.

Ordinance 6749

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6749
ZONE CHANGE
(800 BLOCK
S. HOLLY AVE)
(TABLED)

ACTION TAKEN.

Motion by Council Member Stevenson to table Ordinance No. 6749, as requested. Second by Deputy Mayor Teamann.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO TABLE.

Ordinance 6754

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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

ORD 6754
SUP FOR
SECONDHAND
STORE
(1908 E. LAMAR ST)

A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Deputy Mayor Teamann asked if the Specific Use Permit was limited to one year. Mr. Rae said he was not sure and would check on that. Deputy Mayor Teamann wanted to add the one-year limit to the Specific Use Permit. He also questioned whether or not the building was large enough for a resale store.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Ordinance No. 6754, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6746

REMOVE ONE-WAY
DESIGNATION ON
PART OF EAGLE LN

Ordinance 6747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6747

DESIGNATE ELECTION
OFFICIALS & UPDATE
VOTING LOCATIONS

Ordinance 6748

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6748

ZONE CHANGE
(1822 S.
MONTGOMERY ST)

Ordinance 6750

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 3.020 ACRES SITUATED IN THE

ORD 6750

ZONE CHANGE
(2100 E. LAMAR ST)

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.

Ordinance 6751

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6751
ZONE CHANGE
(2100 E. LAMAR ST)

Ordinance 6752

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

ORD 6752
SUP FOR HIGH
SCHOOL
(2907 W. TRAVIS ST)

Ordinance 6753

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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

ORD 6753
ZONE CHANGE
(211 E. KING ST)

LAND SURVEYING (SURVEYOR) PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Ordinance Nos. 6746, 6747, 6748, 6750, 6751, 6752, and 6753, as presented.

Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Mayor Plyler specifically did not vote on Ordinance 6752.

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

RES 7320
SHERMAN HOTEL
GRANT INCENTIVES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING 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.

ACTION TAKEN.

Motion by Council Member Stevenson to remove Resolution No. 7320, from Table for discussion. Second by Deputy Mayor Teamann.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO REMOVE FROM TABLE.

Robby Hefton, City Manager, said originally the agreement was presented at the June 17, 2024 Council Meeting. The terms of the agreement were modified slightly, to shorten the benefit period and give them a higher percentage of the rebate.

The agreement is now a five year agreement, instead of an eight year agreement, with a higher percentage, a flat percentage of 85% each year. The developer has already agreed to, and signed the proposal.

Mr. Hefton said this is a great project and gives some higher quality rooms to the growing south part of Sherman.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 7320, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

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

**RES 7334
PECAN GROVE EAST
PARK PLAYGROUND**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.

Justin Eastwood, Parks and Recreation Director, gave a presentation about a Capital Improvement Project for the purchase and installation of an all-inclusive playground at Pecan Grove East Park. The project is in conjunction with the Sherman Noon Lions Club and the Evening Lions Club.

He showed examples of the proposed elements for the playground, all of which are inclusive, and said the playground would be the only one of its type in the entire region. It also includes sensory play.

Mr. Hefton confirmed that the total cost of the project is budgeted at \$548,000, with \$115,000 donated by the Lions Clubs and \$433,000 from the City.

Zach Flores, Assistant City Manager, recognized Sean Hemperley, Grounds and Cemetery Maintenance Superintendent, for his hard work in working with the Lions Club to secure the donation. Council Member Dobbs thanked the Lions Clubs for their participation.

Deputy Mayor Teamann urged the City to use the money saved from the project for upgrades and reinvestment in some of the City's other parks. Mr. Hefton said there are definitely more park projects than money, and the additional funding would be used for some of the other park projects.

ACTION TAKEN.

Motion by Council Member Dobbs to approve Resolution No. 7334, as presented. Second by Council Member Stevenson.
VOTING AYE: Dobbs, Holland, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 7335 -- AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE 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"

**RES 7335
PURCHASE OF
PROPERTY**

ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE 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 AND MADE A PART HEREOF FOR ALL PURPOSES.
CONSENT AGENDA.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION CONTRACT WITH THE DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS FOR ADMINISTRATION FOR THE FAILURE TO APPEAR PROGRAM.
CONSENT AGENDA.

RES 7336
FAILURE TO
APPEAR PROGRAM

RESOLUTION NO. 7337 -- AUTHORIZING EXECUTION OF A CYBER LIABILITY AND DATA BREACH RESPONSE INTERLOCAL AGREEMENT WITH TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF CYBER LIABILITY AND DATA BREACH RESPONSE INTERLOCAL AGREEMENT WITH TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL.
CONSENT AGENDA.

RES 7337
CYBER LIABILITY &
DATA BREACH
RESPONSE
AGREEMENT

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, 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.
CONSENT AGENDA.

