

**STATE OF TEXAS                   §**

**COUNTY OF GRAYSON         §**

**October 7, 2019**

**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 7, 2019.**

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

**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 Mayor David Plyler.**

## APPROVE MINUTES

**The Council reviewed the Minutes of the Called City Council Meeting (Held Jointly with the Sherman Economic Development Corporation Board of Directors) of September 10, 2019 and the Regular City Council Meeting of September 16, 2019. Council Member Melton moved to approve the Minutes, as presented; Second by Deputy Mayor Teamann; All present voted AYE.  
MOTION CARRIED.**

# PROCLAMATION

**“NATIONAL DISABILITY EMPLOYMENT AWARENESS  
MONTH” – OCTOBER 2019**

Deputy Mayor Teamann presented a proclamation to Marsha Lindsey, Deputy Director, Workforce Solutions Texoma, designating October 2019 as “National Disability Employment Awareness Month.” Ms. Lindsey thanked the City Council.

**“LIONS WHITE CANE DAY” – OCTOBER 12, 2019**

Mayor Plyler presented a proclamation to Dr. Jerry Gundersheimer, Chairman, White Cane Drive, Sherman Noon Lions Club, and Lions Club Members Kent Newtown, Don Kelley, and Pete Haugh, designating October 12, 2019 as "Lions White Cane Day."

**Dr. Gundersheimer thanked the City Council for their support, saying their motto is “we serve.” Their main focus is sight conservation and this is one of the biggest projects they do each year.**

## CITIZEN'S REQUESTS

## SHERMAN MUNICIPAL AIRPORT

Ronald Aycock, 220 E. Houston, asked about government transparency, and referenced a Herald Democrat article of

**COUNCIL MINUTES – OCTOBER 7, 2019**

October 3, 2019, concerning the receipt of a Texas Department of Transportation grant for airport hangar construction.

The article stated that the recently performed Airport Master Plan said there were about 20 or more aircraft on the waiting list for hangar space at the airport. He asked if that number had increased.

Mayor Plyler said he did not know whether or not that number had increased and the Council was hiring a consultant to work on Phase 2 of the new Master Plan. That would be one of the issues the consultant would address.

Terrence Steele, Assistant City Manager, explained that Phase 1 of the Airport Master Plan has been completed and Phase 2 began about two weeks ago. Phase 1 of the Master Plan is available to the public on the City's website.

Mr. Aycock asked about the northern boundary to the airport and asked if the royalties from the oil well located there were originally dedicated to the airport. Robby Hefton, City Manager, said the oil and gas well is not part of the airport property.

Mr. Aycock asked if the oil/gas well royalties were still being collected and used for the airport. Mr. Hefton said the royalties do not go to the Airport Fund, they go to the General Fund. Mr. Aycock asked when that was changed. Mr. Hefton said he did not know the date that was changed.

Mayor Plyler introduced Ordinance No. 6251 and called for a public hearing:

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2019A (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF, THE NOTICE OF SALE PREPARED IN CONNECTION WITH THE PUBLIC OFFERING OF THE BONDS AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.**

**ORD 6251  
GTUA BONDS**

Clint Philpott, Director of Engineering, said this item relates to the FM 1417 Expansion Project. He said there is currently a 20" water line down the west side of the road, but a large portion of the water line must be relocated because of the expansion project. This bond issuance will help fund the relocation of the water line.

Garry Kimball, Managing Director, Specialized Public Finance, distributed a bid summary with a detail of the competitive bid sale. Five bids were received, and Raymond James & Associates, out of Memphis, Tennessee, submitted the low bid at 2.51%. It is a 20-year fixed, tax exempt rate.

He said the rate is more than 4% better than the rate that was used for budgeting. The current market is extremely

advantageous for the issuance of tax exempt debt. Mr. Kimball said it is the best market they've seen in over 50 years.

The bidder also bid with insurance, and the bonds will go out as AA rated bonds. The bidder paid the insurance premium, so it won't affect the City's proceeds. Mr. Kimball said the City would net \$2.8 million, because the bid was submitted with bond premium, which pays the issuance cost associated with the transaction. It also allows the City to deposit the full \$2.8 million for net proceeds on the transaction.

