



**CITIZEN'S COMMENTS**

**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING**

Abigail Hill, Development & Outreach Coordinator, Children's Advocacy Center, thanked the Mayor and City Council for Community Development Block Grant funding that was received from the City of Sherman.

She said COVID-19 has hit everyone hard, but especially the nonprofit entities. She said the funds received through the CDBG allowed them to continue providing every service for every child in their community. She added that their community continued to grow during this past year, even during COVID.

CDBG FUNDING

**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 first list of Consent Agenda items does not require any conditions on approval of the items. The second list of Consent Agenda items does require a conditional approval. These items would need to be approved, subject to the Staff Review Letter.

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

**CONSENT AGENDA**

Double Asterisked (\*\*) items are considered to be routine and will be enacted in one motion, subject to Staff Review Letter, 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 asked to remove Item I-6, entitled "Other Business – Final Plat Approval of Corner Stone Addition, being 0.238 acres in the J.B. McAnair Survey, Abstract No. 763; Holley Jolly Homes LLC, Owner; and Underwood Drafting Copley Land Surveying, Surveyor (537 East Brockett and 536 East Carter Streets)," from the Consent Agenda, for consideration in its regular order of business.

Council Member Stevenson moved to approve the Consent Agenda, subject to the Staff Review Letter, with the exception of Item I-6, which will be considered in its regular order of business. Second by Deputy Mayor Holland. All present voted AYE.

**OTHER BUSINESS**

**FINAL PLAT APPROVAL OF CORNER STONE ADDITION, BEING 0.238 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; HOLLEY JOLLY HOMES LLC, OWNER; AND UNDERWOOD DRAFTING COPLEY LAND SURVEYING, SURVEYOR (537 EAST BROCKETT AND 536 EAST CARTER STREETS)**

**APPROVE FINAL PLAT  
CORNER STONE  
ADDITION  
(537 E. BROCKETT  
& 536 E. CARTER)**

## **COUNCIL MINUTES – SEPTEMBER 7, 2021**

Council Member Melton asked to remove Item I-6 from the Consent Agenda for consideration in its regular order of business.

Rob Rae, Director of Development Services, said this Final Plat is for two residential lots, one on Carter Street and one on Brockett Street. The side street to the lots is Broughton Street.

The driveways to the lots are expected to be to the north and south and not opening on Broughton Street. Exceptions were granted for lot width and lot size at the last Planning and Zoning Commission Meeting.

Council Member Melton said Mr. Rae said the driveways are “expected to be” located to the north and south and not opening on Broughton Street. She asked if the City could “be sure” of where the driveways will be located.

Wayne Lee, Director of Engineering, said the applicant has given the Engineering Department a Site Plan of how the plans and driveways will be configured, and they have approved those locations.

She asked if the wording could be changed to say the driveways will not enter onto a busy street. Mr. Lee said they were told not to put the driveways on a side street, so it would be a matter of not granting them a permit if they locate them on the side street.

Council Member Howeth verified that one lot will have a driveway on Brockett Street. Clint Philpott, Assistant City Manager, said there will be one driveway on Carter Street and one on Brockett Street, but none on Broughton Street.

Council Member Howeth said the City is currently widening Broughton Street, and since the driveway on Brockett will be so close to Broughton Street, she asked if it would cause a problem. Mr. Philpott said there would be no problem.

The design of Broughton Street was done in-house, and the staff made sure that his Site Plan matched the proposed street location. It also includes some additional right-of-way on Carter Street that he willingly gave to the City.

Council Member Melton also verified that there would be no parking on the street, and that signs would be located there. She also asked the staff to enforce the no parking.

### **ACTION TAKEN.**

Motion by Council Member Stevenson to approve the Final Plat of Corner Stone Addition, located at 537 East Brockett and 536 East Carter Streets, subject to the Staff Review Letter. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED SUBJECT TO THE STAFF REVIEW LETTER.

