

STATE OF TEXAS §
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on October 16, 2017.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JASON SOFEY. COUNCIL MEMBERS BROWN, HOWETH, T. STEELE, W. STEELE, TEAMANN.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Terrence Steele.

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting (held jointly with the Sherman Economic Development Corporation Board of Directors) on September 25, 2017, and the Regular City Council Meeting of October 2, 2017. Council Member Howeth moved to approve the Minutes as presented; Second by Deputy Mayor Sofey. All present voted AYE.

MOTION CARRIED.

WELCOME TO LEADERSHIP SHERMAN PARTICIPANTS

Eddie Brown, Chamber of Commerce President, introduced participants in the 32nd class of Leadership Sherman. The program was started in 1980, and this year's class is the largest with 35 participants. The program has provided many leaders in the community.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6064 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6051 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY.

Robby Hefton, City Manager, explained that the first three ordinances relate to the November 7, 2017 Election. These ordinances amend the original ordinances that called the Election, and appoint officials.

No citizens appeared before the City Council to discuss Ordinance No. 6064.

Mayor Plyler introduced Ordinance No. 6065 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6056 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING ONE (1) AT-LARGE, PLACE 1 CITY COUNCIL MEMBER TO FILL AN UNEXPIRED TERM UNTIL NOVEMBER 2018 FOR SAID CITY.

ORD 6065
SPECIAL ELECTION
(AT-LARGE, PLACE 1)

No citizens appeared before the City Council to discuss Ordinance No. 6065.

Mayor Plyler introduced Ordinance No. 6066 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6052 TO APPOINT ELECTION OFFICIALS, ADD EARLY VOTING LOCATIONS, AND RENAME AMENDMENTS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS.

ORD 6066
SPECIAL ELECTION
(CHARTER
AMENDMENTS)

No citizens appeared before the City Council to discuss Ordinance No. 6066.

Mayor Plyler introduced Ordinance No. 6067 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 TWO HOTELS AND AN EVENT CENTER IN A C-1 (RETAIL BUSINESS) DISTRICT AT 811 GRAHAM DRIVE, BEING LOT 3, BLOCK 1, SHERMAN TOWN CENTER, SECTION TWO (MOE HOSPITALITY, LLC, OWNERS; ANIL RAM, ADR-DESIGNS, LLC, REPRESENTATIVE/ ARCHITECT); 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 6067
SUP FOR TWO
HOTELS & EVENT
CENTER
(811 GRAHAM DR.)

Scott Shadden, Director of Development Services, said this is a Specific Use Permit for two hotels and an event center, to be located on the north end of Town Center. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6067.

Mayor Plyler introduced Ordinance No. 6068 and called for a public hearing:

ORD 6068
ZONE CHANGE

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 AT 19325 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER.

(19325 W. US
HWY 82)

Mr. Shadden said this is a zone change from R-A to C-1, and is in compliance with the City's Master Plan. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6068.

Mayor Plyler introduced Ordinance No. 6069 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 TATTOO STUDIO (PERMANENT MAKEUP) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 19311 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); 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 6069
SUP FOR TATTOO
STUDIO
(19311 W. US
HWY 82)

Mr. Shadden said this is a permanent makeup, tattoo studio, and requires a license by the State of Texas. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6069.

Mayor Plyler introduced Ordinance No. 6070 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 SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 112 WEST STAPLES STREET, BEING A PART OF BLOCK B, STAPLES ADDITION, CONTAINING 6,292 SQUARE FEET OF LAND (YOUNG ENTERPRISES, OWNER; TODD YOUNG, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ORD 6070
ZONE CHANGE
(112 W. STAPLES)

Mr. Shadden said this request is for a zone change from C-1 to SF-1, for construction of a new home.

COUNCIL MINUTES – OCTOBER 16, 2017

No citizens appeared before the City Council to discuss Ordinance No. 6070.

Mayor Plyler introduced Ordinance No. 6071 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 R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1714 NORTH WOODS STREET, BEING THE NORTH 15' OF LOT 17 AND THE SOUTH 45' OF LOT 15, BLOCK B, MAXEY ADDITION (BARTON CAPITAL, LTD, OWNER; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ORD 6071
ZONE CHANGE
(1714 N. WOODS)

Mr. Shadden said the row of houses are zoned Commercial and this request is for a zone change on one lot to change to SF-1, for construction of a new home. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6071.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6051 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY.

