

October 18, 2021

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

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

CITIZEN'S COMMENTS

CONSENT AGENDA

CONSENT AGENDA

TEXAS INSTRUMENTS PHASE I PROPERTY TAX ABATEMENT

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Robby Hefton, City Manager, gave a project summary on the proposed Texas Instruments expansion. The items on public hearing are for the Tax Abatement Agreements for the four phases of the project.

The project is for a semiconductor manufacturing facility producing a new, state-of-the-art 300 mm analog chip that would be used for various industries. The project would be in four phases, with each phase being at least one million square feet of manufacturing space, plus administrative and support facilities.

The expected investment and jobs for each phase is expected to be as follows:

- Phase I - \$6.5 billion, 800 jobs, begin by December 2021**
- Phase II - \$7.0 billion, 800 jobs, begin by December 2030**
- Phase III - \$7.6 billion, 800 jobs, begin by December 2035**
- Phase IV - \$8.3 billion, 800 jobs, begin by December 2038**

Each phase would have a two to three-year construction period, and it would be built on Texas Instrument's existing 550 plus, acre site. Phase I would be expected to be producing chips by 2025.

He added that, currently, Texas Instruments has not selected Sherman as the site for the facility, but "we are in the running," and hopefully they will make a decision very soon. The Council's consideration of these incentives, will be the next step for them in considering Sherman for the site of the facility.

He discussed the process of getting the incentives in place and said input has come from the City Council; City Attorneys; other taxing entities, such as Grayson County, the Sherman Independent School District, and Grayson College; other large Texas Instruments projects, such as the one in Richardson; previous large Sherman projects, such as Panda; the Sherman Economic Development Corporation; the Tax Reinvestment Committee; and Texas Instruments itself.

Mr. Hefton also discussed direct and indirect benefits of the project. One direct benefit would be property and sales tax revenue, with property tax revenue starting when they first "move dirt." Sales tax revenues would typically be during the construction period, with a "tremendous amount of sales tax generated."

Other direct benefits would include water and sewer revenues, hotel/motel revenues (mainly through the construction period), and it would bring high-paying primary jobs to the community. Another direct benefit, although hard to quantify, would be Sherman's reputation as a leader in technology circles.

There would also be some indirect benefits including a "spillover" effect for complementary primary job creation coming to Sherman, and it would be complementary to other existing high-tech employers in town, such as Finisar and Globotech. It would also help Sherman become known as a part of the "tech-corridor" from Dallas north.

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Mr. Hefton addressed the incentives for the project, per phase. There are two agreements for each phase of the project, a Tax Abatement Agreement and a Chapter 380 Agreement.

The Tax Abatement Agreement is for 90% of ad valorem taxes for years 1 through 10, and the abatement begins when construction is complete. There would be no taxes abated during the construction phase, and that will include billions of dollars.

They also received a Chapter 380 Economic Incentive Agreement, to continue this 90% rebate for years 11 through 30. The incentives include a 20% discount on City utility rates for Phase I only.

He explained that a tax abatement means they won't pay that portion of the property taxes, while a tax rebate means they will pay the property taxes, but a check will pay them back the rebated amount. By law, an abatement can only cover a ten year period.

Mr. Hefton discussed the expected value of the projects, per phase, of actual dollars "coming into the City's bank account."

Construction Period

- Sales Tax - \$10 million to \$15 million
- Property Tax - \$10 million to \$20 million
- Other – Hotel/Motel - ??

Agreement Period

- Property Tax - \$30 million
- Water/Sewer Revenue - \$240 million

The total impact during the term of the agreement, after the abatements, is estimated at about \$220 million directly into the General Fund revenues, and \$1 billion in water/sewer revenues.

He explained that, for water and sewer revenues, the City doesn't really "make money" on those accounts, they charge what it costs to make, produce, and deliver the water. However, the ability to fund improvements systemwide is built into that amount. With a billion dollars in revenue, Mr. Hefton, said that would allow the City to keep rates low by using this project to pay for infrastructure improvements, that would normally be paid for by other water rate customers.

Mr. Hefton discussed the "minimum versus expected" investment of the project. He also compared the Texas Instruments project to the Panda project, saying this was not a "novel concept" to handle the incentives in this manner.

He also presented a timeline of the phases of the projects, as they relate to minimum contractual thresholds and the expected investment and jobs. On the timeline, there is three years of construction; 10 years of tax abatement at 90%, under Chapter 312; and 20 years of tax abatement at 90%, under Chapter 380. They also expect to add 800 jobs under each of the phases.

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Ryan Pittman, City Attorney, said it had been their pleasure to work on a project of this magnitude. He and Robert Roeder, Attorney, took the deal terms that Mr. Hefton and the City staff negotiated with Texas Instruments, worked through the potential issues that needed to be documented, and drafted the eight agreements that are on the Council's agenda. He said there were numerous discussions with Texas Instruments' council to reach the current forms of the documents. They were also involved in creating the Reinvestment Zone that was designated at the October 4, 2021 Council Meeting.

No citizens appeared before the City Council to discuss the Proposed Agreement with Texas Instruments Incorporated, for the Abatement of Ad Valorem Property Taxes for Phase I Improvements and Investments in Phase I Tangible Personal Property within City of Sherman Industrial Reinvestment Zone, Number Eleven (#11).

PROPOSED AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE II IMPROVEMENTS AND INVESTMENTS IN PHASE II TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11)

TEXAS INSTRUMENTS
PHASE II PROPERTY
TAX ABATEMENT

No citizens appeared before the City Council to discuss the Proposed Agreement with Texas Instruments Incorporated, for the Abatement of Ad Valorem Property Taxes for Phase II Improvements and Investments in Phase II Tangible Personal Property within City of Sherman Industrial Reinvestment Zone, Number Eleven (#11).

PROPOSED AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE III IMPROVEMENTS AND INVESTMENTS IN PHASE III TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11)

TEXAS INSTRUMENTS
PHASE III PROPERTY
TAX ABATEMENT

No citizens appeared before the City Council to discuss the Proposed Agreement with Texas Instruments Incorporated, for the Abatement of Ad Valorem Property Taxes for Phase III Improvements and Investments in Phase III Tangible Personal Property within City of Sherman Industrial Reinvestment Zone, Number Eleven (#11).

PROPOSED AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE IV IMPROVEMENTS AND INVESTMENTS IN PHASE IV TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11)

TEXAS INSTRUMENTS
PHASE IV PROPERTY
TAX ABATEMENT

No citizens appeared before the City Council to discuss the Proposed Agreement with Texas Instruments Incorporated, for the Abatement of Ad Valorem Property Taxes for Phase IV Improvements and Investments in Phase IV Tangible Personal

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Property within City of Sherman Industrial Reinvestment Zone, Number Eleven (#11).

