

October 19, 2020

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOLLAND, HOWETH, MELTON,
STEVENSON.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

SPECIFIC USE PERMIT FOR PATIO HOMES

The other part of the discussion was whether or not City government needs to consider an ordinance that would actually address this type of situation.

CONSENT AGENDA

**ORD 6327
SUP FOR COMMERCIAL
AMUSEMENT CENTER
(700 E. HOUSTON)**

24, BLOCK 10, CHAFFIN'S 1ST ADDITION (LOS HERMANOS PARTNERSHIP, LLC, OWNERS; THE WRECK ROOM, PROPOSED TENANT; AND CHARLES WHITE, APPLICANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Rob Rae, Director of Development Services, said the Specific Use Permit is for an amusement center, called The Wreck Room. Patrons will be able to "relieve frustrations" on items such as televisions and cars, within the building.

The applicant assured that all safety requirements will be followed and the site will remain free of garbage and debris.

The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

After the ordinance was approved, the applicant came back to the Development Office to discuss extending the requirement for parking for a year. Mr. Rae asked Council Members, that if they do approve the SUP, to add into the motion to limit it to one year.

The applicant will be appearing before the Planning and Zoning Commission tomorrow night to request a one-year exception on the parking rule.

No citizens appeared before the City Council to discuss Ordinance No. 6327.

Mayor Plyler introduced Ordinance No. 6328 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 2700, 2704, 2708, 2712, 2716, 2720, 2724 AND 2728 HILLVIEW LANE, BEING LOTS 1-8, BLOCK 3 OF THE FINAL PLAT OF BLOCK 2 AND BLOCK 3, WEST CANYON CREEK ESTATES, SECTION 3 AND 2700, 2703, 2710, AND 2711 FAWNWOOD COURT, BEING LOTS 1-4, BLOCK 4, AMENDED PLAT OF WEST CANYON CREEK ESTATES, SECTION 3, LOTS 1-5, BLOCK 1 AND TRACTS 1-5 AND CANYON CREEK DRIVE (V-PROP, LLC, OWNERS; LYNN VESSELS, REPRESENTATIVE; HIGHLAND HOMES, GENERAL CONTRACTOR; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6328
SUP FOR
PATIO HOMES
(HILLVIEW LANE &
FAWNWOOD COURT)

Mr. Rae said the ordinance is for a Specific Use Permit for patio homes in an R-1 District, to provide a variance on the

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side-yard setback to allow side entry garages. The addition is a deed-restricted community that requires side-entry garages, instead of front-facing garages.

Mr. Rae said these will not be patio homes, they will be estate homes on large lots. This is using the patio homes as an administrative tool to include the entire block as one variance instead of addressing each one individually.

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

No citizens appeared before the City Council to discuss Ordinance No. 6328.

Mayor Plyler introduced Ordinance No. 6329 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CONTRACTOR'S OFFICE/ WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 310 WEST U.S. HIGHWAY 82, BEING 1.56 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (EDGAR WAYNE McCARLEY TRUST, OWNERS; ALEMAN ROOFING AND CONSTRUCTION, PROPOSED TENANT; ANTHONY ALEMAN, REPRESENTATIVE; KENT HUGHLETT, ARCHITECT; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 6329
SUP FOR
CONTRACTOR OFFICE
& WAREHOUSE
(310 W. HWY 82)**

Mr. Rae said this Specific Use Permit is for a contractor's office in a C-2 District. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

No citizens appeared before the City Council to discuss Ordinance No. 6329.

Mayor Plyler introduced Ordinance No. 6330 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TRAVEL TRAILER PARK (FERGUSON RV PARK) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 3551 EAST U.S. HIGHWAY 82, BEING 10.586 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (SHERMAN CHURCH OF GOD AKA PATHWAY CHURCH OF GOD, OWNERS; WENDY FERGUSON, PROSPECTIVE BUYER; FERGUSON RV PARK, PROPOSED TENANT; RON D. BEARD & ASSOCIATES, ARCHITECT; AND

**ORD 6330
ZONE CHANGE &
SUP FOR TRAVEL
TRAILER PARK
(3551 E. HWY 82)**

NORTH TEXAS SURVEYING LLC, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Mr. Rae said this ordinance is for a zone change from R-1 to C-1 and for a Specific Use Permit for a travel trailer park. The Planning and Zoning Commission recommended approval of the request.