**COUNCIL MINUTES – SEPTEMBER 7, 2021**

**Mayor Plyler introduced Ordinance No. 6408 and called for a public hearing:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER TEN (#10), CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.**

**ORD 6408  
RESIDENTIAL TAX  
ABATEMENTS**

**Mary Lawrence, Director of Finance, said this ordinance renews the existing Residential Reinvestment Zone, which offers tax abatements to qualifying residential structures in the target area. The law requires that the zone be renewed every five years.**

**No citizens appeared before the City Council to discuss Ordinance No. 6408.**

**Mayor Plyler introduced Ordinance No. 6409 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 2021 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 ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

**ORD 6409  
ATMOS RATE  
SETTLEMENT**

**Ryan Pitman, City Attorney, said this will approve a negotiated settlement between the Atmos Steering Committee and the Atmos Energy Group, concerning the 2021 rate case.**

**As in year’s past, the City is a member of the Steering Committee that helps negotiate a lower rate adjustment, than what Atmos would otherwise be allowed to get approved through the rate making process at the State level.**

**If the Council approved this negotiated settlement, it would mean an additional increase of \$1.28 for the average residential customer, which is approximately a 2.2% increase. The rate would have been higher if the negotiations had not happened. It would also represent a \$4.03 increase, or 1.61% increase for the average commercial customer. He said this proposal was inline with what has been done in the past.**

**COUNCIL MINUTES – SEPTEMBER 7, 2021**

**Andrie KrahI, 5111 Blue Flame Road**

Ms. KrahI introduced herself as the new Atmos representative in the Sherman area, and serves as the Manager of Public Affairs for Atmos. She offered to answer any questions that the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6409.

Mayor Plyler introduced Ordinance No. 6410 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NOS. 6232 AND 6319, AND AMENDING SECTION 6.12, ORDINANCE NO. 2280, SO AS TO AMEND A PLANNED DEVELOPMENT FOR BEL AIR VILLAGE (ORD. NO. 6319) FORMERLY KNOWN AS TERRA PERPETUA VILLAGE (ORD. NO. 6232) IN THE 300-1000 BLOCKS OF EAST F.M. 1417 (VIETNAM VETERANS PARKWAY), BEING 278.313 ACRES IN THE SHERROD DUNMAN SURVEY, ABSTRACT NO. 329 (TERRA PERPETUA, LLC, OWNERS; AND KIMLEY-HORN & ASSOCIATES, SURVEYOR/CIVIL ENGINEER); PROVIDING THAT THIS PLANNED DEVELOPMENT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; DESCRIBING THE TRACT TO BE REZONED; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 6410  
AMENDING BEL AIR  
VILLAGE PLANNED  
DEVELOPMENT**

Mr. Rae said this ordinance is to amend the Bel Air Village Planned Development to reflect a change requested by the developer.

For single family development, the current standard for front yard setback, if there is a garage, is 25 feet. The developer is requesting to modify that setback to 20 feet.

The Planning and Zoning Commission recommended approval of the request.

**Michael Carlisle, Kimley-Horn**

Mr. Carlisle serves as the Civil Engineer on the project, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6410.

Mayor Plyler introduced Ordinance No. 6411 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 PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 810 EAST MULBERRY STREET, BEING LOTS 19 AND 20, BLOCK 14, CHAFFIN'S FIRST ADDITION (TOBAR PROPERTIES LLC, OWNER; PRESTON TRAIL LAND SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A

**ORD 6411  
ZONE CHANGE  
(810 E. MULBERRY)**

**COUNCIL MINUTES – SEPTEMBER 7, 2021**

**PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**Mr. Rae said the request is for a zone change. The developer would like to build a single family home on the lot, and it is currently zoned M-2 (Heavy Manufacturing).**

**The Planning and Zoning Commission recommended approval of the Zone Change.**

**No citizens appeared before the City Council to discuss Ordinance No. 6411.**

**Mayor Plyler introduced Ordinance No. 6412 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 HAMPTON INN & SUITES HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 305 CORNERSTONE DRIVE, BEING LOTS 8, 9 AND 10, BLOCK 2, CORNERSTONE ADDITION (P&N SHERMAN, LLC, OWNER; HAMPTON INN & SUITES HOTEL, PROPOSED TENANT; ADR DESIGNS, LLC, ARCHITECT; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.**

