

STATE OF TEXAS §
 September 20, 2021
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 September 20, 2021.

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

MEMBERS ABSENT: COUNCIL MEMBERS HOWETH, STEELE.

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 Shawn Teamann.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting of September 7, 2021. Council Member Melton moved to approve the Minutes, as presented; Second by Deputy Mayor Holland; 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

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

Mayor Plyler introduced Ordinance No. 6414 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ALONG THE SOUTH BOUND FRONTAGE ROAD OF US 75 FROM STONE CREEK DRIVE TO FM 1417 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6414
SPEED LIMIT
(HWY 75 FRONTAGE
RD)

Wayne Lee, Director of Engineering, said this was a request of the Texas Department of Transportation to reduce the speed limit on the southbound service road from Stone Creek Drive to FM 1417.

They are planning a change in configuration, and to make that area safe, they are requesting that the speed limit be reduced. The change will only apply to the service road.

COUNCIL MINUTES – SEPTEMBER 20, 2021

No citizens appeared before the City Council to discuss Ordinance No. 6414.

Mayor Plyler introduced Ordinance No. 6415 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED “UTILITIES”, ARTICLE 13.08, ENTITLED “UTILITY BILLING”, AT SECTIONS 13.08.005 AND 13.08.006, REVISING RATES FOR WATER AND SEWER SERVICES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6415
WATER &
SEWER RATES**

Mary Lawrence, Director of Finance, said at the July 19, 2021 Council Meeting, the Council instructed the staff to implement the Water & Wastewater Rate Plan as presented by Willdan. The Plan is a five-year Rate Plan.

The proposed ordinance sets the rates for the first year, with the average consumer seeing about a 4.2% increase.

No citizens appeared before the City Council to discuss Ordinance No. 6415.

Mayor Plyler introduced Ordinance No. 6416 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 (ANIMAL SERVICES) OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS; PRESCRIBING REGULATIONS TO ENSURE THE HEALTH AND HUMANE TREATMENT OF ANIMALS AND THE PUBLIC; DEFINING TERMS; ESTABLISHING REGULATIONS ON ANIMALS, DOGS AND CATS, DANGEROUS DOGS AND RABIES CONTROL; PROVIDING FOR AN ANIMAL SHELTER ADVISORY BOARD; REGULATING PET SHOPS AND THE RETAIL SALE OF ANIMALS; PROVIDING A REPEALING CLAUSE AND SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$500.00.

**ORD 6416
ANIMAL SERVICES**

Zach Flores, Police Chief, presented an overview of the proposed ordinance saying one of the first things they did in working with the Advisory Committee was to review the City’s ordinance. A major reference for the ordinance was the City of Irving’s ordinance. He said the result was a progressive ordinance that would take care of the animal’s needs and the needs of the citizens.

No citizens appeared before the City Council to discuss Ordinance No. 6416.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6414

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ALONG THE SOUTH BOUND FRONTAGE ROAD OF US 75 FROM STONE CREEK DRIVE TO FM

**ORD 6414
SPEED LIMIT
(HWY 75 FRONTAGE
RD)**

1417 IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Ordinance 6415

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED “UTILITIES”, ARTICLE 13.08, ENTITLED “UTILITY BILLING”, AT SECTIONS 13.08.005 AND 13.08.006, REVISING RATES FOR WATER AND SEWER SERVICES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6415
WATER &
SEWER RATES

Robby Hefton, City Manager, said the action tonight on this ordinance, would be to set the rates for now, not for years to come. However, the study that was completed does line out a schedule for the next five years, subject to future Council approval.

He said it did not get into the ordinance, but he felt it would be good to include a provision that there would be an annual review. He asked that, whoever made the motion, make it subject to adding language to the ordinance, that requires annual review of the rates.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6415, subject to the addition of language that requires an annual review of the water and sewer rates by the City Council. Second by Council Member Melton.

VOTING AYE: Holland, Melton, Stevenson.

VOTING NAY: Teamann.

MOTION CARRIED.

Ordinance 6416

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 2 (ANIMAL SERVICES) OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS; PRESCRIBING REGULATIONS TO ENSURE THE HEALTH AND HUMANE TREATMENT OF ANIMALS AND THE PUBLIC; DEFINING TERMS; ESTABLISHING REGULATIONS ON ANIMALS, DOGS AND CATS, DANGEROUS DOGS AND RABIES CONTROL; PROVIDING FOR AN ANIMAL SHELTER ADVISORY BOARD; REGULATING PET SHOPS AND THE RETAIL SALE OF ANIMALS; PROVIDING A REPEALING CLAUSE AND SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$500.00.

ORD 6416
ANIMAL SERVICES

Council Member Melton asked how the ordinance would affect the new retail sales in the area. Chief Flores said they would be grandfathered for now, and the new ones that would like to come in will have a process for vetting. They will be reviewed on an “as-needed” basis. He said there are businesses that can operate efficiently and effectively, and still pursue the humane treatment of animals.

Council Member Melton verified that the City can make inspections. Chief Flores said they intend to “keep an eye on the situation.”

COUNCIL MINUTES – SEPTEMBER 20, 2021

Council Member Teamann said there are restrictions for housing breeding dogs in the City limits. He asked what the procedures would be for the person wishing to purchase a specialty breed or a dog that is licensed as a show dog.

He said they could make those purchases. The regulation doesn't deal with actually running a business in breeding. There is also a stipulation that allows a citizen to make an application to be allowed to do that. The ordinance would allow them to be cognizant of those doing that, so it wouldn't be a "puppy mill."