No citizens appeared before the City Council to discuss Ordinance No. 6330.

Mayor Plyler introduced Ordinance No. 6331 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO REVISE THE NUMBER OF AUTHORIZED POSITIONS IN THE POLICE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6331
NUMBER OF POLICE
& FIRE POSITIONS

Zach Flores, Police Chief, explained that this ordinance would reduce the police personnel by one sergeant and increase it by one lieutenant. He said this restructuring is in conjunction with the Police Department assuming responsibility for the Animal Services Department.

When they started the process of taking over that department, they realized that the Support Services part of the Department could be better structured, especially as it relates to bringing on more personnel and responsibility.

This change will help provide Animal Services with the support structure that they need and will provide the Police Department with accountability. He said the restructuring should save them "just under \$10,000."

No citizens appeared before the City Council to discuss Ordinance No. 6331.

Mayor Plyler introduced Ordinance No. 6332 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS ON QUAIL RUN ROAD AT SWIFT DRIVE, ON SWIFT DRIVE AT QUAIL RUN ROAD, ON BLACKBIRD DRIVE AT QUAIL RUN ROAD, ON BLACKBIRD DRIVE AT CORMORANT DRIVE, ON QUAIL RUN ROAD AT CORMORANT DRIVE, ON CORMORANT DRIVE AT QUAIL RUN ROAD, ON QUAIL RUN ROAD, AT BLUE JAY LANE, ON BLUE JAY LANE AT QUAIL

ORD 6332
STOP SIGNS

RUN ROAD, ON SWAN RIDGE DRIVE AT QUAIL RUN ROAD, ON OSPREY DRIVE AT ORIOLE DRIVE, ON GAMBEL DRIVE AT QUAIL RUN ROAD, ON CARDINAL DRIVE AT SWAN RIDGE DRIVE, ON FALCON DRIVE AT SWAN RIDGE DRIVE, ON HAWK LANE AT SWAN RIDGE DRIVE, ON RAVEN DRIVE AT SWAN RIDGE DRIVE, ON RAVEN DRIVE AT PHEASANT DRIVE, ON SNOWBIRD LANE AT MALLARD DRIVE, ON FALCON DRIVE AT MALLARD DRIVE, ON SONGBIRD LANE AT QUAIL RUN ROAD, ON PELICAN DRIVE AT QUAIL RUN ROAD, ON SARATOGA DRIVE AT QUAIL RUN ROAD AND ON DEL MAR DRIVE AT QUAIL RUN ROAD, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Wayne Lee, Director of Engineering, said this ordinance is for stop signs in the new Quail Run Subdivision. These stop signs were part of the subdivision plans, to add at least one stop sign at T-intersections, and at least two at cross-intersections.

The Engineering Department reviewed the stop signs to make sure they were consistent with other subdivisions, and recommended their approval.

No citizens appeared before the City Council to discuss Ordinance No. 6332.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6327

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A COMMERCIAL AMUSEMENT CENTER (THE WRECK ROOM) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 700 EAST HOUSTON STREET, BEING LOTS 19-24, BLOCK 10, CHAFFIN'S 1ST ADDITION (LOS HERMANOS PARTNERSHIP, LLC, OWNERS; THE WRECK ROOM, PROPOSED TENANT; AND CHARLES WHITE, APPLICANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6327
SUP FOR COMMERCIAL
AMUSEMENT CENTER
(700 E. HOUSTON)

Council Member Howeth asked if they would be able to have the destruction of vehicles and larger items outside. Mr. Rae said there was no indication that they would be doing any of that outside.

A representative of the request said there will be the "shell" of a car on tires that will be available for demolition. He said the oil and battery have been removed from the car. The other items for demolition will mostly be household items, such as

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a toaster, blender, and a refrigerator. Everything is handheld, such as a baseball bat, crowbar, and mallets.

Council Member Howeth verified that he has also arranged for disposal of the items. The representative said they have a roll-off that will be dumped once a week. Council Member Melton verified that he has already made arrangements with the Solid Waste Department if additional pickups are needed. He has contracted with Ellis Auto to deliver and remove the vehicles as needed.