**ORD 6412  
SUP FOR HAMPTON  
INN & SUITES HOTEL  
(305 CORNERSTONE)**

**Mr. Rae said this Specific Use Permit would allow a hotel in a C-1 (Retail Business) District. The Hampton Inn also requested an exception for the height of the building. The four-story building would be 54.4 feet high, which is above the maximum allowed for a C-1 District.**

**The Planning and Zoning Commission recommended approval of the Specific Use Permit.**

**No citizens appeared before the City Council to discuss Ordinance No. 6412.**

**Mayor Plyler introduced Ordinance No. 6413 and called for a public hearing:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "SUBDIVISION ORDINANCE", ARTICLE 10.05, ENTITLED "SUBDIVISION ORDINANCE", AT EXHIBIT A, ENTITLED "SUBDIVISION ORDINANCE" AND CHAPTER 14 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "ZONING ORDINANCE", ARTICLE 14.02, ENTITLED "AIRPORT HAZARD ZONING"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCE; MODIFYING CERTAIN REGULATIONS RELATING TO THE AIRPORT HAZARD ZONING FOR THE SHERMAN MUNICIPAL AIRPORT TO PREVENT THE CREATION**

**ORD 6413  
AIRPORT HAZARD  
ZONING**

OR AN AIRPORT HAZARD BY SPECIFYING THE LAND USES PERMITTED, REGULATING THE TYPE OF STRUCTURES, AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH TO PREVENT THE CREATION OF AN OBSTRUCTION TO FLIGHT OPERATIONS OR AIR NAVIGATION; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE AND A PENALTY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Mr. Rae said this ordinance would update Chapter 10, the Subdivision Ordinance, and Chapter 14, the Zoning Ordinance, regarding the Airport Zoning Hazard Ordinance. It was last updated in 1995.

The update to the Airport Zoning Hazard Ordinance would bring the City's standards and regulations up-to-date, and make them consistent with both State and Federal regulations. The ordinance would only apply to the Sherman Municipal Airport, and not to the North Texas Regional Airport.

The ordinance includes the airspace requirements for zoning, and covers a large portion of the City. The standards and the height regulations vary depending on the proximity to the Airport. Therefore, those elements of height and zoning would all be determined during the Plat process and the zoning approval.

The Planning and Zoning Commission recommended approval of the Ordinance.

No citizens appeared before the City Council to discuss Ordinance No. 6413.

The Public Hearing was closed.

#### **ADOPTION OF ORDINANCES**

##### **Ordinance 6408**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER TEN (#10), CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.**

**ORD 6408  
RESIDENTIAL TAX  
ABATEMENTS**

Council Member Melton said the value amount on the residential tax abatement is \$100,000 now. Ms. Lawrence said the staff had been discussing updating that amount. She said this ordinance only designates the zone. The \$100,000 designation is attached to the program itself, which is a separate document that is adopted. That won't affect the zone adoption. The program can be changed as needed, and the City is required to approve it every two years.

Council Member Stevenson asked about the location of the zone and Council Member Melton verified that the information was available to citizens.

**Ordinance 6409**

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 2021 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 ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

ORD 6409  
ATMOS RATE  
SETTLEMENT

**Ordinance 6410**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING ORDINANCE NOS. 6232 AND 6319, AND AMENDING SECTION 6.12, ORDINANCE NO. 2280, SO AS TO AMEND A PLANNED DEVELOPMENT FOR BEL AIR VILLAGE (ORD. NO. 6319) FORMERLY KNOWN AS TERRA PERPETUA VILLAGE (ORD. NO. 6232) IN THE 300-1000 BLOCKS OF EAST F.M. 1417 (VIETNAM VETERANS PARKWAY), BEING 278.313 ACRES IN THE SHERROD DUNMAN SURVEY, ABSTRACT NO. 329 (TERRA PERPETUA, LLC, OWNERS; AND KIMLEY-HORN & ASSOCIATES, SURVEYOR/CIVIL ENGINEER); PROVIDING THAT THIS PLANNED DEVELOPMENT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; DESCRIBING THE TRACT TO BE REZONED; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6410  
AMENDING BEL AIR  
VILLAGE PLANNED  
DEVELOPMENT

Council Member Stevenson said he had some questions for Mr. Carlisle. He said everything in the Planned Development Agreement was subject to both parties agreeing, and now they are asking for a change. He asked if there was a reason for that request.