Mayor Plyler introduced Ordinance No. 6418 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN AREA OF LAND CONSISTING OF APPROXIMATELY 142.223 ACRES GENERALLY LOCATED NORTH OF FM 1417 (VIETNAM VETERANS PARKWAY), EAST OF U.S. HIGHWAY 75 AND SOUTH OF POST OAK CREEK, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION, ON APPLICATION OF THE LANDOWNER; PROVIDING THAT THE OWNERS AND INHABITANTS OF THE SUBJECT AREA OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF SHERMAN AND SHALL BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREINAFTER ADOPTED; AUTHORIZING EXECUTION OF THE ANNEXATION SERVICE PLAN AGREEMENT; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE AND SHERMAN'S GENERAL ZONING ORDINANCE, ORDINANCE NO. 2280; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**ORD 6418
ANNEXATION
TRAVIS HEIGHTS**

Wayne Lee, Director of Engineering, said this was a voluntary annexation of 142 acres, located across the street from the Bel Air Planned Development. The developer plans a 400 lot subdivision, called Travis Heights.

The zoning and a preliminary plat were previously approved by the Planning and Zoning Commission, and the zone change is on tonight's agenda for consideration by the Council.

No citizens appeared before the City Council to discuss Ordinance No. 6418.

Mayor Plyler introduced Ordinance No. 6419 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6403 TO APPOINT ELECTION OFFICIALS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 2ND DAY OF NOVEMBER, 2021, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) AT-LARGE CITY COUNCIL MEMBERS FOR SAID CITY. AND TO DESIGNATE DATES AND TIMES FOR EARLY VOTING.

**ORD 6419
COUNCIL ELECTION**

Linda Ashby, City Clerk, explained that this ordinance amends the original Election Ordinance that called the Election. At the time, the County had not designated the Election Judges or Alternates, and they also changed the Early Voting dates and times.

No citizens appeared before the City Council to discuss Ordinance No. 6419.

Mayor Plyler introduced Ordinance No. 6420 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 SMOKE/VAPE SHOPE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 115 NORTH SUNSET BOULEVARD, BEING LOT 1, BLOCK 1 OF THE SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION (WESTWOOD VILLAGE RETAIL LLC OWNER; I FLY TOBACCO & VAPE, PROPOSED TENANT, MAAN ASALI, APPLICANT AND HELVEY AND ASSOCIATES SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6420
SUP FOR SMOKE/
VAPE SHOP
(115 N. SUNSET)
(APPEAL FROM
P&Z)

Rob Rae, Director of Development Services, said this ordinance was for a Specific Use Permit to allow a smoke/vape shop in a C-1 (Retail Business) District, located at 115 North Sunset.

At the Planning and Zoning Commission Meeting of September 21, 2021, this item was denied, with a vote of four-to-two. The staff received two letters in opposition to the request, one from the Sherman Independent School District, due to its location to Wakefield Elementary School, and a second from the owner of Dairy Queen, which is nearby, and was concerned about the use being “combatable” in that area.

The applicant has appealed the Planning and Zoning Commission’s decision to the City Council.

Robert Minshew, 206 W. Belden

Mr. Minshew appeared representing the application of the smoke/vape shop. He explained that everything they will be selling in the store will be legal, under all the laws that apply. Under the Specific Use Permit, one of the terms that would apply is that they could not allow anyone under the age of 18 in their store, without a parent or guardian present. They can’t sell anything to anyone under 18, nor can they sell it to anyone else that will sell or give it to someone under 18.

He added that the Sunset Market is next door to this location, and they sell exactly the same products. There is no restriction on the sales at that location, and he said a 12 year old could buy the products there. Across the street, the Exxon station also sells the same products, with no age restrictions.

He felt it was “disingenuous” for the Dairy Queen to say they didn’t want more smoke shops in the area because there were too many of them. It is a legal business, and he didn’t feel other nearby businesses should be able to choose what locates “across the street.”

Mr. Minshew said the owners of the smoke/vape shop have already signed a written lease with the property owner and are committed to locating there. He said the Specific Use Permit would regulate

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who can even enter their store, but that restriction is not on the nearby convenience stores, and they sell the same products. The SISD said it's not in accordance with their "handbook of activities," however the business is legal and should be allowed to locate at the site. The SISD doesn't restrict people going to the two convenience stores.

In conclusion, Mr. Minshew said everything they sell is legal and they are committed to abiding by the City's ordinances, and should be allowed to locate there.

No other citizens appeared before the City Council to discuss Ordinance No. 6420.

Mayor Plyler introduced Ordinance No. 6421 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 LENDING/FINANCE OFFICE (LOAN OFFICE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1719 TEXOMA PARKWAY, BEING 5.56 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNER; AND JOHN MUNSON, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 6421
SUP FOR
LENDING/FINANCE
OFFICE
(1719 TEXOMA PKWY)**

Mr. Rae said this ordinance is for a Specific Use Permit to allow a loan office in a C-2 (General Commercial) District. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

John Munson, 1127 W. Morton Street, Denison

Mr. Munson appeared representing the applicant, but introduced Matthew Baulier, to answer any questions.

Matthew Baulier, 2907 Sweet Briar Street, Grapevine

Mr. Baulier said they are a family owned business, that has been in business for 50 years, and have 150 stores. They have recently entered the Texas market and have 20 stores from Texarkana to Beaumont. He said the company has a very good reputation in the marketplace.

No other citizens appeared before the City Council to discuss Ordinance No. 6421.

Mayor Plyler introduced Ordinance No. 6422 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 AN INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 2310 NORTH TRAVIS STREET, BEING 0.485 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (TEXOMA COMMUNITY CENTER, OWNER; TORI DYESS, APPLICANT; AND PRESTON

**ORD 6422
SUP FOR
INTELLECTUAL
& DEVELOPMENT
DISABILITIES
FACILITY
(2310 N. TRAVIS)**

TRAIL LAND SURVEYING, SURVEYOR) 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 item is for a Specific Use Permit for an intellectual and developmental disabilities facility in a C-1 (Retail Business) District, located at 2310 North Travis Street. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

Tori Dyess, 902 Cottonwood Road

Ms. Dyess was the applicant, and was available if the Council had any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6422.

Mayor Plyler introduced Ordinance No. 6423 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 SMOKE/VAPE SHOP IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1717 TEXOMA PARKWAY, BEING 5.56 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNER; AND JOHN MUNSON, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6423
SUP FOR SMOKE/
VAPE SHOP
(801 E. FM 1417)

Mr. Rae said this is another Specific Use Permit for a smoke/vape shop in a C-2 (General Commercial) District. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

John Munson, 1127 W. Morton Street, Denison

Mr. Munson said this is for a small store located on Texoma Parkway.