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6414 and 6416, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Melton, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6774 – AMENDING THE 2020-2021 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021

**RES 6774
BUDGET AMENDMENT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2020-2021 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021.

Ms. Lawrence said Council asked staff for a "budget cleanup" at the end of the year, to reflect what's going on during the year. This amendment primarily increases the sales tax revenue. There are also expenses related to the CARES Act and the revenue that goes with that. There was some money that was transferred from the General Fund to the Utility Fund, to help "prop" it up, and for some expenses in fleet.

Council Member Melton asked that on budget transfers in and out, that additional explanation be presented to the Council.

Council Member Teamann said the budget ended up with a positive amount of about \$2 million, primarily from sales tax. He confirmed that it would help prop up the days of reserves in the General Fund. Ms. Lawrence said it also helped out the Utility Fund and an additional commercial solid waste truck was purchased for the Solid Waste Fund. They also preordered some trucks for 2022 in 2021 to help cut the lead time, because that has been extended.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6774, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Melton, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6775 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOUTHERN TIRE MART, LLC FOR AN ANNUAL SUPPLY OF LIGHT TRUCK, PASSENGER, AND OTR/COMMERCIAL TIRES

**RES 6775
ANNUAL TIRE
CONTRACT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOUTHERN TIRE MART, LLC, FOR AN ANNUAL SUPPLY OF LIGHT TRUCK, PASSENGER, AND OTR/COMMERCIAL TIRES.
CONSENT AGENDA.

RESOLUTION NO. 6776 – AUTHORIZING EXECUTION OF AN EASEMENT AND AN EASEMENT FOR TEMPORARY WORKING SPACE TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG THE LAMBERTH ROAD IN THE CITY OF SHERMAN, TEXAS

**RES 6776
EASEMENT FOR
ONCOR
(LAMBERTH RD)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EASEMENT AND AN EASEMENT FOR TEMPORARY WORKING SPACE TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG THE LAMBERTH ROAD IN THE CITY OF SHERMAN, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6777 – REPEALING AND REPLACING RESOLUTION NO. 6675; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE

**RES 6777
POLICE & FIRE
PAY SCHEDULES
& INCENTIVE PAY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING AND REPLACING RESOLUTION NO. 6675; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.
CONSENT AGENDA.

RESOLUTION NO. 6778 – AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION UNDER THE ROUTINE AIRPORT MAINTENANCE PROGRAM TO FUND IMPROVEMENTS AT THE SHERMAN MUNICIPAL AIRPORT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY

**RES 6778
RAMP GRANT FOR
MUNICIPAL AIRPORT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION UNDER THE ROUTINE AIRPORT MAINTENANCE PROGRAM TO FUND IMPROVEMENTS AT THE SHERMAN MUNICIPAL AIRPORT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY.
CONSENT AGENDA.

RESOLUTION NO. 6779 – 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

**RES 6779
SHERMAN MUSEUM
CONTRACT**

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.
CONSENT AGENDA.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

WATER RATE INCREASE

**WATER RATE
INCREASE**

Council Member Melton said it's not always good to increase water rates, but it has been a long time since there has been an increase, and "we don't want to fall behind."

ANIMAL SHELTER

ANIMAL SHELTER

Council Member Melton said she was glad they took the time to get the updates on the Animal Shelter in place.

POLICE K-9

POLICE K-9

Council Member Teamann recognized Sherman Police Department K9 Officer Jaeger and his handler Officer Breggoree Anderson, and their performance on A&E's "America's Top Dog." Mayor Plyler said the "finals" are Saturday, September 25, 2021, at 2:00 p.m.

Council Member Teamann said he won the competition for "sniffing out drugs" and \$5,000 was donated to a non-profit for animals.

ANNOUNCEMENTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Thanks to Sarah McRae, Michelle Adams, and Albert Garza, of the City's Tourism Department, and the rest of the City crew for all the work they did on the Arts Fest last weekend. It was the 40th anniversary of the event, and thousands of people attended.
- The Sherman Celtic Festival will be held September 25 and 26, 2021, at Pecan Grove Park. There will be fun for the whole family, including Highland Games, bagpipe competition, live music on two stages, and a Viking Village.
- The next Coffee with the Mayor will be held on October 1, 2021, at 8:00 a.m. at Grayson Hall, and will include a drone update.
- Downtown Sherman NOW's Wine Stroll will be held on October 2, 2021. Support the small business community downtown, try some local wines, and sample food from the area's best restaurants.

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.

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

- (A) RECEIVE LEGAL ADVICE FROM CITY ATTORNEY REGARDING PENDING LITIGATION OF DRAINAGE THRU CARRIAGE ESTATES

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) ANNUAL PERFORMANCE EVALUATION OF CITY MANAGER
- (B) PLANNING AND ZONING COMMISSION (1)

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

- (A) ECONOMIC DEVELOPMENT PROSPECTS

COUNCIL MINUTES – SEPTEMBER 20, 2021

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

On Motion duly made and carried, the Open Meeting recessed and
reconvened in Executive Session at 5:15 p.m.

On Motion duly made and carried, the Executive Session recessed
at 5:31 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

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS
AND COMMISSIONS**

PLANNING AND ZONING COMMISSION (1)

ACTION TAKEN.

Motion by Council Member Melton to reappoint Clay Mahone to
the Planning and Zoning Commission, for a term from
September 22, 2021 to September 22, 2024, as presented.

Second by Council Member Teamann.

VOTING AYE: Holland, Melton, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

PLANNING &
ZONING COMMISSION

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
5:32 p.m.

ADJOURNMENT

MAYOR

CITY CLERK