Mr. Carlisle said the industry standard for front yard setback in a residential area is 20 feet, which allows a vehicle to be located in the driveway, from the right-of-way line at the sidewalk to the garage. If it’s increased to 25 feet, there is wasted space behind the vehicle. Their idea is to take that additional space and enlarge the backyard.

Council Member Melton didn’t agree that it was wasted space and said that would be more room for people to walk.

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Council Member Stevenson asked why it wasn't negotiated when the agreement was first approved instead of asking for an exception. Mr. Carlisle said it also derived from the homebuilders in the market that are wanting to purchase the lots. It was from their request.

Mayor Plyler confirmed that the 20-foot setback was the industry standard across the nation. Council Member Stevenson verified that they didn't plan to make the lots any smaller. They're just moving the five feet from the front yard to the back yard.

Council Member Melton said if it was industry standard, why didn't it come up when the agreement was originally made. Mr. Carlisle said it is "a little bit back-and-forth when it comes to market." They're just trying to get the best product available. Council Member Stevenson said as long as the lot size is remaining the same, he had no problem with the change.

Council Member Howeth asked if they anticipated asking for any other changes. Mr. Carlisle said that was unknown at this time.

Mr. Rae said, since this is the City's first Planned Development, they are in the "testing phase" to see how it will go. It is possible that a developer or an applicant may want to make changes to the document. The City and the developer have the ability to request those amendments after the document has been adopted.

Council Member Howeth said she knew there would be different builders, but she would like there to be consistency in the lot sizes.

Council Member Melton confirmed that the setbacks for the entire Planned Development would be 20 feet.

**Ordinance 6411**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 810 EAST MULBERRY STREET, BEING LOTS 19 AND 20, BLOCK 14, CHAFFIN'S FIRST ADDITION (TOBAR PROPERTIES LLC, OWNER; PRESTON TRAIL LAND SURVEYING, SURVEYOR, AND NBS DRAFTING AND DESIGN, DRAFTSMAN); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPELAING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6411  
ZONE CHANGE  
(810 E. MULBERRY)

**Ordinance 6412**

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 HAMPTON INN & SUITES HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 305 CORNERSTONE DRIVE, BEING LOTS 8, 9 AND 10, BLOCK 2, CORNERSTONE ADDITION (P&N SHERMAN, LLC, OWNER;

ORD 6412  
SUP FOR HAMPTON  
INN & SUITES HOTEL  
(305 CORNERSTONE)

HAMPTON INN & SUITES HOTEL, PROPOSED TENANT; ADR DESIGNS, LLC, ARCHITECT; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Ordinance 6413

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "SUBDIVISION ORDINANCE", ARTICLE 10.05, ENTITLED "SUBDIVISION ORDINANCE", AT EXHIBIT A, ENTITLED "SUBDIVISION ORDINANCE" AND CHAPTER 14 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "ZONING ORDINANCE", ARTICLE 14.02, ENTITLED "AIRPORT HAZARD ZONING"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCE; MODIFYING CERTAIN REGULATIONS RELATING TO THE AIRPORT HAZARD ZONING FOR THE SHERMAN MUNICIPAL AIRPORT TO PREVENT THE CREATION OR AN AIRPORT HAZARD BY SPECIFYING THE LAND USES PERMITTED, REGULATING THE TYPE OF STRUCTURES, AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH TO PREVENT THE CREATION OF AN OBSTRUCTION TO FLIGHT OPERATIONS OR AIR NAVIGATION; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE AND A PENALTY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6413  
AIRPORT HAZARD  
ZONING

**ACTION TAKEN.**

Motion by Council Member Stevenson to adopt Ordinance Nos. 6408, 6409, 6410, 6411, 6412, and 6413, as presented.

Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

RECEIVE PRESENTATION FROM POLICE CHIEF ZACHARY FLORES ON UPDATES TO THE ANIMAL CONTROL OPERATIONS

ANIMAL CONTROL  
OPERATIONS

Zach Flores, Police Chief, presented an update on the Animal Control operations. He explained that the Police Department took over the responsibility for Animal Services at the first of this fiscal year. Initially they started off with a needs assessment and a look at the operations.

He felt that, at this point they understand the issues facing the shelter, and are ready to make changes. They worked with the Animal Services Advisory Committee, which is mandated by the State, to review needed changes to the ordinance.

He said after review, it was determined that the ordinance was "dated and pieced together." He said the new ordinance is based on the City of Irving's ordinance. He outlined substantial changes to the ordinance.

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Changes include updated definitions, removing the need to register animals, moving the fee schedule to City Management, restrictions on the sale of animals, and enforcement for property adjacent to the City limits up to 5,000 feet.

Chief Flores felt the proposed changes to the ordinance would make a better impact on the community. It will be presented for Council consideration at the next Council Meeting.

**RESOLUTION NO. 6768 – AUTHORIZING EXECUTION OF A CONTRACT WITH GRAYSON COUNTY, TEXAS, FOR USE OF THE CITY OF SHERMAN ANIMAL SHELTER**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH GRAYSON COUNTY, TEXAS, FOR USE OF THE CITY OF SHERMAN ANIMAL SHELTER.**

**RES 6768  
ANIMAL SHELTER  
CONTRACT WITH  
GRAYSON COUNTY**

Chief Flores also addressed the contract for animal services with Grayson County. Sherman has the only shelter in the County. He said Denison takes their animals to a veterinarian or to a rescue group. The Denison Animal Welfare Group has been very helpful, and he said that is one reason Sherman has been able to successfully reduce the animal population.

Historically, Sherman has only charged \$50 per animal to Grayson County for animals taken in from outside the City limits. There was also another provision for \$12 per day after three days, but that has not been enforced.

This year, they are asking for a 3% increase to the fees and to move from a two-year contract to a one-year contract. He said this contract would be “a bridge” to a new contract in the future.

He also addressed one of the main issues at the shelter, which is population management. Sherman has been identified as a “no kill” shelter. However, in the municipal animal services industry, that means a 90% or greater live release rate.

Sherman does not have the luxury of refusing animals, they have to accept animals, quarantine them, and can’t refuse animals that are sick or overly aggressive. Industry standard says there are about 10% of those animals that are not adoptable.

The only outcomes when an animal enters the shelter are to return it to the owner, send it to a rescue group, adoption, or euthanasia. Therefore, there is about a 10% euthanasia rate at any shelter.

Currently the shelter can house a maximum of 20 stray or quarantine dogs and 20 adoptable dogs. He said they average approximately 40 animals, dogs and cats, per week coming into the shelter and only an average of 21 are adopted out. He said they have had 100 at times.

When a shelter reaches its capacity for care it begins to lose the ability to humanely care for the animals, according to Chief

## **COUNCIL MINUTES – SEPTEMBER 7, 2021**

Flores. It was presumed that everything was going well, and he said the staff was doing everything they could.

Chief Flores said, currently 25% of the animals coming into the shelter are not from Sherman, but from somewhere else. For the last three years, the County contract has been for 3% of the shelter. Grayson County is bringing in 25% of the animals and is paying 3% of the costs. Therefore, the taxpayers of Sherman are shouldering a heavy burden for animal service for Grayson County.

They currently have a veterinarian that comes to the shelter on Wednesdays and performs spay or neuter services on about 20 animals per week. This covers only about half of the animals that are brought in. This causes a backlog of animals in foster care, waiting to be spayed or neutered so they can legally be adopted.