Drew Satterwhite, General Manager, Greater Texoma Utility Authority, was available to answer any questions the Council might have. Assuming the Council approves this bond sale, they would close on October 29, 2019.

No other citizens appeared before the City Council to discuss Ordinance No. 6251.

Mayor Plyler introduced Ordinance No. 6252 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPLACING THE LEGAL DESCRIPTION OF INDUSTRIAL REINVESTMENT ZONE, NUMBER NINE (#9), CITY OF SHERMAN, TEXAS, AND OTHER MATTERS RELATING THERETO; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE.

ORD 6252  
INDUSTRIAL  
REINVESTMENT  
ZONE #9

Mary Lawrence, Director of Finance, said Reinvestment Zone #9 was for Tyson and was originally approved in December 2019. Grayson Appraisal District notified the City that the legal description does not agree with the property that was intended for the abatement. Everything else in the ordinance was correct.

This ordinance just changes the legal description of the property to agree with the property that was intended for abatement. Since the original ordinance approving the Reinvestment Zone was approved by the City Council, the update to the legal description also needed to be approved by ordinance.

No citizens appeared before the City Council to discuss Ordinance No. 6252.

Mayor Plyler introduced Ordinance No. 6253 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 6.11, ORDINANCE NO. 2280, SO AS TO GRANT A PLANNED DEVELOPMENT FOR VILLAGE PLANNED DEVELOPMENT IN THE 2800-3200 BLOCKS OF SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING 624.473 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (THE MUNSON REALTY CO., OWNERS; HOEFER WYSOCKI, ARCHITECT; JOHN RUGGIERI, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND

ORD 6253  
VILLAGE PLANNED  
DEVELOPMENT  
MUNSON PROPERTY  
(2800-3200 BLOCKS  
OF S. FM 1417)

SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS PLANNED DEVELOPMENT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Scott Shadden, Director of Development Services, said the staff has worked with Munson Realty and Halff and Associates, for about two years, putting this Planned Development together.

The Planned Development consists of over 600 acres, and is now ready to bring before the City Council. Halff and Associates have reviewed the plan and it does comply with the City's Planning and Zoning Ordinance. Halff and Associates recommends approval. The Planning and Zoning Commission also recommends approval, subject to the Staff Review Letter.

John Ruggieri, Vice President and Director of Urban Design, Hoefer Wysocki, presented an overview of the Village Planned Development on the Munson property. He also congratulated the City staff, adding that they did a great job working with them.

This has been a long term project, and will have significant consequences for the City. He said their job was made easier by the City approving the Zoning Ordinance earlier in the year, because it gave them the opportunity to "stitch together" several different zoning districts.

He said the development is separated into four separate districts, with the core being the "village center." The greenbelt area would be open to both the residents of the development, and citizens of the City.

He said they wanted to support the new high school and planned to locate the village center closer to the school, rather than on FM 1417. The core of the development would include a Main Street District, which would include retail on the bottom floor, with residential and/or office on the second and third floors.

Mr. Ruggieri added that the development would feature connectivity, with streets, roads, pathways, and paseos, which would all be part of an organized open space system, which blends together the living, the retail, and the pedestrian areas, and links them back to the open spaces.

Entering the development from FM 1417, buildings are further apart, and get closer together in the Main Street District, which becomes more of a downtown area. He added that the planned development will allow flexibility for the plan.

No other citizens appeared before the City Council to discuss Ordinance No. 6253.

Mayor Plyler introduced Ordinance No. 6254 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 3800-4000 BLOCKS OF QUAIL RUN ROAD, BEING LOTS 1-4, BLOCK 1, LOTS 1-4, BLOCK 2, LOTS 1-25, BLOCK 3 AND LOTS 12-26, BLOCK 5 OF THE PROPOSED HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES, NO 10 (WYLDEWOOD HOMES, LLC, OWNER; TIM PIKE, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6254  
SUP FOR PATIO  
HOMES  
(3800-4000 BLOCKS  
OF QUAIL RUN ROAD)

Mr. Shadden said this Specific Use Permit is for 47 patio home lots, and will allow them to reduce the setbacks and construct larger homes on the lots.

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

No citizens appeared before the City Council to discuss Ordinance No. 6254.