Council Member Melton verified that the paving for the parking had been discussed. He is leasing the property now, but may purchase after one year. The recommendation is to approve the SUP for one year.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6327, for 12 months. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6328

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 2700, 2704, 2708, 2712, 2716, 2720, 2724 AND 2728 HILLVIEW LANE, BEING LOTS 1-8, BLOCK 3 OF THE FINAL PLAT OF BLOCK 2 AND BLOCK 3, WEST CANYON CREEK ESTATES, SECTION 3 AND 2700, 2703, 2710, AND 2711 FAWNWOOD COURT, BEING LOTS 1-4, BLOCK 4, AMENDED PLAT OF WEST CANYON CREEK ESTATES, SECTION 3, LOTS 1-5, BLOCK 1 AND TRACTS 1-5 AND CANYON CREEK DRIVE (V-PROP, LLC, OWNERS; LYNN VESSELS, REPRESENTATIVE; HIGHLAND HOMES, GENERAL CONTRACTOR; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6328
SUP FOR
PATIO HOMES
(HILLVIEW LANE &
FAWNWOOD COURT)

Council Member Stevenson asked about deed restrictions versus the subdivision zoning ordinance, and asked which took precedent over the other. Mr. Rae said, in this case, the deed restrictions have precedence.

Council Member Stevenson asked since the Council is having to consider more of these types of requests, is it time to update the R-1 wording and eliminate the 60 foot lot?

Mr. Rae said he has reviewed zoning ordinances from other cities and they tend to have more R-1 Districts with different lot widths, however generally the R-1 District is about 60 feet.

COUNCIL MINUTES – OCTOBER 19, 2020

Council Member Melton questioned why it would need to be considered a patio home, because it left it “open-ended” if someone decided to actually build patio homes. Mr. Rae said, in this situation, in the future, the developer could subdivide and construct patio homes; however he doesn’t plan to do that.

He added that the Council could tie the approval to the applicant, if they wanted too.

Ryan Pittman, Director/Shareholder, Abernathy, Roeder, Boyd, Hullett, said since it’s an SUP, it can be granted to the applicant. The motion would need to say making it specific to the applicant. Or, Mr. Pitman said, they could put a condition on the SUP that there could not be any further subdivision of the lots.

Council Member Melton said that’s why she wanted to change the wording of the ordinance to not say patio homes. Mr. Pittman said having more categories of the Residential District might be good for the Council to consider, so they wouldn’t have to consider an SUP in this type of situation. He said that would be a zoning ordinance amendment that would go through the normal process. Council Member Melton said she would appreciate looking at that in the future.

Deputy Mayor Steele agreed that the patio home designation is happening more often now and probably should be reviewed at some point.

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6328, but tying it to the current applicant. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6329

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CONTRACTOR’S OFFICE/WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 310 WEST U.S. HIGHWAY 82, BEING 1.56 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (EDGAR WAYNE McCARLEY TRUST, OWNERS; ALEMAN ROOFING AND CONSTRUCTION, PROPOSED TENANT; ANTHONY ALEMAN, REPRESENTATIVE; KENT HUGHLETT, ARCHITECT; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6329
SUP FOR
CONTRACTOR OFFICE
& WAREHOUSE
(310 W. HWY 82)

Ordinance 6330

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TRAVEL TRAILER PARK (FERGUSON RV PARK) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 3551 EAST U.S. HIGHWAY 82, BEING 10.586 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (SHERMAN CHURCH OF GOD AKA PATHWAY CHURCH OF GOD, OWNERS; WENDY FERGUSON, PROSPECTIVE BUYER; FERGUSON RV PARK, PROPOSED TENANT; RON D. BEARD & ASSOCIATES, ARCHITECT; AND NORTH TEXAS SURVEYING LLC, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6330
ZONE CHANGE &
SUP FOR TRAVEL
TRAILER PARK
(3551 E. HWY 82)

Ordinance 6331

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO REVISE THE NUMBER OF AUTHORIZED POSITIONS IN THE POLICE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6331
NUMBER OF POLICE
& FIRE POSITIONS

