

STATE OF TEXAS

§

September 19, 2022

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 19, 2022.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.
COUNCIL MEMBERS MARROQUIN, STEVENSON, TEAMANN.

MEMBERS ABSENT:

COUNCIL MEMBERS DOBBS, HOLLAND.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meetings of August 15, 2022 and September 6, 2022. Deputy Mayor Howeth moved to approve the Minutes, as presented; Second by Council Member Stevenson; 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 Stevenson moved to approve the Consent Agenda, as presented. Second by Council Member Teamann. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6527 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; AND ARTICLE 13.07, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL", AT SECTION 13.07.072, REVISING ALLOWANCES FOR INACCURATE METERS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6527
WATER, SEWER,
SEWAGE DISPOSAL
RATE INCREASE

Mary Lawrence, Director of Finance, said this ordinance adopts the rates that were approved by the Council during the budget process. They are also the same rates that were in the Rate Study that was approved by the Council last year.

The rates will increase about 4.6% overall, and will generate \$900,000 for the Utility Fund.

No citizens appeared before the City Council to discuss Ordinance No. 6527.

Mayor Plyler introduced Ordinance No. 6528 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

ORD 6528
ATMOS RATE
INCREASE

Ryan Pittman, City Attorney, explained that this relates to the annual review of the negotiated rate case with Atmos Energy. The City is a member of the Atmos Steering Committee, which represents Sherman and other cities, to negotiate the settlement with Atmos Energy.

It includes a rate increase of approximately \$4.60 for the average customer, which represents about a 6.71% increase.

Andrie Krahel, Public Affairs Manager, Atmos Energy, was in attendance to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6528.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance No. 6527

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; AND ARTICLE 13.07, ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL", AT SECTION 13.07.072, REVISING ALLOWANCES FOR INACCURATE METERS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6527
WATER, SEWER,
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RATE INCREASE

Ordinance 6528

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

ORD 6528
ATMOS RATE
INCREASE

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6527 and 6528, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6957 – AMENDING THE 2021-2022 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022

RES 6957
BUDGET
AMENDMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2021-2022 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022.

Ms. Lawrence said the budget amendment reconciles the budgeted amounts with what was projected for year-end revenue and expenses. Revenue increased through "really great" sales tax performance, of almost \$2.4 million.

The budget is also being amended for the American Rescue Plan Act Grant that was received and spent on Premium Pay and the land purchase at the Water Treatment Plant.

The expenditures are amended to include the expenditure side of the grant, and other significant amendments are mostly development related. She said the amendment is "pretty widespread" because of the growth in the City.

Council Member Teamann said it appeared that the Utility Fund was going to be negative \$3.5 million over the expected budget. He asked where that money would come from.

Ms. Lawrence said the Utility Fund beginning projected was quite a bit more than what the budget was and that makes up a lot of the revenue. The Utility Fund amendment has to do with balancing for the internal service fund.

Council Member Teamann said he was looking at the amended version of the projected. He said the Utility Fund is being adjusted by \$102,000.

He said the Utility Fund had a difference of \$3.7 million from what was budgeted to what was actually projected for this year. Ms. Lawrence said that was the Utility Improvement Fund. She said a lot of that included GTUA projects, which will be paid for by GTUA instead of the City of Sherman. He confirmed that those amounts are "project costs," not City costs.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No.

6957, as presented. Second by Council Member Stevenson.

VOTING AYE: Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6958 – AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION UNDER THE ROUTINE AIRPORT MAINTENANCE PROGRAM TO FUND IMPROVEMENTS AS 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 6958
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. 6959 – 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 6959
SHERMAN MUSEUM
FUNDING

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.

OTHER BUSINESS

CONSIDER REQUEST OF ST. MARY'S CATHOLIC SCHOOL TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "RUN RUN

CLOSE STREETS
RUN RUN RUDOLPH

RUDOLPH 5K AND FAMILY FUN RUN/WALK” ON SATURDAY,
DECEMBER 3, 2022

5K & FUN RUN
(DEC. 3, 2022)

The City Council approved the request of St. Mary’s Catholic School to temporarily close certain streets for the “Run Run Rudolph 5K and Family Fun Run/Walk” on December 3, 2022.

The event will require barricade placement and removal, as well as police officers to maintain safety at certain points along the route.
CONSENT AGENDA.

COUNCIL COMMENTS

ARTS FEST

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Deputy Mayor Howeth said the Arts Fest, this past weekend, was “wonderful,” and lots of people attended.

ARTS FEST AND HISPANIC FESTIVAL

ARTS FEST &
HISPANIC FESTIVAL

Council Member Teamann said both the Arts Fest and the Hispanic Festival were incredible.

HISPANIC FESTIVAL

HISPANIC FESTIVAL

Council Member Marroquin joked about the “many bilingual people” that were on the Council.

HISPANIC FESTIVAL

HISPANIC FESTIVAL

Mayor Plyler said the Hispanic Heritage Festival was a lot of fun.

SOCCER LEAGUE

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Council Member Marroquin asked the staff to consider the creation of a Sherman Youth Soccer League.

ANNOUNCEMENTS

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Mayor Plyler announced the following:

- The Mayor’s Economic Roundtable will be held September 20, 2022, at 9:00 a.m., in the Municipal Ballroom. Participants will hear from local business leaders about the future of Sherman’s economy.
- The bonus Hot Summer Nights concert will be held on September 29, 2022, at 7:00 p.m. on the Municipal Grounds. Jo Dee Messina will be the featured guest.
- Downtown Sherman NOW will host their annual Stroll on the Square on October 1, 2022. It’s a great chance to support the local business owners.

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

TEX. GOV'T CODE § 551.072 --

DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --

DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --

DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 --

DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 --

DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

TEX. GOV'T CODE § 551.089 --

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

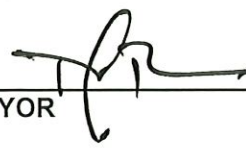
No Executive Session was needed.

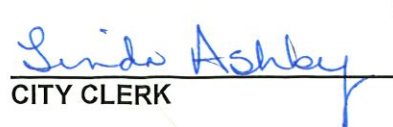
COUNCIL MINUTES – SEPTEMBER 19, 2022

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:12 p.m.

ADJOURNMENT


MAYOR


CITY CLERK