ORD 6064
REGULAR ELECTION

Ordinance 6065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6056 TO APPOINT ELECTION OFFICIALS AND ADD EARLY VOTING LOCATIONS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF ELECTING ONE (1) AT-LARGE, PLACE 1 CITY COUNCIL MEMBER TO FILL AN UNEXPIRED TERM UNTIL NOVEMBER 2018 FOR SAID CITY.

ORD 6065
SPECIAL ELECTION
(AT-LARGE, PLACE 1)

Ordinance 6066

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6052 TO APPOINT ELECTION OFFICIALS, ADD EARLY VOTING LOCATIONS, AND RENAME AMENDMENTS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 7TH DAY OF NOVEMBER, 2017, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS.

ORD 6066
SPECIAL ELECTION
(CHARTER
AMENDMENTS)

Ordinance 6067

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 TWO HOTELS AND AN EVENT CENTER IN A C-1 (RETAIL BUSINESS) DISTRICT AT 811 GRAHAM DRIVE, BEING LOT 3, BLOCK 1, SHERMAN TOWN CENTER, SECTION TWO (MOE HOSPITALITY, LLC, OWNERS; ANIL RAM, ADR-DESIGNS, LLC, REPRESENTATIVE/ ARCHITECT); 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 6067
SUP FOR TWO
HOTELS & EVENT
CENTER
(811 GRAHAM DR.)

Ordinance 6068

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 AT 19325 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER.

ORD 6068
ZONE CHANGE
(19325 W. US
HWY 82)

Ordinance 6069

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 TATTOO STUDIO (PERMANENT MAKEUP) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 19311 WEST U.S. HIGHWAY 82, BEING 2.893 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538 (JOBABY, LLC, DEREK IRVIN, OWNER; MADELYN GREENWOOD, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYORS); 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 6069
SUP FOR TATTOO
STUDIO
(19311 W. US
HWY 82)

Ordinance 6070

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 SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 112 WEST STAPLES STREET, BEING A PART OF BLOCK B, STAPLES ADDITION, CONTAINING 6,292 SQUARE FEET OF LAND (YOUNG ENTERPRISES, OWNER; TODD YOUNG, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ORD 6070
ZONE CHANGE
(112 W. STAPLES)

Ordinance 6071

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 R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT

ORD 6071
ZONE CHANGE
(1714 N. WOODS)

1714 NORTH WOODS STREET, BEING THE NORTH 15' OF LOT 17 AND THE SOUTH 45' OF LOT 15, BLOCK B, MAXEY ADDITION (BARON CAPITAL, LTD, OWNER; AND SARTIN & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Terrence Steele to adopt Ordinance Nos. 6064, 6065, 6066, 6067, 6068, 6069, 6070, and 6071, as presented. Second by Council Member Shawn Teamann.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Sofey asked to remove Item F-3, entitled "Replat Approval of Part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition; Sofey Construction & Design, LLC, Owners; and Underwood Drafting & Surveying, Inc., Surveyor (320 West Birge Street and the 900 Block of North Sam Rayburn Freeway)," from the Consent Agenda for consideration in its regular order of business.

Council Member Howeth moved to approve the Consent Agenda, with the exception of Item F-3, which will be considered in its regular order of business. Second by Council Member Willie Steele. All Council Members present voted AYE.

RESOLUTIONS

RESOLUTION NO. 6280 – AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SHERMAN MUSEUM FOR EXPENDITURE OF A PORTION OF THE FUNDS COLLECTED BY THE CITY OF THE HOTEL/MOTEL OCCUPANCY TAX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SHERMAN MUSEUM FOR EXPENDITURE OF A PORTION OF THE FUNDS COLLECTED BY THE CITY OF THE HOTEL-MOTEL OCCUPANCY TAX.

Steve Ayers, Assistant City Manager, said the staff is recommending that the Council authorize a contract with the Sherman Museum, which will continue the partnership that the City and the Museum have had for many years.

The proposed contract will be consistent with the contract that has been in effect for several years, and will be paid in quarterly installments from the Hotel/Motel Occupancy Tax. The grant will total \$70,000 for the year.

CONSENT AGENDA

**RES 6280
SHERMAN MUSEUM
FUNDING**

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution No. 6280, as presented. Second by Council Member Willie Steele.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6281 – AUTHORIZING THE EXECUTION OF A CONTRACT WITH HALFF ASSOCIATES, INC. FOR FLOODPLAIN MAPPING UPDATES AND REGIONAL DETENTION ANALYSIS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH HALFF ASSOCIATES, INC. FOR FLOODPLAIN MAPPING UPDATES AND REGIONAL DETENTION ANALYSIS.