Mayor Plyler introduced Ordinance No. 6255 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 DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT AT 709 NORTH MONTGOMERY STREET, BEING PART OF LOT 2, BLOCK 3, BOND'S 2<sup>ND</sup> ADDITION, CONTAINING 0.172 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (ZACHARY DIVINE, OWNER; AUSTIN HOOVER, PROSPECTIVE BUYER; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6255  
SUP FOR DUPLEX  
(709 N. MONTGOMERY)

Mr. Shadden said this Specific Use Permit is for a duplex that will have three bedrooms on each side. It will also have three parking spaces for each side.

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

Austin Hoover, 1513 N. Wharton

Mr. Hoover is the prospective buyer of the property, and said this would be a "gateway into Austin College" and he could

**COUNCIL MINUTES – OCTOBER 7, 2019**

see it being very pedestrian friendly. He felt the proposed duplex would improve the area, and would be rented to students.

No other citizens appeared before the City Council to discuss Ordinance No. 6255.

Mayor Plyler introduced Ordinance No. 6256 and called for a public hearing:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 4700-4900 BLOCKS OF NORTH TRAVIS STREET, BEING 3.081 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42 (KOHL HITT, OWNER; YOUNG ENTERPRISES, LP, PROSPECTIVE BUYER; DANIEL WORRELL, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.**

**ORD 6256  
ZONE CHANGE  
(4700-4900 BLOCKS  
OF N. TRAVIS)**

Mr. Shadden said this request was for a zone change to go from single family to C-1 on North Travis Street. The developer has purchased several properties and is creating a “campus.” They have constructed a storage facility, and have a permit for some apartments. This zone change would allow some retail and office development.

The Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6256.

Mayor Plyler introduced Ordinance No. 6257 and called for a public hearing:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PLATTED ALLEY LOCATED IN BLOCK 9 OF THE MILDRED HEIGHTS ADDITION, VOLUME 191, PAGE 1, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS.**

**ORD 6257  
ABANDON ALLEY  
(MILDRED HEIGHTS  
ADDITION)**

Mr. Philpott said Austin College owns all the lots surrounding this alley, and are currently constructing some student housing. They cannot build a structure over a platted alley, so they are asking to abandon the alley.

A sewer line is also being abandoned and will be relocated, based on their development needs.

No citizens appeared before the City Council to discuss Ordinance No. 6257.

Mayor Plyler introduced Ordinance No. 6258 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", ARTICLE 3.14, ENTITLED "PERMIT, DEVELOPMENT AND REGISTRATION FEES", TO ADD A NEW SECTION 3.14.009.01 TO BE ENTITLED "MUNICIPAL SETTING DESIGNATION APPLICATION FEE"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6258  
MUNICIPAL SETTING  
DESIGNATION FEE

Mr. Hefton said this agenda item would set an application fee to allow applicants to request support of this designation. The designation relates to the ability of property owners to clean up property that is considered in need of clean up, through Texas Commission on Environmental Quality standards.

A couple of local industries have a desire to clean up their property through this program. There could be a couple of reasons why this cleanup would be needed.

The industry could currently be under some TCEQ action or program that is onerous, expensive, or takes a lot of resources. By obtaining this designation, they might be relieved of some of the duties.

The designation would also allow the property owner to clean up the property to a point where they could sell it for redevelopment or other purposes.

The request came to the City through two different companies. The staff is proposing to consider these requests on a case-by-case basis, to evaluate the merits of this program, and make a decision as to whether an ordinance needs to be drafted in support of these applications.

Carolyn May, Environmental Scientist, Halff Associates, Inc.

Ms. May said a Municipal Setting Designation is an ordinance that prevents the use of contaminated groundwater at a specific property, and is intended to protect human health and the environment.

It is also an alternative method for a site in State or Federal programs to address groundwater contamination. It is issued by a City, but ultimately TCEQ provides the guidance.

In order for a property to be eligible for an MSD, the property must be in a State or Federal program; the site must be located within the boundaries of a City; and there must be a public drinking water supply within a half mile. The MSD will be denied if it negatively impacts any drinking water system.

An MSD will only impact the property owner that is applying for the designation, and there is no requirement for off-site

property owners. It also does not affect the drinking water supplied by the City.

Ms. May said it does not excuse the applicant from cleaning up the site, and the owner must still address the different pathways that people could come in contact with the water, or with contaminated soil. The owner must also address the inhalation of vapors, physical contact with contamination, and the potential migration to the surface water. The MSD also does not remove liability from the responsible party.

