

STATE OF TEXAS

§

January 6, 2025

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Community Room of the Sherman Police Headquarters, 2600 W. Travis Street, on January 6, 2025.

MEMBERS PRESENT:

MAYOR SHAWN TEAMANN; DEPUTY MAYOR JUSTON DOBBS.
COUNCIL MEMBERS BARNETT, HOWETH, MARROQUIN,
STEVENSON.

MEMBERS ABSENT:

COUNCIL MEMBER HOLLAND.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 16, 2024. Council Member Stevenson moved to approve the Minutes, as presented; Second by Council Member Barnett; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZEN'S COMMENTS

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately.

CONSENT AGENDA

Mayor Teamann removed Item G-3, entitled "Authorize Partial Payout of Accumulated Paid Time Off," from the Consent Agenda for discussion after the Executive Session.

The Council reviewed the Consent Agenda. Council Member Barnett moved to approve the Consent Agenda, with the exception of Item G-3, which will be discussed after the Executive Session. Second by Council Member Stevenson. All present voted AYE.

Mayor Teamann introduced Ordinance No. 6799 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING MULTIPLE RIGHTS OF WAY IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, SAID RIGHTS OF WAY BEING ESTABLISHED IN VOLUME 5, PAGE 1; VOLUME 9, PAGE 3; AND VOLUME 16, PAGE 164, PLAT RECORDS, GRAYSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBITS "A," "B," AND "C" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ORD 6799
ABANDONING
ROW EASEMENT
(HILLTOP ESTATES,
HILLTOP 2 ESTATES,
& MIDWAY ESTATES)

Wayne Lee, Director of Engineering, said this was a request from the property owner working on Sweetwater Springs Phase 2, to abandon some old rights-of-way associated with Midway Estates and Hilltop Estates. The locations of the rights-of-way were revised to better fit with the proposed alignment of the roadways.

No citizens appeared before the City Council to discuss Ordinance No. 6799.

The Public Hearing was closed.

Ordinance 6799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING MULTIPLE RIGHTS OF WAY IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, SAID RIGHTS OF WAY BEING ESTABLISHED IN VOLUME 5, PAGE 1; VOLUME 9, PAGE 3; AND VOLUME 16, PAGE 164, PLAT RECORDS, GRAYSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBITS "A," "B," AND "C" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ORD 6799

ABANDONING
ROW EASEMENT
(HILLTOP ESTATES,
HILLTOP 2 ESTATES,
& MIDWAY ESTATES)

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6799, as presented. Second by Deputy Mayor Dobbs.

VOTING AYE: Teamann, Barnett, Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7457 -- AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED FOR THE PURCHASE OF LOTS 6 & 7 OF KESSLER VIEW ADDITION KNOWN AS 112 KESSLER BLVD, SHERMAN, TEXAS

RES 7457

PURCHASE OF
PROPERTY
(112 KESSLER BLVD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AND SALE AGREEMENT AND SPECIAL WARRANTY DEED FOR THE PURCHASE OF LOT 6 & 7 OF THE KESSLER VIEW ADDITION KNOWN AS 112 KESSLER BLVD., SHERMAN, TEXAS.

Mr. Lee said these are repetitive flood properties and part of the structures are in the floodway of the creek. The property owner would like to sell the property to the City at a fair and equitable price.

By the City purchasing the property, it will allow them to divert some of the erosion between this lot and one to the south, where the erosion is threatening the structure of that house. With this purchase, the City can redirect the drainage.

Council Member Barnett asked if the property was being purchased with FEMA funds. Mr. Lee said FEMA funds would take a longer timeframe. Robby Hefton, City Manager, said it was being purchased with stormwater funds.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No.

7457, as presented. Second by Council Member Stevenson.

VOTING AYE: Teamann, Barnett, Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7458 -- ACCEPTING THE CONTRACT WITH RED RIVER CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF THE POST OAK WASTEWATER TREATMENT PLANT EQUALIZATION BASIN IMPROVEMENTS AS COMPLETE
A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH RED RIVER CONSTRUCTION COMPANY, INC. FOR THE POST OAK WASTEWATER TREATMENT PLANT EQUALIZATION BASIN IMPROVEMENTS AS COMPLETE.
CONSENT AGENDA.

RES 7458
POST OAK WWTP
EQUALIZATION BASIN

RESOLUTION NO. 7459 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE WASTEWATER TREATMENT AND WATER REUSE MASTER PLAN PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE WASTEWATER TREATMENT AND WATER REUSE MASTER PLAN PROJECT.
CONSENT AGENDA.

RES 7459
WWTP & WATER
REUSE MASTER
PLAN PROJECT

RESOLUTION NO. 7460 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR THE SWWTP-MBR SOLIDS THICKENING IMPROVEMENTS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR THE SWWTP-MBR SOLIDS THICKENING IMPROVEMENTS.
CONSENT AGENDA.

RES 7460
SWWTP - MBR
SOLIDS THICKENING
IMPROVEMENTS

RESOLUTION NO. 7461 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR THE SOUTH WWTP PHASE II EXPANSION
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR THE SOUTH WWTP PHASE II EXPANSION.
CONSENT AGENDA.

RES 7461
SWWTP PHASE II
EXPANSION

RESOLUTION NO. 7462 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WALTER P. MOORE & ASSOCIATES, INC. FOR THE BLANTON DRIVE DRAINAGE IMPROVEMENTS

RES 7462
BLANTON DR.
DRAINAGE
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WALTER P. MOORE & ASSOCIATES, INC. FOR THE BLANTON DRIVE DRAINAGE IMPROVEMENTS.

CONSENT AGENDA.