Chief Flores said they are currently using Texas coalition for Animal Protection and Vet Relief to help catch up on the backlog of animals. Hopefully these entities will be able to provide about 100 surgeries in the next couple of weeks. However, he said that was not a sustainable business practice.

He presented several things that would help them operate the shelter more efficiently and effectively. Solutions he presented were:

- Add Administrative Assistant
- Add Registered Veterinarian Technician
- Add Kennel Space
- Outside Agency Contracts

He outlined a plan with the proposed recommendations. An Administrative Assistant would help with calls for service and timely entering removing animals from the database. With the addition of a Registered Vet Tech, the current veterinarian has agreed to add a second day of surgeries.

Adding kennel space would allow the shelter to maintain a higher rate of live releases, and renegotiating contracts with outside agencies would help better share the costs of operating the shelter.

An alternative would be to adopt a lower live release rate which would allow for a reduced number of resources to operate the shelter.

Robby Hefton, City Manager, said when Chief Flores was asked to take over responsibility for the Animal Shelter, it was because there were problems there. He is a “process guy” and has dug into the details and come back with a plan.

Before Chief Flores took it over, there were nine employees and there are currently seven. This proposed plan would take it back to nine employees, but in different roles. This would help facilitate the spay/neuter program, regardless if Sherman takes animals from the outside entities.

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He added that they will be reviewing the contract with Grayson County because it expires in a couple of weeks. He felt the City should be taking care of City of Sherman first, and if they do take animals from other entities, those entities should be paying for it.

He asked if there was Council support for where they were going with the operation, in terms of the two employees. A decision will need to be made on the additional kennel space, but that is still under study and that will also include some drainage issues that will need to be addressed.

If the Council would be interested in that, he asked them to allow the staff to engage Aaron Babcock, Architect, Hidell & Associates consultants, to provide a more comprehensive estimate on what the building would cost.

Mayor Plyler said Sherman is in a growth mode now, and the City has taken a look at many of the facilities. As these new residential areas grow, there will be a need for more of these types of services. If the City can negotiate a better contract and have more revenue coming in, they can build something in house, like at Pecan Grove Park. He said he had no problem with adding the two positions back in.

Council Member Steele asked if it was typical in other cities for the Police Department to be over the Animal Services. Chief Flores said probably at least half of the cities are set up like that. He expressed concern that the dispatchers answered the phone for those types of calls.

He also verified that the \$50 they are receiving from the County per animal is not covering the cost of that service. Chief Flores said the reason he structured the plan this way was because they just became aware of the contract late in the fiscal year's planning. He added in the 3% increase, but alerted the County that he would like something different.

Council Member Steele felt, if there was a change in the contract, the additional fee should also be discussed. He felt they should pay for the cost. He also asked if an animal was picked up in the City limits of a City in the County, was it still being brought to the shelter as a "County animal"?

Chief Flores said the other City will contact Grayson County, the County will pick up the animal and bring it to the Sherman shelter. Sherman will charge the County \$50, and then the County charges the other municipality \$50.

Council Member Melton said Denison has a group of volunteers that take care of it, and they raise their own funds.

Council Member Steele questioned Chief Flores' when he previously said they were "doing great" and he planned to lower the budget by \$170,000. Now he was asking for that money back

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and wanted to build a new facility. He said he was not prepared to commit to that request tonight.

Chief Flores said they were following the budget calendar and cut that money out of the budget at that time. However, they had not fully had time to assess the situation. They were working on a short budget schedule.

Council Member Steele confirmed that the Animal Shelter budget is approximately \$850,000 for the next fiscal year. Mr. Hefton said he was originally unaware that there was a severe overcrowding problem. Then the concern is caring for the animals, because they can't be adopted out because they aren't spayed or neutered. They are taking in twice as many animals as are "going out the door," so the problem is growing. The vet can't spay or neuter that many animals.

Chief Flores said, at some point, the decision was made to be a no-kill shelter. However, there were no policies or practices put into place to facilitate that decision.