RES 7338
WATER TREATMENT
PLANT PROJECT

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

RES 7339
WATER TREATMENT
PLANT PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDED 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.

CONSENT AGENDA.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BUREAU VERITAS FOR PLAN REVIEW AND BUILDING INSPECTION SERVICES FOR SHERMAN ISD HIGH SCHOOL ADDITION.

CONSENT AGENDA.

RES 7340
PLAN REVIEW &
BUILDING INSPECTION
SERVICES FOR
SHERMAN HIGH
SCHOOL

CHANGE ORDER NO. 1

SHERMAN DOWNTOWN WASTEWATER IMPROVEMENTS - PHASE 1; ANA SITE CONSTRUCTION, LLC; \$264,299.00 INCREASE

Travis Overturf, Civil Engineer, presented a Change Order for the Sherman Downtown Wastewater Improvement - Phase 1 project.

CHANGE ORDER NO. 1
DOWNTOWN
WASTEWATER
IMPROVEMENTS
PHASE 1

The Change Order is an increase of \$264,299, to ANA Site Construction, LLC, for additional work to install approximately 850 linear feet of new 6-inch water main in the alleys where new wastewater mains are installed.

The installation of these water lines will help provide sufficient fire flow, and allow the adjacent Downtown businesses to install fire suppression systems. Existing water lines will also be relocated to the alleys.

Mr. Overturf said the wastewater contractor is already doing improvements in the alleys, so it is a good time to complete the other project too. The goal is to improve the entire Downtown infrastructure.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Change Order No. 1, in the amount of an increase of \$264,299, for Sherman Downtown Wastewater Improvements, Phase 1, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION PRESIDENT KENT SHARP

Kent Sharp, President, Sherman Economic Development Corporation, presented their quarterly progress report. He

QUARTERLY SEDCO
REPORT

outlined their plans for the next quarter and activities they are currently working on.

SEDCO is presently working five active projects, with an estimated \$640 million capital expenditure, and approximately 845 new jobs. Many of those jobs are with one company, that has made site visits, and would use an existing building, plus some SEDCO owned property.

They also had three site visits and prospect calls with companies that are interested in relocating and/or expanding their operations to Sherman. They completed three business retention or expansion visits with Coherent, Royal Case, and Eaton.

SEDCO also authorized financial assistance for Coherent for an estimated \$98 million capital expenditure cost for Phase 1 and 2 of their projects. The 3% incentive was just under \$3 million, and will be paid in seven installments.

Recently the policy changed and now when SEDCO provides an incentive of land or cash, they are requiring the company to make a contribution into a local 401K. With Coherent's incentive, they will provide a \$29,415 donation to the Advanced Manufacturing Program, which is 1% of the total value of the incentive.

SEDCO also authorized financial assistance to Harvest Hill Holding, Inc, the parent company of Sunny Delight Beverages Co, up to \$290,000, which will be paid in two annual installments, for the estimated \$8,000,000 capital expenditure expansion at their facility. The company will provide a \$2,900 donation to Masterkey Ministries.

PREVIEW OF THE 2024-2025 DRAFT BUDGET

DRAFT BUDGET

Mary Lawrence, Chief Financial Officer, presented a preview of the 2024-2025 Draft Budget, adding that there have been a few updates since the Budget Workshop, including updating revenue and some expenses.

The property tax rate is unchanged from last year, and the utility rates will be approximately what was presented at the Workshop, but a final rate plan will be presented to the Council in August. Solid Waste rates will increase to \$15.30 for residential carts and by 5% for commercial containers.

Certificates of Obligation for 2025 are budgeted and are mainly street projects, with some projects, such as Shark Tooth Park and the public works facility, having been scaled back to include money for planning.

Ms. Lawrence said certified totals from the Appraisal District will be ready in about 10 days. She presented the calendar for approvals on the tax rate and budget.

COUNCIL COMMENTS

- Thanks to the Lions Clubs for their participation with the inclusive playground for Pecan Grove East Park. (Shawn Teamann, Daron Holland, Juston Dobbs, David Plyler)
- Hot Summer Nights will be held on Thursday, August 18, 2024 on the Municipal Lawn. (David Plyler)

COUNCIL COMMENTS

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

EXECUTIVE SESSION

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

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 about a potential concrete crusher plant

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) City Manager's Evaluation

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

A) Future Developments

TEXAS 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

On Motion duly made and carried, the Open Meeting recessed and
reconvened in Executive Session at 5:40 p.m.

On Motion duly made and carried, the Executive Session recessed
at 6:45 p.m. and reconvened in Open Meeting.

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items
discussed in Executive Session.

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
6:45 p.m.

ADJOURNMENT

MAYOR

CITY CLERK