No other citizens appeared before the City Council to discuss Ordinance No. 6423.

Mayor Plyler introduced Ordinance No. 6424 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 PROPERTY WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT, LOCATED AT 801 EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 1.105 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AND BEING A PART OF THE 221.867 ACRE TRACT 1 AND A 4.256 ACRE TRACT 2 AND BEING ALL OF LOT 2, BLOCK 8 OF CONSTITUTION VILLAGE ADDITION (PYLON TRUST, RUSSELL SPEARS TRUSTEE, OWNER; KINGDOM EQUITIES, LLC, DEVELOPER; VILBIG AND ASSOCIATES, PLLC, CIVIL ENGINEER; AND COPLEY LAND

ORD 6424
ZONE CHANGE FOR
RETAIL BUSINESS
(801 E. FM 1417)

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SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this is a zone change from R-1 to C-1 (Retail Business) District, at the corner of South Carolina Drive and FM 1417. Pylon Trust also submitted a Site Plan to the Planning and Zoning Commission at their last meeting, which was approved. The Site Plan was for a 6,600 square foot commercial building. The Planning and Zoning Commission recommended approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6424.

Mayor Plyler introduced Ordinance No. 6425 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 PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 800 BLOCK OF FM 1417 (VIETNAM VETERANS PARKWAY) AND THE 2900 BLOCK OF SOUTH U.S. HIGHWAY 75, BEING 165.364 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AND BEING A PART OF THE 221.867 ACRE TRACT 1 AND A 4.256 ACRE TRACT 2, AND BEING LOT 1, BLOCK 8 OF THE CONSTITUTION VILLAGE ADDITION, AND BEING ALL LOTS IN TRACT 1 (LOTS INCLUDE: LOTS 8-20, BLOCK 2 AND LOT 3, BLOCK 9 OF CONSTITUTION VILLAGE SECTION TWO, ALSO ALL OF BLOCK 6 AND ALL OF LOTS 20-32, BLOCK 5 OF REPLAT OF CONSTITUTION VILLAGE, SECTION TWO, BLOCKS 5 & 6 AND A PART OF A 3.0 ACRE TRACT 2 (PYLON TRUST, RUSSELL SPEARS TRUSTEE, OWNER; KINGDOM EQUITIES, LLC, DEVELOPER; VILBIG AND ASSOCIATES, PLLC, CIVIL ENGINEER; AND COPLEY LAND SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

**ORD 6425
ZONE CHANGE FOR
RESIDENTIAL
DEVELOPMENT
(800 BLOCK OF
FM 1417 & 2900
BLOCK OF S.
HWY 75)**

Mr. Rae said there are currently three zoning districts on this property, and R-A zoning if the property is approved for annexation. The applicant is requesting that all property be rezoned as R-1 (One-Family Residential) District. The Planning and Zoning Commission recommended approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6425.

Mayor Plyler introduced Ordinance No. 6426 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 PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 4001 WEST O.B. GRONER ROAD, BEING 13.640 ACRES IN THE ELIZABETH

**ORD 6426
ZONE CHANGE FOR
APARTMENT
COMPLEX
(4001 W. O.B.
GRONER RD)**

JONES SURVEY, ABSTRACT NO. 625 (BOB TESCH INVESTMENTS, LLC, OWNER; ROBERT TESCH, APPLICANT; MATT GILBERTSON, PAPE-DAWSON ENGINEERS, INC., CIVIL ENGINEER; HEDK ARCHITECTS, ARCHITECT; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR); PROVIDING 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 is from an M-1 District to a R-2 (Multi-Family Residential) District, located at 4001 West O.B. Groner Road. The developer plans to build 276 multi-family units at this location. One citizen spoke in opposition to the zone change at the Planning and Zoning Commission. The Planning and Zoning Commission did recommend approval of the zone change.

Larry Boring, 2714 S. Rolling Hills Drive

Mr. Boring said the development will back up directly to Rolling Hills Drive. He said he talked to residents in the 2600, 2700, and 2800 block of Rolling Hills Drive, and no one wants R-2 (Multi-Family Residential) zoning at that location.

They were originally going to put R-1 (One-Family Residential) there and that was fine. It would be nice homes. He said O.B. Groner Road is very narrow, and he didn't feel it could support the traffic from apartments.

Mary Boring, 2714 S. Rolling Hills Drive

Ms. Boring reiterated that O.B. Groner Road is very narrow, and she asked what the plans were to improve that road. She said there is a "beautiful" new high school there and she felt they would want to "keep the area beautiful." She felt single-family homes would be "more beautiful."

She also asked the Council to consider that there are a lot of new drivers at the high school and they are adding more traffic in that area. She added that FM 1417 is "overrun" with apartments and it shouldn't always be about money.

Ms. Boring said she was opposed to the request and asked them to consider her comments.

No other citizens appeared before the City Council to discuss Ordinance No. 6426.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6418

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN AREA OF LAND CONSISTING OF APPROXIMATELY 142.223 ACRES GENERALLY LOCATED NORTH OF FM 1417 (VIETNAM VETERANS PARKWAY), EAST OF U.S. HIGHWAY 75 AND SOUTH OF POST OAK CREEK, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION, ON APPLICATION OF THE

ORD 6418
ANNEXATION
TRAVIS HEIGHTS

LANDOWNER; PROVIDING THAT THE OWNERS AND INHABITANTS OF THE SUBJECT AREA OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF SHERMAN AND SHALL BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREINAFTER ADOPTED; AUTHORIZING EXECUTION OF THE ANNEXATION SERVICE PLAN AGREEMENT; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE AND SHERMAN'S GENERAL ZONING ORDINANCE, ORDINANCE NO. 2280; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6418, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6419

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6403 TO APPOINT ELECTION OFFICIALS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 2ND DAY OF NOVEMBER, 2021, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) AT-LARGE CITY COUNCIL MEMBERS FOR SAID CITY. AND TO DESIGNATE DATES AND TIMES FOR EARLY VOTING.

ORD 6419
COUNCIL ELECTION

Council Member Melton asked if there was any problem with the legality of this ordinance since early voting started today.