Ordinance 6332

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "STOP" SIGNS ON QUAIL RUN ROAD AT SWIFT DRIVE, ON SWIFT DRIVE AT QUAIL RUN ROAD, ON BLACKBIRD DRIVE AT QUAIL RUN ROAD, ON BLACKBIRD DRIVE AT CORMORANT DRIVE, ON QUAIL RUN ROAD AT CORMORANT DRIVE, ON CORMORANT DRIVE AT QUAIL RUN ROAD, ON QUAIL RUN ROAD, AT BLUE JAY LANE, ON BLUE JAY LANE AT QUAIL RUN ROAD, ON SWAN RIDGE DRIVE AT QUAIL RUN ROAD, ON OSPREY DRIVE AT ORIOLE DRIVE, ON GAMBEL DRIVE AT QUAIL RUN ROAD, ON CARDINAL DRIVE AT SWAN RIDGE DRIVE, ON FALCON DRIVE AT SWAN RIDGE DRIVE, ON HAWK LANE AT SWAN RIDGE DRIVE, ON RAVEN DRIVE AT SWAN RIDGE DRIVE, ON RAVEN DRIVE AT PHEASANT DRIVE, ON SNOWBIRD LANE AT MALLARD DRIVE, ON FALCON DRIVE AT MALLARD DRIVE, ON SONGBIRD LANE AT QUAIL RUN ROAD, ON PELICAN DRIVE AT QUAIL RUN ROAD, ON SARATOGA DRIVE AT QUAIL RUN ROAD AND ON DEL MAR DRIVE AT QUAIL RUN ROAD, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.
ACTION TAKEN.

ORD 6332
STOP SIGNS

Motion by Council Member Stevenson to adopt Ordinance Nos. 6329, 6330, 6331, and 6332, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6664 – AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PUBLIC IMPROVEMENT DISTRICT (PID) CONSULTING AND ADMINISTRATIVE SERVICES WITH MUNICAP, INC.

**RES 6664
PUBLIC IMPROVEMENT
DISTRICT CONSULTING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PUBLIC IMPROVEMENT DISTRICT (PID) CONSULTING AND ADMINISTRATIVE SERVICES WITH MUNICAP, INC.

Mr. Hefton said this is for a consulting agreement with MuniCap, Inc. Several months ago the staff started researching firms that could help with consulting services as it relates to the Bel Air Project within the Tax Increment Reinvestment Zone #7.

The goal was to assess as many firms as possible and to evaluate those firms to see how they could best meet the City's needs with this planned development. The names of three firms kept coming up for this type of development in North Texas. Two of those firms "rose to the top," MuniCap, Inc. and P3 Works, LLC.

He said the staff evaluated both firms, had multiple discussions with both, met with them on more than one occasion, and got a good feel as to who the firms were and the services they would provide.

The staff was recommending that the Council approve the agreement with MuniCap for providing services for this particular development, based on the evaluation and on conversations that were held with the developer. They have many years of experience and hundreds of projects in Texas.

In the future, Mr. Hefton said each development will be evaluated on a case-by-case basis and the best consulting firm will be brought back for Council approval. The developer and the City will both have input into the selection process.

Mr. Hefton added that the cost of consulting services will be paid through the Public Improvement District and not the City of Sherman. The cost will be paid when services are incurred and when funds are available through the creation of the PID.

Council Member Stevenson confirmed that no one has actually applied for a PID yet. Mr. Hefton said this is the first step of several PIDs that will be coming for Council consideration, over the next few Council Meetings.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 6664, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6665 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH HIGHLAND HOMES – DALLAS, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH HIGHLAND HOMES – DALLAS, LLC FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE.

**RES 6665
CHAPTER 380
INCENTIVES FOR
HIGHLAND HOMES**

Mary Lawrence, Director of Finance, said this Chapter 380 Agreement with Highland Homes is essentially the same one that was approved in January with Riverside. Highland Homes will be developing 133 lots in The Preserve Subdivision.

She explained that homebuilders usually pay sales tax to suppliers where they buy their supplies. These big homebuilders have suppliers in Fort Worth, but not in Sherman. The homebuilder is allowed to “self-assess” and pay a use tax instead. This redirects the tax to where the homes are actually being built.

Highland Homes estimates that about \$152,000 in new growth tax revenue will be generated by the use tax on the supplies. This agreement gives Highland about 40% of the 2% rate, which would be about \$60,000, with the City retaining about \$92,000.