The MSD would benefit the City by allowing property that has been under these cleanup programs for years, to now be available for redevelopment and enter the real estate market. It would promote economic growth and development, and there are financial benefits for the City. She added that the City is allowed to seek the MSD designation for their own properties.

Ms. May said the program has been in effect since 2003, and there are currently 61 cities in Texas with MSD designations. She outlined the process for a property to enter the Cleanup Program, and to obtain the MSD designation.

She said the MSD only considers very shallow contamination, down 200 feet below the ground surface. Drinking water supplied by the City would not be affected.

Cynthia J. Bishop, Environmental Attorney & Mediator, C Bishop Law, PC

Ms. Bishop was available to answer any legal questions that the City Council might have.

Paul Manley, 1506 N. Alexander Street

Mr. Manley appeared representing Presco Polymers, one of the companies that has approached the City about applying for the MSD. He thanked the City Council and said his company has been discussing this for some time, and supports the MSD designation. It would immediately benefit two local employers.

No other citizens appeared before the City Council to discuss Ordinance No. 6258.

The Public Hearing was closed.

#### ADOPTION OF ORDINANCES

##### Ordinance 6251

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ORD 6251  
GTUA BONDS

Ordinance 6252

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ORD 6252  
INDUSTRIAL  
REINVESTMENT  
ZONE #9

Council Member Stevenson asked what the problem was with the legal description. Ms. Lawrence said the legal description was for a different property altogether.

Ordinance 6253

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ORD 6253  
VILLAGE PLANNED  
DEVELOPMENT  
MUNSON PROPERTY  
(2800-3200 BLOCKS  
OF S. FM 1417)

Council Member Stevenson asked about the range of different densities on Munson's Village Planned Development. He asked how many "doors" would be included in the development.

Mr. Ruggieri said there is latitude in the plan, and it was hard to give an exact number. It would be possible to see "a couple of thousand units." Mr. Hefton said the development would have varying densities of residential properties. It would include some multi-family, some larger lots, and maybe some normal 60 foot wide lots.

Ordinance 6254

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ORD 6254  
SUP FOR PATIO  
HOMES  
(3800-4000 BLOCKS  
OF QUAIL RUN ROAD)

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(4700-4900 BLOCKS  
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ORD 6257  
ABANDON ALLEY  
(MILDRED HEIGHTS  
ADDITION)

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ORD 6258  
MUNICIPAL SETTING  
DESIGNATION FEE

Council Member Melton asked why the City was involved if TCEQ was the one issuing the permit.

Mr. Hefton explained that the proposed \$5,000 fee covers the City's administrative cost for considering the applications.

The staff has already spent a lot of time on the issue, and held meetings with consultants and attorneys. He added that the staff has been told that the designation will not be approved by TCEQ without the City's support through an ordinance.

At the onset, Mr. Hefton said he had questions about the City's liability and responsibility in the program. After consulting with the attorneys and the consultants, he has been assured that the City bares no responsibility for contaminated groundwater or cleanup efforts.

It is strictly administrative on the City's part, and allows the property owner to pursue this designation, which could not be obtained without the City's support.

Council Member Melton asked why TCEQ would want the City's approval first. Brandon Shelby, City Attorney, said part of the City's participation in this program, after the applicant applies, is an ordinance restricting the use of groundwater near that site.

Council Member Melton asked if the City would be responsible for monitoring the site after the designation is received. Mr. Shelby said TCEQ would monitor the program.

Deputy Mayor Teamann confirmed that the City is not currently approving any specific applications, and if a company is still contributing to an environmental problem, the Council can choose not to accept their application.

Mr. Hefton said the Council has the ability to approve or not approve any application on a case-by-case basis. The City could consider an ordinance that would "open it up" for any company to apply. However, the staff is proposing a more conservative approach, and to consider each application separately.

Council Member Melton wanted to be sure each applicant was checked to see what was "going on" rather than rely on City employees to make that determination. Mr. Hefton said, to the extent required.

The good part about this program is that the property gets cleaned up, and there is no responsibility from the City to monitor the sites.