Mr. Pittman said the City contracts with Grayson County to administer the Election and this ordinance appoints the judges that were selected by the County. It also adopts a calendar change that the County also implemented. These are ministerial items to make sure that the City's ordinance tracks what the County has done. The County's rules govern the Election.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Ordinance No. 6419, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6420

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 SMOKE/VAPE SHOPE IN A C-1 (RETAIL BUSINESS) DISTRICT AT 115 NORTH SUNSET BOULEVARD, BEING LOT 1, BLOCK 1 OF THE SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION (WESTWOOD

ORD 6420
SUP FOR SMOKE/
VAPE SHOP
(115 N. SUNSET)
(APPEAL FROM
P&Z)
(AMENDED)

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VILLAGE RETAIL LLC OWNER; I FLY TOBACCO & VAPE, PROPOSED TENANT, MAAN ASALI, APPLICANT AND HELVEY AND ASSOCIATES SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Council Member Stevenson asked if this was a distance issue from the school, that made it a Specific Use Permit or was it that it was a smoke shop. He said there was another retailer in the same building doing the same thing. He asked if it was measured from the front door or is it the building itself.

Mayor Plyler said distance doesn't apply in this case. Mr. Rae said there is no distance requirement for smoke and vape shops. The SISD wrote a letter of opposition and said they would like the smoke/vape shop to be considered similar to the alcohol ordinance, however, that is not what the City's ordinance states.

Council Member Teamann asked if there were restrictions on that type of product sold and what can be displayed. Mr. Rae said there were some Planning and Zoning Commission Members that said there were some accessories that were more related to drug use, and they asked if those would be sold in the vape shop. They were informed that those would not be sold in the shop.

Mr. Pittman said State law does prohibit the advertising of tobacco or cigarette products within 1,000 feet of a church or school, but it does not limit or regulate the location of a shop that might sell those types of products. So there is a State regulation on the type of advertising those establishments can do.

Deputy Mayor Holland confirmed that the Planning and Zoning Commission vote was 4 to 2 to deny the Specific Use Permit.

Council Member Howeth said since there are other items that could be sold for drug use, does the City have someone that monitors the vape shops that already exist.

Wes Trisler, Assistant Police Chief, said police officers enter those shops on a routine basis and look around. The law now says a person must be 21 to smoke.

Council Member Steele verified that a Specific Use Permit can be tied to a time limit, and can be reviewed after one year, to see if there are problems.

Council Member Stevenson said since there are two other stores nearby that sell these products without a Specific Use Permit, that it would be disingenuous to disallow this business. Council Member Steele said there was a Specific Use Permit for a smoke/vape shop at another location on this agenda.

Council Member Melton asked if they would be selling glass pipes.

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Mariela Diaz, 115 Sunset Blvd.

Mr. Diaz is the applicant. She said they were asked at the Planning and Zoning Meeting if they sold glass pipes at their other locations, and she said they did. Their other smoke shops are in Durant, Oklahoma. She said they would only sell items that are legal in Texas in this shop.

Mr. Pittman said the appeal would take a three-fourths vote, or six affirmative votes to grant the appeal of the Planning and Zoning Commission's decision.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6420, with the stipulation that it will be reviewed in one year.

Second by Council Member Teamann.

VOTING AYE: Plyler, Holland, Howeth, Steele, Stevenson, Teamann.

VOTING NAY: Melton.

MOTION CARRIED AS AMENDED.

Ordinance 6421

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 LENDING/FINANCE OFFICE (LOAN OFFICE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1719 TEXOMA PARKWAY, BEING 5.56 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNER; AND JOHN MUNSON, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6421
SUP FOR
LENDING/FINANCE
OFFICE
(1719 TEXOMA PKWY)

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance No. 6421, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6422

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 AN INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT AT 2310 NORTH TRAVIS STREET, BEING 0.485 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (TEXOMA COMMUNITY CENTER, OWNER; TORI DYESS, APPLICANT; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6422
SUP FOR
INTELLECTUAL
& DEVELOPMENT
DISABILITIES
FACILITY
(2310 N. TRAVIS)

Council Member Melton asked if this was a daytime facility only. Council Member Steele confirmed that it would be a daytime facility.

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ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6422, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6423

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 SMOKE/VAPE SHOP IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1717 TEXOMA PARKWAY, BEING 5.56 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNER; AND JOHN MUNSON, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6423
SUP FOR SMOKE/
VAPE SHOP
(801 E. FM 1417)

ACTION TAKEN.

Motion by Council Member Teamann to adopt Ordinance No. 6423, as presented. Second by Council Member Stevenson.

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

VOTING NAY: Melton.

MOTION CARRIED.

Ordinance 6424

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT, LOCATED AT 801 EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 1.105 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AND BEING A PART OF THE 221.867 ACRE TRACT 1 AND A 4.256 ACRE TRACT 2 AND BEING ALL OF LOT 2, BLOCK 8 OF CONSTITUTION VILLAGE ADDITION (PYLON TRUST, RUSSELL SPEARS TRUSTEE, OWNER; KINGDOM EQUITIES, LLC, DEVELOPER; VILBIG AND ASSOCIATES, PLLC, CIVIL ENGINEER; AND COPLEY LAND SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6424
ZONE CHANGE FOR
RETAIL BUSINESS
(801 E. FM 1417)

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance No. 6424, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6425

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO.

ORD 6425
ZONE CHANGE FOR
RESIDENTIAL

2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 800 BLOCK OF FM 1417 (VIETNAM VETERANS PARKWAY) AND THE 2900 BLOCK OF SOUTH U.S. HIGHWAY 75, BEING 165.364 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AND BEING A PART OF THE 221.867 ACRE TRACT 1 AND A 4.256 ACRE TRACT 2, AND BEING LOT 1, BLOCK 8 OF THE CONSTITUTION VILLAGE ADDITION, AND BEING ALL LOTS IN TRACT 1 (LOTS INCLUDE: LOTS 8-20, BLOCK 2 AND LOT 3, BLOCK 9 OF CONSTITUTION VILLAGE SECTION TWO, ALSO ALL OF BLOCK 6 AND ALL OF LOTS 20-32, BLOCK 5 OF REPLAT OF CONSTITUTION VILLAGE, SECTION TWO, BLOCKS 5 & 6 AND A PART OF A 3.0 ACRE TRACT 2 (PYLON TRUST, RUSSELL SPEARS TRUSTEE, OWNER; KINGDOM EQUITIES, LLC, DEVELOPER; VILBIG AND ASSOCIATES, PLLC, CIVIL ENGINEER; AND COPLEY LAND SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

DEVELOPMENT
(800 BLOCK OF
FM 1417 & 2900
BLOCK OF S.
HWY 75)

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6425, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6426

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 4001 WEST O.B. GRONER ROAD, BEING 13.640 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (BOB TESCH INVESTMENTS, LLC, OWNER; ROBERT TESCH, APPLICANT; MATT GILBERTSON, PAPE-DAWSON ENGINEERS, INC., CIVIL ENGINEER; HEDK ARCHITECTS, ARCHITECT; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6426
ZONE CHANGE FOR
APARTMENT
COMPLEX
(4001 W. O.B.
GRONER RD)

Council Member Howeth said O.B. Groner Road, going west, has a “crazy loop” and is not a wide road. She understood the concerns that were mentioned earlier and asked if there were plans for improvements on that road.