RESOLUTION NO. 7463 -- AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT TO ALTERRIAN CAPITAL, LLC FOR THE ENCROACHMENT OF A MONUMENT SIGN WITHIN A 15-FOOT UTILITY, LANDSCAPE & SIDEWALK EASEMENT ESTABLISHED IN INSTRUMENT NO. 2024-156, PLAT RECORDS, GRAYSON COUNTY, TEXAS, IN THE CITY OF SHERMAN

RES 7463
ENCROACHMENT
FOR MONUMENT
SIGN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT AGREEMENT TO ALTERRIAN CAPITAL, LLC FOR THE ENCROACHMENT OF A MONUMENT SIGN WITHIN 15-FOOT UTILITY, LANDSCAPE & SIDEWALK EASEMENT ESTABLISHED IN INSTRUMENT NO. 2024-156, PLAT RECORDS, GRAYSON COUNTY, TEXAS, IN THE CITY OF SHERMAN.

CONSENT AGENDA.

RESOLUTION NO. 7464 -- JOINING WITH THE STATE OF TEXAS AND POLITICAL SUBDIVISIONS OF THE STATE AS A PARTY IN THE GLOBAL OPIOID SETTLEMENT AGREEMENT REGARDING OPIOID USE AND DISTRIBUTION IN *IN RE: TEXAS OPIOID LITIGATION*, MDL NO. 2018-63587, IN THE 152ND DISTRICT COURT OF HARRIS COUNTY, TEXAS, AND OTHER LITIGATION; OPTING INTO THE KROGER GLOBAL SETTLEMENT AGREEMENT DATED AS OF MARCH 22, 2024; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT PARTICIPATION DOCUMENTS AND RATIFYING THE CITY MANAGER'S PRIOR EXECUTION OF THE SAME

RES 7464
OPIOID LITIGATION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, JOINING WITH THE STATE OF TEXAS AND POLITICAL SUBDIVISIONS OF THE STATE AS A PARTY IN THE GLOBAL OPIOID SETTLEMENT AGREEMENTS REGARDING OPIOID USE AND DISTRIBUTION IN *IN RE: TEXAS OPIOID LITIGATION*, MDL NO. 2018-63587, IN THE 152ND DISTRICT COURT OF HARRIS COUNTY, TEXAS, AND OTHER LITIGATION; OPTING INTO THE KROGER GLOBAL SETTLEMENT AGREEMENT DATED AS OF MARCH 22, 2024; AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT PARTICIPATION DOCUMENTS AND RATIFYING THE CITY MANAGER'S PRIOR EXECUTION OF THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

CONSENT AGENDA.

OTHER BUSINESS

APPOINT ACTING CITY MANAGER

Mayor Teamann said this Agenda Item would be discussed after the Executive Session.

APPOINT ACTING
CITY MANAGER

EMERGENCY REPAIR OF THE SHEPHERD #1 TRINITY WELL UNDER EMERGENCY DESIGNATION

The City Council approved the emergency repair of the Shepherd #1 Trinity Well under an Emergency Designation. The groundwater well has suffered damage by a lightning strike on November 6, 2024.

An inspection confirmed that the motor was damaged and the estimated cost to repair the well is approximately \$242,378. Insurance is expected to cover the repair, however any difference will be funded through the Utility Fund.

CONSENT AGENDA.

AUTHORIZE PARTIAL PAYOUT OF ACCUMULATED PAID TIME OFF

Mayor Teamann removed Item G-3 from the Consent Agenda for discussion after the Executive Session.

COUNCIL COMMENTS

- Council Members recognized the recent vehicle accidents in Sherman and thanked the Police Department, Fire Department, and the First Responders from surrounding communities and organizations that have helped in the search for Clara Robinson. They also asked that everyone keep the Robinson family in their prayers. (Shawn Teamann, Clay Barnett, Henry Marroquin, Pam Howeth, Juston Dobbs, Josh Stevenson)

ANNOUNCEMENTS

Mayor Teamann announced the following:

- Sherman Chamber of Commerce will hold their Annual Awards Banquet on January 23, 2025 in the Municipal Ballroom.
- Parks and Recreation will host their Annual Father-Daughter Dance on February 7 and 8, 2025.
- The Inaugural Sherman Showdown Food Truck Competition will be held in Downtown Sherman on May 3, 2025.
- The Salvation Army and Grand Central Station will be open as warming stations, during the upcoming bad weather event. The Municipal Ballroom will be on standby and will be opened if needed.

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.

EMERGENCY WELL
REPAIRS
SHEPHERD #1 TRINITY

PARTIAL PAYOUT
OF ACCUMULATED
SICK LEAVE

COUNCIL COMMENTS

ANNOUNCEMENTS

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

A) City Manager Position

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

TEXAS GOV'T CODE § 551.089 --

DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:12 p.m.

COUNCIL MINUTES – JANUARY 6, 2025

On Motion duly made and carried, the Executive Session recessed at 5:35 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

AUTHORIZE PARTIAL PAYOUT OF ACCUMULATED PAID TIME OFF

ACTION TAKEN.

Motion by Council Member Stevenson to approve the partial payout of accumulated paid time off to outgoing City Manager Robby Hefton, as presented. Second by Council Member Barnett.

PARTIAL PAYOUT
OF ACCUMULATED
SICK LEAVE

VOTING AYE: Teamann, Barnett, Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

APPOINT ACTING CITY MANAGER

ACTION TAKEN.

Motion by Deputy Mayor Dobbs to appoint Zachary Flores as Acting City Manager, on the terms discussed during Executive Session, effective March 1, 2025. Second by Council Member Barnett.

APPOINT ACTING
CITY MANAGER

VOTING AYE: Teamann, Barnett, Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:38 p.m.

ADJOURNMENT



MAYOR


CITY CLERK