**ACTION TAKEN.**

Motion by Council Member Stevenson to approve Ordinance Nos. 6251, 6252, 6253, 6254, 6255, 6256, 6257, and 6258, as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Howeth moved to approve the Consent Agenda, as presented. Second by Council Member Melton. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6538 – AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE CONVEYANCE OF CITY-OWNED REAL PROPERTY LOCATED AT 204 NORTH HARRISON AVENUE, BEING LOT TEN (10) AND THE SOUTH ONE-HALF (1/2) OF LOT NINE (9) IN BLOCK 33 OF COLLEGE PARK ADDITION, AN ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 183, PAGE 281, DEED RECORDS, GRAYSON COUNTY, TEXAS

RES 6538  
WARRANTY DEED  
HABITAT FOR  
HUMANITY  
(204 N. HARRISON)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE CONVEYANCE OF CITY-OWNED REAL PROPERTY LOCATED AT 204 NORTH HARRISON AVENUE, BEING LOT TEN (10) AND THE SOUTH ONE-HALF (1/2) OF LOT NINE (9) IN BLOCK 33 OF COLLEGE PARK ADDITION, AN ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 183, PAGE 281, DEED RECORDS, GRAYSON COUNTY, TEXAS.

Terrence Steele, Assistant City Manager, said at the last Council Meeting, the City donated a lot to Habitat for Humanity, and were told that the staff was looking at possible other property that could be donated.

It was determined that another lot could be donated to the organization, and be added back to the tax rolls.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 6538, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6539 – AUTHORIZING THE ACCEPTANCE OF CONVEYANCE DOCUMENTS FROM ARTISAN DEVELOPMENT COMPANY, INC. FOR THE CONVEYANCE AND ACQUISITION OF 0.874 ACRES OF RIGHT OF WAY FOR STEEPLE CHASE DRIVE, AND 0.982 ACRES OF ADJACENT PROPERTY, TOTALING 1.856 ACRES OF LAND, MORE OR LESS, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS

RES 6539  
STEEPLE CHASE DR.  
R-O-W

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF CONVEYANCE DOCUMENTS FROM ARTISAN DEVELOPMENT COMPANY, INC. FOR THE CONVEYANCE AND ACQUISITION OF 0.874 ACRES OF RIGHT OF WAY FOR STEEPLE CHASE DRIVE, AND 0.982 ACRES OF ADJACENT PROPERTY, TOTALING 1.856 ACRES OF LAND, MORE OR LESS, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS.  
CONSENT AGENDA.

RESOLUTION NO. 6540 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO LAZY L ENTERPRISES FOR THE INSTALLATION OF A TWENTY FOOT WIDE PAVED ACCESS DRIVE WITHIN THE PLATTED PUBLIC ALLEY RUNNING NORTH AND SOUTH ADJACENT TO THE BOYER AND LUCAS ADDITION, VOLUME 120, PAGE 94, DRGCT, FOR REAR ENTRY PURPOSES FOR LOT NUMBERS 8-11 OF SAID BOYER AND LUCAS ADDITION IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN 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 EXECUTION OF AN ENCROACHMENT EASEMENT TO LAZY L ENTERPRISES FOR THE INSTALLATION OF A TWENTY FOOT WIDE PAVED ACCESS DRIVE WITHIN THE PLATTED PUBLIC ALLEY RUNNING NORTH AND SOUTH ADJACENT TO THE BOYER AND LUCAS ADDITION, VOLUME 120, PAGE 94, DRGCT, FOR REAR ENTRY PURPOSES FOR LOT NUMBERS 8-11 OF SAID BOYER AND LUCAS ADDITION IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.  
CONSENT AGENDA.

RESOLUTION NO. 6541 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ARCO CONTRACTORS BASED ON A REQUEST FOR PROPOSALS FOR CONSTRUCTION OF AN ADA COMPLIANT ACCESS RAMP PROJECT AT LUCY KIDD-KEY PARK/AUDITORIUM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ARCO CONTRACTORS BASED ON A REQUEST FOR PROPOSALS FOR CONSTRUCTION OF AN ADA COMPLIANT ACCESS RAMP PROJECT AT LUCY KIDD-KEY PARK/AUDITORIUM.  
CONSENT AGENDA.