RES 6281
FLOODPLAIN
MAPPING UPDATES

Clint Philpott, Director of Engineering, said the next four items relate to the City's Stormwater Program, and is the first step toward improving the floodplain in the stormwater system.

This item is a contract with Halff Associates, to update the City's floodplain maps and will analyze the best location for a new regional detention facility.

The other three items are property acquisition, specifically one commercial property and seven residential structures. All the structures flooded in the most recent August 2017 flood. All are located in the floodplain and have flood insurance.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6281, as presented. Second by Council Member Terrence Steele.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6282 – AUTHORIZING THE EXECUTION OF A CONTRACT WITH ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM THE APPLIED PSYCHOLOGY GROUP OF TEXOMA, P.A. FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 1721 WEST LAMAR STREET, BEING 0.761 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT AND ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM THE APPLIED PSYCHOLOGY GROUP OF TEXOMA, P.A. FOR THE CONVEYANCE AND ACQUISITION

RES 6282
PURCHASE OF
PROPERTY IN
FLOODPLAIN
(1721 W. LAMAR)

OF PROPERTY LOCATED AT 1721 WEST LAMAR STREET, BEING 0.761 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS.

Mayor Plyler referenced the part that the Federal Emergency Management Agency is playing in the purchase of these properties.

Mr. Hefton said the plan for this area was to purchase all the properties that flooded, which was estimated to cost about \$1 million to \$1.1 million. Because these properties either had FEMA insurance or were part of the FEMA grant that the City received, the City's portion, through the newly created Stormwater Program, would be \$200,000 to \$300,000, instead of \$1.1 million. Therefore, the City is leveraging local dollars at a three or four-to-one match with Federal money.

Mr. Hefton felt this was a great, first use of the Stormwater Program. Council Member Howeth confirmed that the property owners that are selling their property to the City are happy about the sale, because their property has flooded.

Council Member Teamann confirmed that the plan was to demolish the structures that were located on the property and create green space. Mr. Hefton said there will be some maintenance on the property.

In the future, it is hoped that these properties will become a part of the City's park inventory, even if it's open green space or part of a trail system. Deed restrictions will also be added, so structures can't be built on the property in the future.

Council Member Willie Steele confirmed that there are three buildings on Regency Circle that weren't purchased. These three are furthest from the creek and the owner did not want to sell them.

ACTION TAKEN.

Motion by Council Member Terrence Steele to adopt Resolution No. 6282, as presented. Second by Council Member Willie Steele.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6283 – AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 621-623, 625-627 AND 633-635 REGENCY CIRCLE AND AT 1134-1136 AND 1138-1140 WEST WASHINGTON STREET, BEING LOTS 4, 5, 7 AND 9 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF

RES 6283
PURCHASE OF
PROPERTY IN
FLOODPLAIN
(REGENCY CIRCLE
& W. WASHINGTON)

GRAYSON COUNTY, TEXAS, AND APPROXIMATELY 0.22 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, ALL PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 621-623, 625-627 AND 633-635 REGENCY CIRCLE AND AT 1134-1136 AND 1138-1140 WEST WASHINGTON STREET, BEING LOTS 4, 5, 7, AND 9 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, AND APPROXIMATELY 0.22 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, ALL PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution No. 6283, as presented. Second by Council Member Howeth

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6284 – AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 629-631 AND 638-640 REGENCY CIRCLE, BEING LOTS 6 AND 8 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, SAID PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM RALPH COURTNEY AND JACQUELINE COURTNEY FOR THE CONVEYANCE AND ACQUISITION OF PROPERTIES LOCATED AT 629-631 AND 638-640 REGENCY CIRCLE, BEING LOTS 6 AND 8 OF THE REPLAT OF BELAIRE THIRD ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 3, PAGE 2 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, SAID PROPERTIES BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

RES 6284
PURCHASE OF
PROPERTY IN
FLOODPLAIN
(REGENCY CIRCLE)

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6284, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6285 – AUTHORIZING EXECUTION OF A CONTRACT WITH PARSONS COMMERCIAL ROOFING FOR ROOF REPAIRS TO THE EQUIPMENT SERVICE CENTER THROUGH THE TIPS PURCHASING COOPERATIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH PARSONS COMMERCIAL ROOFING FOR ROOF REPAIRS TO THE EQUIPMENT SERVICES CENTER THROUGH THE TIPS PURCHASING COOPERATIVE.