Mr. Lee said they were not on the current plans, but as development warrants improvements, that will be re-evaluated. He said it’s on the Master Thoroughfare Plan, but to match the four-lane, divided, that’s on the other side. She confirmed that the entrance and exit to the property would be on O.B. Groner Road.

Mr. Rae said their conceptual site plan was already approved by the Planning and Zoning Commission. They will be required to come back to the P&Z to get final site plan approval.

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Council Member Steele asked if that area was considered “high density?” Mr. Rae said they would be three-story buildings, with two parking spaces per unit. They are “hitting” their density maximum, but most apartments don’t, because of parking requirements. They are hitting the requirement for parking.

Council Member Steele expressed concern that this road isn’t even being considered, and said there are some major issues with the road. He said the property owners do have a right to do something with their property.

Council Member Stevenson agreed that the road is insufficient, and there is a housing shortage in Sherman for low-cost apartments. But that road is insufficient to have that many cars traveling on it. He asked if something could be done in the agreement with the developer, to expand the road.

Council Member Steele confirmed that there is no road on the “back side.” Council Member Teamann confirmed that the developer is donating right-of-way, along O.B. Groner Road. He said O.B. Groner Road, to Friendship Road needs to be addressed, and he asked if it could be moved up on the project list.

Mr. Hefton said if the Council wants, the staff will “make it happen.” Normally, the City expands infrastructure as development warrants it. The biggest concern with the projects, seems to be about traffic, and density that relates to traffic.

The road itself, is on the Master Plan, to be expanded at some point, but until now, there has not been a reason to expand it. The current condition of the road is another subject, and it can certainly be put on the list for improvements. However, if the road is going to be expanded in the near future, the City probably doesn’t want to pay a lot of money for something that will be torn up soon.

Mr. Hefton said there would need to be internal discussions about what the scope of the project would be, to improve the road, west of FM 1417 to Friendship Road.

Council Member Steele verified that the corner has not been changed to a commercial zone. Mr. Rae said the “corner piece” is not part of the development.

Clint Philpott, Assistant City Manager, said the staff gets qualifications from engineering firms, and they can review and determine what firm would be the best for that project. The staff would also determine what makes the best sense, as to whether the project would go to Friendship Road or just for this development.

Council Member Howeth asked the developer if he was concerned about the road condition, and whether or not it can handle the traffic from the development.

Charlie Moussa, 1916 Kipling Drive, Flower Mound

Mr. Moussa is the developer of the project. He said this will be a three-story, garden walk-up apartment complex. He said the road

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does need some improvements. He said the roads do need to be developed to accommodate the amenities.

Council Member Melton asked Mr. Moussa if he was saying they would pay for the cost of improvements to that road.

Mr. Moussa said usually, if there is a road that needs to be improved, they usually pay for their half of the road, and the City would pay for the other side. But it would need to be an improvement that is fair to their development, but also to the engineering standards of the City.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6426, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: Melton, Steele.

MOTION CARRIED.

RESOLUTION NO. 6785 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE I IMPROVEMENTS AND INVESTMENTS IN PHASE I TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS

**RES 6785
TEXAS INSTRUMENTS
TAX ABATEMENT
PHASE I**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE I IMPROVEMENTS AND INVESTMENT IN PHASE I TANGIBLE PERSONAL PROPERTY WITHIN THE CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS.

Council Member Teamann said the new Texas Instruments facility would be a big deal for Sherman, but he was concerned about how the contract was drafted and some of the language about the minimums and the taxable value versus investment value.

He did believe that it would have a much larger financial impact on the Sherman Independent School District than it does for the City of Sherman. Therefore, he would support the agreement.

Council Member Melton said she was in favor of the new Texas Instruments facility coming into Sherman, and is in favor of giving incentives. However, she said she was not in favor of “giving away the farm” to get anyone here, and was not in favor of 90%. She added that she would not vote against it, because it is good for the citizens to have the new Texas Instruments facility.

RESOLUTION NO. 6786 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE II IMPROVEMENTS AND INVESTMENTS IN PHASE II TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN

**RES 6786
TEXAS INSTRUMENTS
TAX ABATEMENT
PHASE II**

INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE II IMPROVEMENTS AND INVESTMENT IN PHASE II TANGIBLE PERSONAL PROPERTY WITHIN THE CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS.

RESOLUTION NO. 6787 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE III IMPROVEMENTS AND INVESTMENTS IN PHASE III TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE III IMPROVEMENTS AND INVESTMENT IN PHASE III TANGIBLE PERSONAL PROPERTY WITHIN THE CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS.

RES 6787
TEXAS INSTRUMENTS
TAX ABATEMENT
PHASE III

RESOLUTION NO. 6788 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE IV IMPROVEMENTS AND INVESTMENTS IN PHASE IV TANGIBLE PERSONAL PROPERTY WITHIN CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR PHASE IV IMPROVEMENTS AND INVESTMENT IN PHASE IV TANGIBLE PERSONAL PROPERTY WITHIN THE CITY OF SHERMAN INDUSTRIAL REINVESTMENT ZONE NUMBER ELEVEN (#11), CITY OF SHERMAN, TEXAS.

RES 6788
TEXAS INSTRUMENTS
TAX ABATEMENT
PHASE IV

RESOLUTION NO. 6789 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE I IMPROVEMENTS AND PHASE I TANGIBLE PERSONAL PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE I IMPROVEMENTS AND PHASE I TANGIBLE PERSONAL PROPERTY.

RES 6789
TEXAS INSTRUMENTS
CHAPTER 380
AGREEMENT
PHASE I

RESOLUTION NO. 6790 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE II IMPROVEMENTS AND PHASE II TANGIBLE PERSONAL PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE II IMPROVEMENTS AND PHASE II TANGIBLE PERSONAL PROPERTY.

RES 6790
TEXAS INSTRUMENTS
CHAPTER 380
AGREEMENT
PHASE II

RESOLUTION NO. 6791 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE III IMPROVEMENTS AND PHASE III TANGIBLE PERSONAL PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE III IMPROVEMENTS AND PHASE III TANGIBLE PERSONAL PROPERTY.

RES 6791
TEXAS INSTRUMENTS
CHAPTER 380
AGREEMENT
PHASE III

RESOLUTION NO. 6792 – AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE IV IMPROVEMENTS AND PHASE IV TANGIBLE PERSONAL PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH TEXAS INSTRUMENTS INCORPORATED FOR THE GRANT OF INCENTIVES PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE FOR PHASE IV IMPROVEMENTS AND PHASE IV TANGIBLE PERSONAL PROPERTY.