Ms. Lawrence said there is no risk to the City. If they don’t ever pay any use tax, there’s nothing owed under the agreement.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Resolution No. 6665, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6666 – AUTHORIZING THE EXECUTION OF A REAL ESTATE SALES CONTRACT AND THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF A 10.000 ACRE TRACT OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF

**RES 6666
WARRANTY DEED
FOR LAND FOR
NEW POLICE DEPT.**

SHERMAN, GRAYSON COUNTY, TEXAS (CAD PROPERTY ID #125123), AND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WEST TRAVIS STREET AND NORTHGATE DRIVE, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT A ATTACHED HERETO ("LAND"), TOGETHER WITH IMPROVEMENTS TO THE LAND ("IMPROVEMENTS")

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A REAL ESTATE SALES CONTRACT AND THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF A 10.000 ACRE TRACT OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (CAD PROPERTY ID #125123), AND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WEST TRAVIS STREET AND NORTHGATE DRIVE, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT A ATTACHED HERETO ("LAND"), TOGETHER WITH IMPROVEMENTS TO THE LAND ("IMPROVEMENTS").

Chief Flores said at the Budget Workshop the staff was directed to move forward with a new Police Department and get to the point where a decision can be made. The proposed resolution is for the purchase of 10 acres at the intersection of West Travis Street and Northgate Drive.

With the construction of West Travis Street, the construction of FM 1417, and Hwy 75, this will give them numerous arteries for movement around the City. The officers are not generally at the station but are spread throughout the City, therefore location of the department is not correlated to service to any part of the City.

He also presented a brief overview of the timeline for the project. Until the end of the calendar year, they will be working on the land acquisition that SEDCO approved at their last meeting. They will also initiate the Construction Manager At-Risk portion of the project. This will better define what the costs of construction will be.

A presentation in March 2021 will be presented to the Council in order for them to make a decision on proposed construction of the facility. Chief Flores said there would also be a presentation in December 2020 and in January or February 2021 to update the Council on the status of the project.

Mr. Hefton said Chief Flores addressed the resolution for the purchase of property for the location of the Police Headquarters, and the Request to Advertise for the Construction Manager At-Risk, later in the agenda.

He said the money is available in the budget for the purchase of the land. During the Budget Workshop, the staff was directed to focus on the acquisition of the site and the

architectural design. The Council will review the areas of functionality that will be built into the design at a later date. After the first of the year, input from the Council, staff, and design consultants will be gathered for a final look at the proposed facility. The Council will have ample times to consider the proposed facility, before a final decision is made next summer.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6666, and the request to advertise for contracting with a Construction Manager-At-Risk, for the construction of a new Police Headquarters Facility, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6667 – AUTHORIZING THE PURCHASE OF A 2020 FRAZER TYPE I 14' MODULE AMBULANCE FOR THE SHERMAN FIRE DEPARTMENT FROM MAC HAIK DODGE CHRYSLER JEEP AND FRAZER, LTD. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)

**RES 6667
PURCHASE OF
AMBULANCE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2020 FRAZER TYPE I 14' MODULE AMBULANCE FOR THE SHERMAN FIRE DEPARTMENT FROM MAC HAIK DODGE CHRYSLER JEEP AND FRAZER, LTD. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).

CONSENT AGENDA.

RESOLUTION NO. 6668 – AUTHORIZING THE PURCHASE OF A 2021 SPARTAN S-180 PUMPER FIRE ENGINE FOR THE SHERMAN FIRE DEPARTMENT FROM METRO FIRE APPARATUS SPECIALISTS, INC. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)

**RES 6668
PURCHASE OF
FIRE ENGINE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2021 SPARTAN S-180 PUMPER FIRE ENGINE FOR THE SHERMAN FIRE DEPARTMENT FROM METRO FIRE APPARTUS SPECIALISTS, INC. THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).

CONSENT AGENDA.

RESOLUTION NO. 6669 – AUTHORIZING THE PURCHASE OF A 2021 FORD F550 SUPER CAB BRUSH TRUCK AND EQUIPMENT FOR THE SHERMAN FIRE DEPARTMENT FROM WILDFIRE TRUCK & EQUIPMENT SALES THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

**RES 6669
PURCHASE OF
BRUSH TRUCK**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2021 FORD F550 SUPER CAB BRUSH TRUCK AND EQUIPMENT FOR THE SHERMAN FIRE DEPARTMENT FROM WILDFIRE

TRUCK & EQUIPMENT SALES THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

REQUEST TO ADVERTISE

CONTRACTING WITH A CONSTRUCTION MANAGER-AT-RISK (CMAR) FOR THE CONSTRUCTION OF A NEW POLICE HEADQUARTERS FACILITY

This item was discussed and voted on in conjunction with Resolution No. 6666, earlier in the meeting. Council Members did approve the request to advertise for a Construction Manager At-Risk for the proposed Police Headquarters.