CONSENT AGENDA.

RES 6285
ROOF REPAIRS AT
EQUIPMENT
SERVICE CENTER

**REQUEST TO ADVERTISE
CONSTRUCTION OF NORTHGATE DRIVE EXTENSION
NORTH TO THE INTERSECTION OF THE FUTURE WEST
TRAVIS STREET**

Mr. Philpott said this project would extend Northgate Drive northward to West Travis Street, and is necessary for the future development of the Fire Station. The Sherman Economic Development Corporation has already authorized funding for the project.

REQ TO ADVERTISE
NORTHGATE DRIVE
EXTENSION TO
WEST TRAVIS STREET

ACTION TAKEN.

Motion by Council Member Howeth to approve the request to advertise for the construction of Northgate Drive Extension north to the intersection of the future West Travis Street, as presented. Second by Council Member Terrence Steele.

VOTING AYE: Brown, Howeth, Sofey, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

**CHANGE ORDER NO. 1
APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S
INTENT TO EXECUTE CHANGE ORDER NO. 1; SHERMAN
INDUSTRIAL PARK REPLACEMENT SEWER; LYNN VESSELS
CONSTRUCTION, LLC; \$5,376.51 INCREASE**

The City Council approved the Greater Texoma Utility Authority's intention to execute Change Order No. 1 to Lynn Vessels Construction, LLC, for a \$5,376.51 increase in the cost of the Sherman Industrial Park Replacement Sewer project.

CHANGE ORDER
SHERMAN
INDUSTRIAL PARK
REPLACEMENT
SEWER

The change order provides additional compensation to purchase an alternate pipe at pipe prices that were in effect prior to Hurricane Harvey. Due to the impact of the hurricane

on the Gulf Coast, Petro Chemical Industries, the manufacturers of the pipe resins and pipe itself, have not been able to produce PVC pipe since the hurricane.

Existing supplies of PVC pipe have been exhausted resulting in disruption of material supply chains. Manufacturers have enacted Force Majeure provisions in supply agreements with some manufacturers cancelling existing orders or only shipping produce at increased prices.

The contractor for the Industrial Sewer project has obtained the ribbed PVC pipe bid as an alternate pipe product, at the pre-hurricane price from a supplier. The cost of this pipe alternate was \$5,376.51 more expensive than the solid wall PVC pipe that was bid for the project. They propose to use this alternate pipe for the initial portion of the project.

CONSENT AGENDA.

OTHER BUSINESS

**RECOGNITION OF CITY OF SHERMAN AWARD:
“CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN
FINANCIAL REPORTING”**

**EXCELLENCE IN
FINANCIAL
REPORTING**

Mary Lawrence, Director of Finance, thanked the City Council and Mr. Hefton for their support of the Finance Department. She said the auditors, Adami Lindsey & Company, are helpful and the process goes on throughout the year.

She said for the past two years, Tammy Davis, Controller, has “taken ownership” of the Audit and has done a great job. She also thanked the Finance Department staff for their hard work.

**APPROVE THE QUARTERLY INVESTMENT REPORTS FOR
QUARTER ENDED SEPTEMBER 30, 2017**

**QUARTERLY
INVESTMENT
REPORTS**

The City Council approved the Quarterly Investment Reports for the quarter ended September 30, 2017. A separate report was included for the Debt Proceeds portfolio that includes the Tax Note and 2016 and 2017 Certificates of Obligation proceeds, as required by the Investment Policy.

As of September 30, 2017, the portfolios were in compliance with State laws, but not in compliance with the City’s internal Investment Policy. The weighted-average maturity for the operating portfolio was at 510 days; but the Investment Policy maximum is set at 500 days.

This situation was identified on October 6, 2017; and the portfolio was brought back into compliance at that time. There was no additional risk of loss associated with this instance of non-compliance; the portfolio limits were simply outside the target set by the policy.

The Operating investment portfolio had a book value of about \$14 million, a decrease of about \$3.1 million from the prior quarter of \$17.1 million, due to the maturity of a U.S. Agency

COUNCIL MINUTES – OCTOBER 16, 2017

Security, maturities of several State of Texas Obligations, and withdrawals from 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 510 days, an increase of 12 days from last quarter.

The portfolio yield of 1.29% for the quarter is two basis points below the benchmark yield of 1.31%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The Debt Proceeds portfolio balance of \$21.4 million was invested in a Local Government Investment Pool, an FDIC Insured Investment Account, and a U.S. Agency security.