RES 6792
TEXAS INSTRUMENTS
CHAPTER 380
AGREEMENT
PHASE IV

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution Nos. 6785, 6786, 6787, 6788, 6789, 6790, 6791, and 6792, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6793 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO CROWN HOMES OF TEXAS, LLC FOR THE INSTALLATION OF A TEN (10) FOOT ASPHALT ACCESS DRIVE WITHIN THE UNIMPROVED PLATTED PUBLIC RIGHT OF WAY SHOWN AS CALGARY STREET, ADJACENT TO LOT 2, BLOCK

RES 6793
ENCROACHMENT
FOR ASPHALT
ACCESS DRIVE –
CALGARY DRIVE

13 OF PARKHAVEN ADDITION, SECTION 4, VOLUME 9, PAGE 46, PLAT RECORDS, GRAYSON COUNTY, TEXAS, FOR SIDE ENTRY PURPOSES FOR LOT 2, BLOCK 13 OF SAID PARKHAVEN ADDITION, SECTION 4 IN THE CITY OF SHERMAN

(602 BAKER PK)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO CROWN HOMES OF TEXAS, LLC FOR THE INSTALLATION OF A TEN (10) FOOT ASPHALT ACCESS DRIVE WITHIN THE UNIMPROVED PLATTED PUBLIC RIGHT OF WAY OF CALGARY DRIVE, ADJACENT TO LOT 2, BLOCK 13 OF PARKHAVEN ADDITION, SECTION 4, VOLUME 9, PAGE 46, PLAT RECORDS, GRAYSON COUNTY, TEXAS, FOR SIDE ENTRY PURPOSES FOR LOT NUMBER 2, BLOCK 13 OF SAID PARKHAVEN ADDITION, SECTION 4, IN THE CITY OF SHERMAN.

Mr. Lee said the house built at 602 Baker Park Drive has a side entry garage that faces Calgary Street. At some time in the future, Calgary Street will be extended, probably with Baker Estates Subdivision, which is currently under design. The road did not get constructed prior to the construction of this house.

He said the owner is requesting a temporary, asphalt paved surface from their driveway along the unimproved Calgary Street, to Baker Park Road.

Mr. Hefton clarified that this asphalt paved surface is meant to be temporary, until Calgary Street is extended, in the future. Mr. Philpott said they are already reviewing the site plan and it will match the other houses in that subdivision. Council Member Melton verified that the developer will pay for the asphalt drive.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6793, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6794 – AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM SILSBEE FLEET THROUGH THE TIPS PURCHASING COOPERATIVE

RES 6794
POLICE VEHICLES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF FOUR CHEVROLET TAHOE POLICE PATROL VEHICLES FOR THE SHERMAN POLICE DEPARTMENT FROM SILSBEE FLEET THROUGH THE TIPS PURCHASING COOPERATIVE.

CONSENT AGENDA.

RESOLUTION NO. 6795 – AUTHORIZING THE PURCHASE OF TWO NEW FORD F-150 TRUCKS FOR THE SHERMAN POLICE DEPARTMENT FROM HOLIDAY AUTOGROUP THROUGH AN EXISTING INTERLOCAL COOPERATION AGREEMENT WITH TARRANT COUNTY, TEXAS

RES 6795
POLICE VEHICLES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF TWO NEW FORD F-150 TRUCKS FOR THE SHERMAN POLICE DEPARTMENT FROM THE HOLIDAY AUTOGROUP THROUGH AN EXISTING INTERLOCAL COOPERATION AGREEMENT WITH TARRANT COUNTY, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6796 – AUTHORIZING THE PURCHASE OF A MICROSOFT ENTERPRISE AGREEMENT THROUGH SOFTWAREONE UNDER THE TEXAS DEPARTMENT OF INFORMATION RESOURCES – CONTRACT DIR-TSO-4061

RES 6796
MICROSOFT OFFICE
365 ONLINE ACCESS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A MICROSOFT ENTERPRISE AGREEMENT THROUGH SOFTWAREONE UNDER THE TEXAS DEPARTMENT OF INFORMATION RESOURCES – CONTRACT DIR-TSO-4061.
CONSENT AGENDA.

RESOLUTION NO. 6797 – AUTHORIZING THE PURCHASE OF COMPUTERS FROM DELL TECHNOLOGIES – CONTRACT DIR-TSO-3763

RES 6797
COMPUTER
PURCHASE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF COMPUTERS FROM DELL-CONTRACT DIR-TSO-3763.
CONSENT AGENDA.

**REQUEST TO ADVERTISE
FIBER OPTIC NETWORK DESIGN AND INSTALLATION**

REQ TO ADVERTISE
FIBER OPTIC
DESIGN &
INSTALLATION

The City Council approved the request to advertise for bids for design and installation of a new fiber optic network. The City has two needs for additional network fiber capacity throughout the City.

Currently, a one gigabit, 20-year old fiber network connects existing facilities. To meet current and growing bandwidth needs, a new fiber optic network is necessary to provide a minimum of 10 gigabit capabilities. The second need is for fiber to connect the new police headquarters facility to the City's network.
CONSENT AGENDA.

**OTHER BUSINESS
RECEIVE AN UPDATE ON THE DOWNTOWN SANITARY SEWER
EVALUATION SURVEY**

DOWNTOWN
SANITARY SEWER
EVALUATION SURVEY

Mr. Lee presented an update on the Downtown Sanitary Sewer Evaluation Survey. Earlier this year the Council directed the staff to look into sewer lines in the downtown area, due to odor complaints that seemed to be attributable to the condition of the sewer lines.

In February, the Council approved a professional services agreement with Burgess & Niple, Inc., for approximately \$87,000, to perform a Sanitary Sewer Evaluation Study of the downtown sewer mains.

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The survey included smoke testing of the mains, manhole inspections, television inspections of the sewer mains, and an analysis of the system.

The area analyzed was bordered on the west by Hwy 75, on the east by Walnut Street and Branch Street, and on the south by Cherry Street.

Burgess & Niple smoke tested over 40,000 feet of pipe, and identified issues with five City lines, 35 City manholes, and 32 private lines. He showed a heat map of the smoke testing and the issues that were identified.

The company visually inspected 131 manholes, and identified 143 defects in the manholes, some having more than one defect. There were also 322 pipe defects at the manholes.

Because of the condition of some of the sewer mains, they weren't able to televise all of them, but they were able to check 20,587 feet of pipe. Of that, 680 defects were observed.

Mr. Lee said, during the inspection, they discovered that there are also some roof drains that are connected to the sewer system, which could overload the system and backup during heavy flows. He said these should be disconnected and drained over ground.