REQ TO ADVERTISE
CONSTRUCTION
MANAGER AT-RISK
FOR POLICE DEPT.

OTHER BUSINESS

RECEIVE AN UPDATE ON THE CITY OF SHERMAN'S ONGOING PROJECTS

Nate Strauch, Community and Support Services Manager, and Clint Philpott, Assistant City Manager, presented an update on the City's ongoing projects.

ONGOING PROJECT
UPDATE

He showed drone footage of a fire at the old Grayson Appraisal District building on North Travis Street at Wall Street. The fire was at about 8:30 a.m. this morning. Danny Jones, Fire Chief, said there were no injuries and they are still trying to determine the cause of the fire.

The following projects were included in the update:

- Old Medical Plaza Hospital on Gallagher – Demolition and Development Project
- Municipal Airport Hanger Home Development & Construction of Three Hangers
- Brookstone Development
- Wildwood Homes
- The Preserve
- Riverside Development
- West Travis Street
- Police Headquarters Property
- New Sherman High School
- South FM 1417
- FM 1417 – Sand Creek Bridge
- Hwy 75 – Hwy 82 Interchange
- Panda Express
- Hwy 75 GAP Project

FINAL PLAT APPROVAL OF PARKHAVEN ESTATES, PHASE II, BEING 9.994 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; KRITT CONCRETE, LLC, OWNER; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (800 BLOCK OF BAKER PARK DRIVE)

The City Council approved the Final Plat of Parkhaven Estates, Phase II, a 9.994 acre tract, located in the 800 block of Baker Park Drive.

APPROVE FINAL PLAT
PARKHAVEN ESTATES

COUNCIL MINUTES – OCTOBER 19, 2020

The property is zoned an R-1 (One Family Residential) District and the owner would like to plat the property into 40 lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGENDA.

REPLAT APPROVAL OF FULLER-WEEMS ADDITION, A REPLAT OF LOTS 1 AND PART OF LOT 2, BLOCK 1, FULLER'S 2ND ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.464 ACRES IN THE WILLIAM ATCHISON SURVEY, ABSTRACT NO. 23, ALSO BEING LOTS 1 AND PART OF LOT 2, BLOCK 1, FULLER'S 2ND ADDITION; MICHAEL AND BRENDA FULLER AND RUDY AND CYNTHIA WEEMS, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (16 AND 60 TEE TAW CIRCLE)

The City Council approved the Replat of the Fuller-Weems Addition, a Replat of Lots 1 and part of Lot 2, Block 1, Fuller's 2nd Addition, in the City of Sherman's Extra Territorial Jurisdiction. The 2.464 acre tract is located at 16 and 60 Tee Taw Circle.

The owner would like to Replat two lots to enlarge one of the lots. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30, 2020

The City Council approved the Quarterly Investment Report for the Quarter ended September 30, 2020. As of September 30, 2020, the portfolios were in compliance with applicable State laws and the City's Investment Policy.

The operating investment portfolio had a book value of about \$11.4 million, a decrease of about \$4.3 million from the prior quarter of \$15.7 million, due to a maturity of State of Texas political subdivision obligations and U.S. Agency Securities and withdrawals from the Local Government Investment Pools.

The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid, and its weighted-average maturity was about 460 days, a decrease of 17 days from last quarter. The portfolio yield of 1.31% for the quarter is 119 basis points above the benchmark yield of 0.12%. The portfolio value on the City's books approximates market value.

The debt proceeds portfolio balance of \$15.3 million was invested in a Local Government Investment Pool and an FDIC insured money market account. Transactions in this portfolio

APPROVE REPLAT
FULLER-WEEMS
ADDITION

QUARTERLY
INVESTMENT REPORT

included interest income and payments for capital projects. The yield of 1.23% was above the benchmark yield of 0.08% for this portfolio. Book value and market value were the same.
CONSENT AGENDA.

CONSIDER REQUEST OF THE 2020 EARTH DAY PLANNING COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “TEXOMA EARTH DAY RECYCLING EVENT” ON SATURDAY, OCTOBER 24, 2020

The City Council approved the request of the 2020 Earth Day Planning Committee to temporarily close certain streets for the “Texoma Earth Day Recycling Event” on October 24, 2020.