Current period transactions included the addition of interest income and approximately \$2.1 million for project payments. The yield of 1.05% was above the benchmark yield of .96% for this portfolio. Book value and market value were about the same.

CONSENT AGENDA.

REPLAT APPROVAL OF PART OF BLOCK 2, BIRGE'S ADDITION, BEING THE EAST 15' OF LOT 10, ALL OF LOTS 11, 12, 13 AND 14, AND A PART OF LOT 15, BLOCK 2 OF BIRGE'S ADDITION; SOFEY CONSTRUCTION & DESIGN, LLC, OWNERS; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (520 WEST BIRGE STREET AND THE 900 BLOCK OF NORTH SAM RAYBURN FREEWAY)

Deputy Mayor Sofey asked to remove Item F-3 from the Consent Agenda for consideration in its regular order of business.

The City Council considered the Replat of part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge's Addition, located at 520 West Birge Street and the 900 block of North Sam Rayburn Freeway.

The owners, Sofey Construction & Design, LLC, would like to replat the property into three lots. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

ACTION TAKEN.

Motion by Council Member Terrence Steele to approve the Replat of part of Block 2, Birge's Addition, being the east 15' of Lot 10, all of Lots 11, 12, 13 and 14, and a part of Lot 15, Block 2 of Birge' Addition, as presented.

Second by Council Member Willie Steele.

VOTING AYE: Brown, Howeth, T. Steele, W. Steele, Teamann.

VOTING NAY: None.

ABSTAIN: Sofey.

MOTION CARRIED.

APPROVE REPLAT
BIRGE'S ADDITION
(520 W. BIRGE &
900 BLOCK N.
SAM RAYBURN FRWY)

FINAL PLAT APPROVAL OF SWEETWATER SPRINGS SUBDIVISION, BEING 17.112 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE E. CANTON SURVEY, ABSTRACT NO. 221; BARTON CAPITAL, LTD, OWNER; KJE ENVIRONMENTAL & CIVIL ENGINEERING, CIVIL ENGINEER; AND SARTIN & ASSOCIATES, INC., SURVEYOR (4700 BLOCK OF MARSHALL STREET AND 3800-3900 BLOCKS OF DRIPPING SPRINGS ROAD)

The City Council approved the Final Plat of Sweetwater Springs Subdivision, being 17.112 acres in the John Hendrix Survey Abstract No. 503 and the E. Canton Survey, Abstract No. 221, located in the 4700 block of Marshall Street and the 3800 to 3900 blocks of Dripping Springs Road.

The property is zoned R-1 (One Family Residential) District and the owner, Barton Capital LTD., would like to plat the property into 61 lots for residential development.

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

FINAL PLAT APPROVAL OF RMT VISIONS ADDITION, BEING A REPLAT OF LOT 59, WESTERN ACRES INSTALLMENT FOUR AND A 37.856 ACRE TRACT IN THE JASON STAMPS SURVEY, ABSTRACT NO. 1115, BEING A 37.856 ACRE TRACT IN THE JASON STAMPS SURVEY, ABSTRACT NO. 1115 AND ALL OF LOT 59 OF WESTERN ACRES INSTALLMENT FOUR, CONTAINING 39.030 ACRES; RMT VISIONS, INC. AND THE WILLIAM O'DONNELL TRUST, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (2700-2800 BLOCKS OF SOUTH FRIENDSHIP ROAD AND 5200 WEST MEADOWRIDGE ROAD)

The City Council approved the Final Plat of the RMT Visions Addition, being a Replat of Lot 59, Western Acres Installment Four and a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115, being a 37.856 acre tract in the Jason Stamps Survey, Abstract No. 1115 and all of Lot 59 of Western Acres Installment Four, containing 39.030 acres, and located in the 2700 through 2800 blocks of South Friendship Road and 5200 West Meadowridge Road.

The owners, RMT Visions, Inc. and the William O'Donnell Trust, would like to replat the property into a total of three lots. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF EPSTEIN AT HAZELWOOD ADDITION, BEING 0.37 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963; CUPID INVESTMENTS, INC., OWNER; AND SARTIN & ASSOCIATES, INC., SURVEYOR (1004 EAST EPSTEIN STREET)

The City Council approved the Final Plat of the Epstein at Hazelwood Addition, being 0.37 acres in the G.B. Pilant Survey, Abstract No. 963, located at 1004 East Epstein Street.