The study also revealed some above ground sewer lines that were encased in concrete, up against a building. There was also found to be some defects in this encased sewer pipe, during the smoke testing.

Smoke testing the manholes indicated defects where, during rain events, water can enter the sewer system, and when it's not raining, odor probably escapes the manholes. He said some issues might be repaired by replacing the manhole cover.

Mr. Lee said Burgess & Niple identified three areas for rehabilitation, with Phase 1 being the most concentrated number of defects and issues to be addressed. Estimated cost to rectify those issues is \$1.7 million.

Phase 2 has many issues, but not as much as Phase 1. Estimated cost of rehabilitation is \$4.9 million. Phase 3 contains a few minor issues, and is estimated to cost about \$765,000. He said, according to the analysis, no City pipe size increases are needed if the defects are addressed.

Council Member Melton said there are probably grants available that would help with the cost of the repairs.

Mr. Hefton said the City asked the questions, what are the problems, what is the scope of problems, is it on the City side, or the private side. He said the answer is that it is on both sides. He added that public dollars can't be used on the private side for repairs. But he did say the City should do something about the defects on the "City side."

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Mr. Hefton said there is money in the Downtown Reinvestment Zone that can be used. He said there's not \$7 million or \$8 million. He said the Council might want to begin actual improvements in a phased way. He felt that Phase 1 could be done with the ability of the TIRZ to pay for it through bonding, serviced by the TIRZ money, or combined with money on hand.

He said this was a study to identify the problems, there needs to be engineering to "fix" the problems, then construction on the actual projects. He also suggested looking at that and assessing whether there are other things downtown that the City should focus on. This is one of two utility services that the City has downtown. They also have parking lots, streets, and sidewalks too.

Mr. Hefton said the staff would want direction from the Council on which way to go with TIRZ money and the projects.

Council Member Teamann asked what the TIRZ could support with the current dollars. Mr. Hefton said he thought it was in the \$2.5 million to \$3 million range. Mary Lawrence, Director of Finance, said it was \$2 million for debt service.

Mayor Plyler asked if staff could take the information for Phase 1 of the study, and combine it with an overall plan that also includes things in that same area, that need to be repaired such as a water line, or asphalt and paving, and wrap it up into one project.

Mayor Plyler also mentioned parking lots that might need to be repaired. Mr. Hefton said there are no parking lots that belong to the City in Phase 1. There have been conversations about the parking lot located east of Camino Viejo. There has been a discussion with the owners about allowing public access in that parking lot. If that was the case, the City would do some work on the lot to allow public use.

Mayor Plyler asked how they would identify the scope of work for the projects. Mr. Lee said with an engineering contract they could identify the entire Phase 1 area and determine what the scope would need to be.

Council Member Stevenson felt the City should start the engineering process and then they'll have a better idea about what the \$1.7 million includes. This would also help with the cost of the plan, including if the TIRZ could support a part of the plan.

Council Member Teamann agreed with Mayor Plyler about looking at "surface things" too, such as the parking lot. Basically, anything that could be done in the same phase.

Mr. Hefton asked if the Council would like to maximize what can be done through the TIRZ, because there are more improvements to make than there is TIRZ money.

Council Member Melton reiterated that the City needs to look at grants to see if some of the improvements can be done through

COUNCIL MINUTES – OCTOBER 18, 2021

grant money. She preferred to use grants instead of bonds, and wanted to look at other options.

Council Member Stevenson said the money in the TIRZ belongs to the City, and that money can be used to pay for borrowing money. He would like to stay “cost neutral” and look at opportunities to do things “above ground” as well. He felt there would be more information after the engineering was completed on the projects, and urged the staff to “move in that direction.”

Mr. Hefton clarified the next steps. This would include the engineering on Phase 1 underground sanitary sewer, while looking at other financing alternatives, such as grants.

Mr. Hefton said there is currently no debt on the TIRZ money, they have just been accumulating money and doing miscellaneous projects, such as sidewalk improvements.

Council Member Steele clarified that the \$1.7 million estimate for Phase 1, does include engineering costs.

Council Member Teamann asked, if there was a developer that wanted to locate an apartment building in the downtown area, could the sewer system handle it and additional restaurants, basically the future capacity of the system.

Mr. Rae said one of the challenges of multi-family development downtown is getting fire protection to the second and third floors of a building. He said they’ve been working with developers on how to get “enough flow.”

Council Member Howeth said she would like the City to move forward and repair the parking lot next to Camino Viejo for public access, if the owners are amenable to that.

FINAL PLAT APPROVAL OF KLEMENT ADDITION BEING 0.727 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504; KARL KLEMENT PROPERTIES, INC., OWNER, UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR, AND ASM ARCHITECTS, INC., ARCHITECT (2324 TEXOMA PARKWAY)

The City Council approved the Final Plat of the Klement Addition, a 0.727 acre tract, located at 2324 Texoma Parkway.

**APPROVE FINAL PLAT
KLEMENT ADDITION
(2324 TEXOMA PKWY)**

The property was formally the China Star Restaurant, and is zoned C-2 (General Commercial) District. The owner would like to plat the property into one lot for commercial development of Roy’s Wash-N-Dry, a 7,528 square foot facility. Parking will be provided for 40 spaces.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

FINAL PLAT APPROVAL OF FRIENDS OF OWN DECOY ESTATES IN THE CITY OF SHERMAN’S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 4.188 ACRES IN THE JOSEPH DEAYER SURVEY,

**APPROVE FINAL PLAT
FRIENDS OF OWN
DECOY ESTATES**

ABTRACT NO. 359; OWN DECOY HOLDINGS, LLC, OWNER AND HELVEY-WAGNER SURVEYING, SURVEYOR, (603 NORTH FRIENDSHIP ROAD)

(603 N. FRIENDSHIP RD)

The City Council approved the Final Plat of Friends of Own Decoy Estates in the City's Extra Territorial Jurisdiction. The 4.188 acre tract is located at 603 North Friendship Road. The owner is requesting to plat the property into four lots for residential development.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF HOLLEY TRADES ADDITION, A REPLAT OF LOT 3, BLOCK 2, MAYHEW ADDITION, BEING 0.295 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING ALL OF LOT 3, BLOCK 2, MAYHEW ADDITION; TEXAS PLATINUM HOMES LLC, OWNER AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1523 SOUTH AUSTIN STREET)

APPROVE REPLAT
HOLLEY TRADES
ADDITION
(1523 S. AUSTIN ST)

The City Council approved the Replat of Holley Trades Addition, a 0.295 acre tract, located at 1523 South Austin Street.