RESOLUTION NO. 6542 – AUTHORIZING THE PURCHASE OF A NEW T800 KENWORTH ROLL OFF FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH THE

RES 6540  
ENCROACHMENT  
EASEMENT FOR  
PAVED ACCESS TO  
PATIO HOMES

RES 6541  
KIDD-KEY  
AUDITORIUM  
ACCESS RAMP

RES 6542  
SOLID WASTE  
EQUIPMENT

TEXASLOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW T800 KENWORTH ROLL OFF FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RESOLUTION NO. 6543 – AUTHORIZING THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 6543  
FIRE DEPT.  
SCBA

RESOLUTION NO. 6544 – AUTHORIZING THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE SHERMAN FIRE DEPARTMENT FROM CASCO INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 6544  
FIRE DEPT.  
PROTECTIVE  
EQUIPMENT

RESOLUTION NO. 6545 – AUTHORIZING THE PURCHASE OF A NEW T880 KENWORTH TRANSFER TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH SOURCEWELL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW T880 KENWORTH TRANSFER TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH SOURCEWELL.

CONSENT AGENDA.

RES 6545  
SOLID WASTE  
EQUIPMENT

RESOLUTION NO. 6546 – AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR 305.5E CR MINI EXCAVATOR FOR THE STORMWATER DEPARTMENT FROM HOLT CAT THROUGH SOURCEWELL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR 305.5E CR MINI EXCAVATOR FOR THE

RES 6546  
STORMWATER DEPT.  
EQUIPMENT

STORMWATER DEPARTMENT FROM HOLT CAT THROUGH SOURCEWELL.  
CONSENT AGENDA.

RESOLUTION NO. 6547 – AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR 299D CAB SKIDSTEER WITH MP BUCKET OPTION AND BP115C BROOM OPTION FOR THE STORMWATER DEPARTMENT FROM HOLT CAT THROUGH SOURCEWELL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR 299D CAB SKIDSTEER WITH MP BUCKET OPTION AND BP115C BROOM OPTION FOR THE STORMWATER DEPARTMENT FROM HOLT CAT THROUGH SOURCEWELL.  
CONSENT AGENDA.

RES 6547  
STORMWATER DEPT.  
EQUIPMENT

RESOLUTION NO. 6548 – AUTHORIZING THE PURCHASE OF A NEW ROVVER X PORTABLE CAMERA SYSTEM FOR THE STORMWATER DEPARTMENT FROM GREEN EQUIPMENT COMPANY THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW ROVVER X PORTABLE CAMERA SYSTEM FOR THE STORMWATER DEPARTMENT FROM GREEN EQUIPMENT COMPANY THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).  
CONSENT AGENDA.

RES 6548  
STORMWATER DEPT.  
EQUIPMENT

RESOLUTION NO. 6549 – APPROVING THE CONTINUED RECEIPT OF BINGO PRIZE FEE FUNDS AS REQUIRED BY HOUSE BILL 914, 86<sup>TH</sup> TEXAS LEGISLATURE (H.B. 914)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE CONTINUED RECEIPT OF BINGO PRIZE FEE FUNDS AS REQUIRED BY HOUSE BILL 914, 86<sup>TH</sup> TEXAS LEGISLATURE (H.B. 914).  
CONSENT AGENDA.

RES 6549  
BINGO PRIZE  
FEE FUNDS

REQUEST TO ADVERTISE  
CONSTRUCTION OF THE MUNSON TRACT WASTEWATER  
EXTENSION

The City Council approved the request to advertise for construction of the Munson Tract Wastewater Extension. The project will extend the sewer line north of the area of Flanary Road and FM 1417, through the Munson Planned Development.

It consists of installing approximately 7,200 linear feet of sewer line, and will also serve the new Sherman High School. The estimated cost for construction of the new sewer line is approximately \$800,000.  
CONSENT AGENDA.

REQ TO ADVERTISE  
MUNSON  
WASTEWATER  
EXTENSION

**OTHER BUSINESS**

**RECEIVE PRESENTATION FROM POLICE SERGEANT BRETT MULLEN ON THE POLICE DEPARTMENT'S ANNUAL HALLOWEEN EVENT, "FRIGHT FEST"**

**FRIGHT FEST**

Police Sergeant Brett Mullen said the Department will be sponsoring the 18<sup>th</sup> Annual Fright Fest to celebrate Halloween. The event was started after the 9/11 attacks to provide a safe place for children to trick-or-treat.