APPROVE FINAL PLAT
SWEETWATER
SPRINGS
SUBDIVISION
(4700 BLOCK OF
MARSHALL ST. &
3800-3900 BLOCKS OF
DRIPPING SPRINGS
RD)

APPROVE FINAL PLAT
RMT VISIONS
ADDITION
(2700-2800 BLOCKS
OF S. FRIENDSHIP
RD & 5200 W.
MEADOWRIDGE RD)

APPROVE FINAL PLAT
EPSTEIN AT
HAZELWOOD
ADDITION
(1004 E. EPSTEIN ST)

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

CONSENT AGENDA.

FINAL PLAT APPROVAL OF TRAILS END SUBDIVISION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 7.671 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61; JACK GURLEY, OWNER; 44-40 BUILDERS, LLC, DEVELOPER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (10409 EAST HIGHWAY 56 AND THE 100 BLOCK OF MITCHELL ROAD)

The City Council approved the Final Plat of the Trails End Subdivision in the City's Extra Territorial Jurisdiction, being 7.671 acres in the Aaron Burleson Survey, Abstract No. 61, located at 10409 East Highway 56 and the 100 block of Mitchell Road.

The owner, Jack Gurley, would like to plat the property into five lots. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGENDA.

CITIZENS REQUESTS

PARTNERSHIP WITH DOWNTOWN SHERMAN NOW

Karen Tooley, Executive Director of Downtown Sherman Now, thanked the City Council for their continued support and partnership with the City for their events, especially their Coffee With the Mayor, "which wouldn't be the same without the Mayor."

She presented each Council Member, Mr. Hefton, and Mr. Ayers with a gift to acknowledge "building Downtown Sherman, one block at a time."

SHERMAN MUSEUM

Bea Harmon, President of the Sherman Museum, said the Museum has been very busy and outlined recent activities to improve the Museum. They have also extended the operating hours and are now open Wednesday through Sunday, with more late evenings, to better accommodate visitors.

She said a lot of information was moved to the Sherman Museum from the Public Library, prior to the recent fire. She also thanked the City Council and staff for their support of the Museum.

MEDIA QUESTIONS

There were no media questions.

APPROVE FINAL PLAT
TRAILS END
SUBDIVISION
(10409 E. HWY 56 &
100 BLOCK OF
MITCHELL RD)

PARTNERSHIP WITH
DOWNTOWN
SHERMAN NOW

SHERMAN MUSEUM

MEDIA QUESTIONS

COUNCIL COMMENTS

LEVERAGE OF FEDERAL MONEY

Council Member Teamann thanked the staff for working hard to leverage the City's tax money with FEMA money to work on the stormwater projects and keep the cost low.

**LEVERAGE OF
FEDERAL MONEY**

NEW HOME CONSTRUCTION

Council Member Terrence Steele said there are many new homes being built in Sherman and said he is happy with what he's seeing happen in the community. He has read where citizens in other communities are fighting with their elected officials, and you don't see that in Sherman. He said the citizens may not agree with everything that's done, but everyone works well together.

**NEW HOME
CONSTRUCTION**

He felt it "moved Sherman forward" when the citizens support the Council and the Council supports the staff. He said he's happy with what he sees when he drives around the community.

SERVING ON CITY COUNCIL

Council Member Brown recognized Linda Ashby, City Clerk, for her comments last year when he decided to run for City Council, in reference to the deadline to remove his name from the ballot.

**SERVING ON
CITY COUNCIL**

He also thanked Mr. Hefton for his hard work supporting Council Member Brown's quest for entertainment for the youth in Sherman. He said the community would see the results soon.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The North Texas Young Professionals will sponsor a Municipal Election Forum on Wednesday, October 18, 2017, at 6:30 p.m., at Grayson Hall. The event will feature candidates for the City's Election.
- Trick-or-Treat on Travis will be held on Thursday, October 26, 2017, from 6:00 p.m. until 8:00 p.m.
- The Sherman Police Department will host the Annual Fright Fest on Tuesday, October 31, 2017, beginning at 6:00 p.m., on the Municipal Building Grounds.

ANNOUNCEMENTS

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

COUNCIL MINUTES – OCTOBER 16, 2017

**SECTION 551.071 – CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION**

**SECTION 551.087 -- DELIBERATE 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 5:34 p.m.**

**On Motion duly made and carried, the Executive Session
recessed at 5:55 p.m. and reconvened in Open Meeting.**

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
5:56 p.m.**

ADJOURNMENT

MAYOR

CITY CLERK