The property is zoned an R-1 (One-Family Residential) District. The owner would like to Replat the property into two lots for residential development.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF LOTS 1 & 2 OF NORTHGATE BUSINESS PARK, PHASE ONE, BEING LOTS 1 & 2, BLOCK 2, NORTHGATE BUSINESS PARK PHASE 1; SHERMAN ECONOMIC DEVELOPMENT CORPORATION, OWNER AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (3232 NORTHGATE DRIVE)

APPROVE REPLAT
NORTHGATE
BUSINESS PARK
PHASE ONE
(3232 NORTHGATE DR)

The City Council approved the Replat of Northgate Business Park, Phase One, located at 3232 Northgate Drive. The property is zoned (Blalock Industrial Park) and also located in the O-1.1 (FM 1417) Overlay District. The owner would like to Replat two lots into one lot for development of 903 Brewers.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF TOBAR 810 EAST MULBERRY ADDITION, A REPLAT OF LOTS 19 AND 20, BLOCK 14, CHAFFIN'S FIRST ADDITION, BEING 0.164 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 AND BEING ALL OF LOTS 19 AND 20, BLOCK 14, CHAFFIN'S FIRST ADDITION; TOBAR PROPERTIES LLC, OWNER AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (810 EAST MULBERRY STREET)

APPROVE REPLAT
TOBAR 810 EAST
MULBERRY ADDITION
(810 E. MULBERRY ST)

The City Council approved a Replat of Tobar 810 East Mulberry Addition, a 0.164 acre tract, located at 810 East Mulberry Street.

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The property is zoned an R-1 (One-Family Residential) District. The owner was approved for a zone change from an M-2 (Heavy Manufacturing) District to an R-1 (One-Family Residential) District on September 7, 2021. He was granted an exception to allow a 50' wide lot at the September 21, 2021 Planning and Zoning Commission Meeting. The owner would like to Replat the property into one lot for residential development.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF PART OF LOT 1, JAMES PLAZA ADDITION, BEING PART OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION; SHERMAN PAG1, LLC, OWNER AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1804 NORTH U.S. HIGHWAY 75)
The City Council approved the Replat of part of Lot 1, James Plaza Addition, located at 1804 North U.S. Highway 75.

**APPROVE REPLAT
JAMES PLAZA
ADDITION
(1804 N. HWY 75)**

The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District. The owner would like to plat the property into one lot for commercial development of the automobile sales.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF TENNESSEE STREET SUITES, A REPLAT OF LOT 5 AND THE WEST 56' OF LOT 4, BLOCK D, ED MOORE'S FAIRGROUND ADDITION, BEING THE WEST 56 FEET OF LOT 4 AND ALL OF LOT 5, BLOCK D OF ED MOORE'S FAIRGROUND ADDITION, CONTAINING 0.385 ACRES; CARL R. BUSSEY, OWNERS AND COPLEY LAND SURVEYING, SURVEYOR (319 & 329 WEST TENNESSEE STREET)
The City Council approved the Replat of Tennessee Street Suites, a 0.385 acre tract, located at 319 and 329 West Tennessee Street.

**APPROVE REPLAT
TENNESSEE STREET
SUITES
(319 & 329 W.
TENNESSEE ST)**

The property is zoned an R-1 (One-Family Residential) District. The owner would like to Replat the property into two lots for residential development.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

MEDIA QUESTIONS
There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS
DOWNTOWN SEWER STUDY
Council Member Stevenson thanked the staff for looking into the downtown sewer problem. There is a strong desire to improve the downtown area and this is a very important improvement to make, and is the foundation for everything else.

**DOWNTOWN
SEWER STUDY**

DOWNTOWN SEWER STUDY

Council Member Teamann agreed about the downtown sewer study and said he appreciated all the work that has gone into and will continue to go into that project.

**DOWNTOWN
SEWER STUDY**

WEEKEND WATER MAIN BREAK

Council Member Teamann said there was a major water main break over the weekend at Houston and Lamar Streets. He said within an hour of it being reported, the crews were making repairs. He said he appreciated the response times and the effort that went into the repair.

**WEEKEND WATER
MAIN BREAK**

DOWNTOWN SEWER STUDY

Deputy Mayor Holland said as a person that has a business in the downtown area, he really appreciated the sewer study and the repairs that the City plans to make to address the problems.

**DOWNTOWN
SEWER STUDY**

TEXAS INSTRUMENTS INCENTIVE PACKAGE

Council Member Howeth said there were a lot of numbers that were discussed tonight concerning the incentive package for Texas Instruments. She said the Council gets used to dealing with “millions of dollars,” but they aren’t use to dealing with “billions of dollars.”

**TEXAS INSTRUMENTS
INCENTIVE PACKAGE**

She said the Council felt that the potential for Texas Instruments to come to Sherman and how it will change the community, will be for the better. She said they didn’t take the numbers lightly, but even before it was announced that they might be coming to Sherman, the Council has met and discussed the issue many times.

They have worked hard to provide the best incentive package to get the company to select Sherman as the site for the new plant. She reiterated, that they do not take those numbers lightly.

TEXAS INSTRUMENTS INCENTIVE PACKAGE

Council Member Melton said the Council does want Texas Instruments in Sherman. She said it does matter when citizens attend City Council Meetings, and let their voice be heard.

**TEXAS INSTRUMENTS
INCENTIVE PACKAGE**

FIRST DAY OF EARLY VOTING

Council Member Melton said this was the first day of Early Voting for the Municipal Election, to be held on November 2, 2021. She urged everyone to get out and vote.

**FIRST DAY OF
EARLY VOTING**

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Early Voting for the 2021 Election started today and will be held at the Elections Office for the next two weeks. Citizens can also vote on Election Day, November 2, 2021.
- This year, Fright Fest will be held on October 30, 2021, at Pecan Grove Park. The new location should provide a lot of room for the crowds and for parking.
- Trick or Treat on Travis Street will be held on October 29, 2021, starting at 6:00 p.m.

ANNOUNCEMENTS

CITY MANAGER COMMENTS

Mr. Hefton related a story about being on vacation in Sedona, Arizona, last week. He was playing golf and met a gentleman that retired about five years ago.

The man currently lives in California, because his daughter and grandchildren live there. He began talking about how he would love to live in Texas, and has done a lot of research about where he would like to live. He said he had selected a community in North Texas where he would like to move, if he could get his family to move there. The community was Sherman.

Mr. Hefton said, 1,500 miles away, a man he just met said if he could move anywhere in Texas, he would move to Sherman, Texas. The gentleman was a retired City Manager from a town in California. Mr. Hefton said “the word is out on Sherman.”

**CITY MANAGER
COMMENTS**

**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

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

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

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

There was no need for an Executive Session.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
6:39 p.m.

ADJOURNMENT

MAYOR

CITY CLERK