They are requesting barricades for the closure of South Elm Street between Mulberry and Pecan Streets, as well as the closure and use of the City Hall’s south parking lot.

In order to accommodate the festival, the Committee is requesting delivery and pick up of barricades to close the area from 7:00 a.m. until 1:30 p.m. The actual event time is from 9:00 a.m. until 1:00 p.m.
CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions.

MAIN STREET ADVISORY COMMITTEE (4)
ACTION TAKEN.

Motion by Council Member Stevenson to reappoint Lindsey Manley, Diana Salas, and Courtney Mitchell to the Main Street Advisory Committee, for a term from September 5, 2020 to September 5, 2022, and to appoint Sarah Richardson for a term from October 20, 2020 to October 20, 2022, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

OLD GRAYSON APPRAISAL DISTRICT FIRE

Mayor Plyler thanked the firefighters for their hard work in putting out the fire this morning at the old Grayson Appraisal District on North Travis Street.

1955-1956 FRED DOUGLASS SCHOOL STATE CHAMPIONSHIP

Council Member Holland thanked Sherman Youth Sports for honoring Fred Douglass School for their 1955-1956 State Championship.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Sherman High School Homecoming Parade is scheduled to start at 6:00 p.m. tonight.

**CLOSE STREETS FOR
EARTH DAY
(OCT. 24, 2020)**

MEDIA QUESTIONS

**MAIN STREET
ADVISORY COMMITTEE**

**OLD GRAYSON
APPRAISAL DIST.
FIRE**

**FRED DOUGLASS
SCHOOL**

ANNOUNCEMENTS

COUNCIL MINUTES – OCTOBER 19, 2020

- Sherman Main Street will host their Annual Vision Meeting on October 27, 2020, at 6:00 p.m. in the Municipal Ballroom. The meeting will be an opportunity to help shape the future of downtown Sherman.
- Sherman Main Street will host “Trick or Treat on Travis” on October 29, 2020, from 6:00 p.m. until 8:00 p.m. The event will spread over three blocks for safety.
- “Caravan to Candyland” will be held on October 30, 2020, at the new Pecan Grove ballfields. Volunteers will distribute bags of candy to vehicles as they drive through.
- The Annual Veterans Day Parade will be held on November 7, 2020. Contact the Tourism Office for information.
- Earth Day will be held October 24, 2020, from 9:00 a.m. until 1:00 p.m. Amy Hoffman-Shehan said the Earth Day event will include a take-back of medicines, paper shredding, flattened cardboard, paper, Styrofoam, toner cartridges, cell phones, an electronic waste collection, and glass recycling.

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

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.

EXECUTIVE SESSION

- | | |
|---------------------------|---|
| SECTION 551.071 -- | CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION |
| SECTION 551.071 -- | CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER |
| SECTION 551.074 -- | PERSONNEL MATTERS: DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, |

DISCIPLINE, OR DISMISSAL OF A
PUBLIC OFFICER OR EMPLOYEE

CONSIDER THE QUALIFICATIONS,
APPOINTMENT AND REMOVAL OF
MEMBERS TO BOARDS AND
COMMISSIONS:
SHERMAN ECONOMIC
DEVELOPMENT CORPORATION
BOARD OF DIRECTORS (2)

SHERMAN ECONOMIC
DEVELOPMENT CORPORATION
EX-OFFICIO MEMBER (1)

SECTION 551.087 --

DELIBERATION REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM A
BUSINESS PROSPECT AND
DELIBERATE ANY OFFERS OR
INCENTIVES TO THE
BUSINESS PROSPECT

On Motion duly made and carried, the Open Meeting recessed
and reconvened in Executive Session at 5:58 p.m.

On Motion duly made and carried, the Executive Session
recessed at 7:19 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

**SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS (2) AND EX-OFFICIO MEMBER (1)**
ACTION TAKEN.

SEDCO

Motion by Council Member Stevenson to reappoint Gail
Utter and Scott Bandemir to the Sherman Economic
Development Corporation Board of Directors, for a term
from October 1, 2020 to October 1, 2022, as presented.
Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL MINUTES – OCTOBER 19, 2020

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:19 p.m.

ADJOURNMENT

MAYOR

CITY CLERK