Council Member Stevenson felt that there were two issues, Sherman's animals, and everyone else's animals. He said he was not interested in subsidizing other governmental entities' costs for their dogs and cats. We need to determine the cost and charge them that cost. He didn't want to sign another contract with them for one or two years, until it's figured out.

As for staff, he agreed that everything has to grow, and if additional staff is needed, that's okay. He also understood that it takes time to determine what is needed when you take over a program.

Council Member Stevenson did not want to take on another contract where they are subsidizing entities for their animals. He did feel that they would have to make a decision about policies, but probably needed more numbers before they decided. He said \$50 per dog is a loser for the City of Sherman.

Mr. Hefton asked if they would rather run on an expired contract or set a time limit on the contract for one or two months. Council Member Steele didn't want to renegotiate a contract that doesn't cover the City's costs for another year. He felt the County should be charged the actual cost to take their animals.

Mayor Plyler asked if the staff could have some numbers on the actual cost by the next Council Meeting. He also suggested letting the contract with Grayson County "ride" for now.

Council Member Howeth said she was in favor of hiring the two additional staff members that were requested. She was also in favor of looking at the contract and using numbers that were closer, if not exactly what the actual cost is.

She said when Sherman became a no-kill shelter, Council Members were receiving dozens of emails daily, from individuals

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outside Grayson County, labeling it as a “kill shelter.” Mayor Plyler added that the gas chamber was being used for euthanasia at that time.

Mr. Hefton verified that Council Members were in favor of the personnel, immediately, not in the next budget year. Chief Flores said when they determined what the contract should be, then they would have a better idea of what their space needs would be. Mayor Plyler suggested engaging the architect to get some preliminary information back on the space needs.

Mr. Hefton also verified that Council Members wanted to pass on the cost of non-Sherman animal care to those that are using it.

Mayor Plyler verified with Mr. Pittman, that the Council could table the Resolution, or take no action on it, and it could be brought back for later consideration.

Council Members took no action on Resolution No. 6768.

**RESOLUTION NO. 6769 – AUTHORIZING BYRNE CONSTRUCTION SERVICES, CONSTRUCTION MANAGER AT-RISK FOR THE NEW SHERMAN POLICE DEPARTMENT HEADQUARTERS FACILITY, TO PROCURE ROOF METAL DECK AS SPECIFIED ON THE DRAWINGS FOR BUILDING A; NOT TO EXCEED \$300,000**

**RES 6769  
POLICE DEPARTMENT  
HEADQUARTERS  
ROOF METAL DECK**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING BYRNE CONSTRUCTION SERVICES, CONSTRUCTION MANAGER AT-RISK FOR THE NEW SHERMAN POLICE DEPARTMENT HEADQUARTERS FACILITY, TO PROCURE ROOF METAL DECK AS SPECIFIED ON THE DRAWINGS FOR BUILDING A; NOT TO EXCEED \$300,000.**

Chief Flores said Byrne Construction began pricing out materials for the new Police Headquarters, and determined that there will be an eight-month lead time for the receipt of the metal decking materials needed for the facility roof. They have asked if the City will allow them to go ahead and procure the materials now so they will have them when they get to that portion of the project.

Mr. Babcock said they have previously discussed strategies to implement during the design phase to mitigate some of the construction delays that are happening recently. At that time, they switched from steel joists to steel beams.

The request tonight is another strategy that deals with the metal decking that was part of the structural system. It is a critical path item in keeping the schedule of the project. They have determined that metal decking has a longer procurement time than what was originally anticipated.

At the direction of Byrne Construction, they put all the drawings out for bid. They brought back the numbers for just the metal decking, and received those bids on September 3, 2021.

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Tonight, they are asking the Council to authorize Byrne to go ahead and place the order with the subcontractor. That would allow them to start the clock on delivery now, instead of when they bring the guaranteed maximum price to them in November. That would allow them to make up this lag time. Once the construction clock starts, they would actually have the metal decking onsite.

Mr. Babcock said they received five bids and low bidder was \$224,000, and associated with a February 2022 delivery timeframe. This also works in the project schedule they are anticipating for the project. They need the metal decking and the steel, onsite in the May timeframe, and that will work with the February delivery date.