Local churches, businesses, and organizations are invited to distribute candy to the kids, and are free to advertise their businesses. However, they are prohibited from selling any goods or services.

The event will be held on Thursday, October 31, 2019 from 6:00 p.m. until 8:30 pm. at Lucy Kidd-Key Park, on the Municipal Grounds. In the event of inclement weather, the event will be moved to Midway Mall. He said 30 businesses have already confirmed their attendance.

**REPLAT APPROVAL OF UNDERWOOD ADDITION, A REPLAT OF LOTS 8 & 9 OF THE OAKS OF NORWOOD ADDITION, BEING 4.695 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120 AND BEING ALL OF LOTS 8 AND 9 OF THE OAKS OF NORWOOD ADDITION; OUR LEASING COMPANY, LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (2201 AND 2205 NORWOOD STREET)**

**APPROVAL OF REPLAT  
UNDERWOOD  
ADDITION  
(2201 & 2205  
NORWOOD ST)**

The City Council approved the Replat of Underwood Addition, a Replat of Lots 8 and 9 of the Oaks of Norwood Addition, located at 2201 and 2205 Norwood Street.

The property is zoned an R-1 (One Family Residential Business) District. The owners would like to replat the property into three lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.  
CONSENT AGENDA.

**REPAIR AND REWORK THE DORCHESTER 10 TRINITY WELL UNDER AN EMERGENCY DESIGNATION**

**WELL REPAIRS**

The City Council approved the repair and reworking of the Dorchester 10 Trinity Well under an Emergency Designation. The well suffered damage from a lightning strike that rendered it inoperable.

The well is the prime producer for the ground water supply zone and is needed to meet production demands. The repairs need to be made as soon as possible to return the well to service. The estimated cost to repair the well is \$150,000, and a portion of the repair costs should be covered by insurance and warranty items.

CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO  
BOARDS AND COMMISSIONS

SHERMAN AIRPORT ADVISORY BOARD (7)

Council Member Steele confirmed that the board would be active even if only two of the current appointments lived inside the City of Sherman.

AIRPORT  
ADVISORY  
BOARD

**ACTION TAKEN.**

Motion by Council Member Steele to appoint Bob Nunn, Ross Richardson, and Mary Lawrence to a two year term on the Airport Advisory Board, from October 8, 2019 to October 8, 2021, and to appoint Terry Norman Thomas and Michael McLendon to a one year term on the Board, from October 8, 2019 to October 8, 2020. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

SUPPORT OF MAYOR

Council Member Holland said he appreciated the Council Members supporting the Mayor at tonight's Meeting. Since he had to wear the Denison Yellow Jackets jersey because they won the Battle of the Ax, the other Council Members wore Bearcat t-shirts.

SUPPORT OF  
MAYOR

HABITAT FOR HUMANITY

Council Member Melton said she was happy that Habitat for Humanity received another lot from the City.

HABITAT FOR  
HUMANITY

SUPPORT THE BEARCATS

Mayor Plyler thanked everyone for their support and the Sherman students that fought so hard against Denison in the Battle of the Ax. He said maybe Sherman would win next year.

SUPPORT THE  
BEARCATS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- There will be two opportunities to attend the Main Street Haunted History Tours in Downtown Sherman in October.
- The Main Street Program will host Trick or Treat on Travis Street on October 24, 2019, from 6:00 p.m. until 8:00 p.m. The event will be held in the 100 block of South Travis Street.
- The Sherman Symphony Orchestra will open its season on October 19, 2019, in Kidd-Key Auditorium

ANNOUNCEMENTS

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

EXECUTIVE SESSION

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

SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

SECTION 551.071 -- CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

SECTION 551.074 -- PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS

SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS (3)

SHERMAN ECONOMIC DEVELOPMENT CORPORATION EX-OFFICIO MEMBER (1)

DELIBERATE THE EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE: ANNUAL PERFORMANCE EVALUATION OF THE CITY MANAGER

SECTION 551.087 -- DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

**COUNCIL MINUTES – OCTOBER 7, 2019**

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

On Motion duly made and carried, the Executive Session recessed at 8:04 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 8:04 p.m.

**ADJOURNMENT**

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**MAYOR**

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**CITY CLERK**