Mr. Hefton asked if the \$224,000 was the low bid or the best qualified to get the material.

Justin Burt, Senior Estimator, Byrne Construction Services, explained that it was currently the low, qualified bid. They are still vetting the bid and have some questions.

Mr. Hefton said it's not all about "dollars and cents." That should be a consideration, but there should also be the highest level of comfort they can get, to make sure the company selected can deliver. He asked if Byrne Construction felt comfortable with the one they selected, that they have a good reputation, you've worked with them before, and there hasn't been significant delivery problems.

Mr. Burt said this bidder's timeframe also had the delivery date in February, which is critical. Their bid is timed toward a February delivery date, as well. He said that was critical to this project.

Mayor Plyler confirmed that the full structural package is currently out for bid. Whoever this is awarded to, it is for the purchase only, and doesn't dictate who will be selected.

**ACTION TAKEN.**

Motion by Council Member Stevenson to adopt Resolution No. 6769, as presented. Second by Council Member Melton.  
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.  
VOTING NAY: None.  
MOTION CARRIED.

**RESOLUTION NO. 6770 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH J&L PAVING LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE SETTING SUNS PHASE II DRAINAGE IMPROVEMENTS**  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH J&L PAVING LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE SETTING SUNS PHASE II DRAINAGE IMPROVEMENTS.

**RES 6770  
SETTING SUNS  
DRAINAGE  
IMPROVEMENTS  
PHASE II**

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Mr. Lee said this was the second phase of drainage improvements in Setting Suns Estates. Phase 1 was done two or three years ago, in between Seminole and Park Avenue, to alleviate some flooding issues. At that time, there wasn't enough money to continue south with the project.

This project was designed in-house and notices were sent to 31 contractors. There were three local bidders that didn't bid. The Engineering Department contacted them and they said they were "overloaded" with work.

There were two bidders, and the low bid was J&L Paving, LLC, who the City has worked with on previous projects. Their bid was \$111,921. The project will alleviate some flooding issues, especially with one property owner, whose home has been flooded a couple of times. He has a detached garage that frequently floods.

Council Member Steele expressed concern with receiving only two bids. Mr. Lee said the staff is comfortable with the bid and the bidder. Mayor Plyler verified that the bidder will furnish a bond. Mr. Hefton said the bid came in higher than was estimated.

Council Member Melton confirmed that there was a property owner that was experiencing flooding now and she asked if that meant the City was saying that they knew there was a problem and that they were responsible.

Mr. Lee said this subdivision was annexed into the City in 1986. She asked if the developments going in around them were causing any more problems. Mr. Philpott said the developments to the north are required to detain the extra flow.

**ACTION TAKEN.**

Motion by Council Member Stevenson to adopt Resolution No. 6770, as presented. Second by Deputy Mayor Holland.  
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson.  
VOTING NAY: None.  
MOTION CARRIED.

**RESOLUTION NO. 6771 – ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN**  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN.  
CONSENT AGENDA.

**RES 6771  
INVESTMENT POLICY**

**RESOLUTION NO. 6772 – AUTHORIZING EXECUTION OF AN AGREEMENT FOR FIRE PROTECTION SERVICES BETWEEN GRAYSON COUNTY, TEXAS AND THE CITY OF SHERMAN, TEXAS FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022**  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT FOR FIRE PROTECTION SERVICES BETWEEN GRAYSON COUNTY, TEXAS AND THE CITY OF SHERMAN,

**RES 6772  
FIRE SERVICES  
CONTRACT WITH  
GRAYSON COUNTY**

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**TEXAS FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH  
SEPTEMBER 30, 2022.  
CONSENT AGENDA.**

**RESOLUTION NO. 6773 – AUTHORIZING EXECUTION OF AN  
AGREEMENT FOR AMBULANCE SERVICES WITH GRAYSON  
COUNTY FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH  
SEPTEMBER 30, 2022**

**RES 6773  
AMBULANCE SERVICE  
CONTRACT WITH  
GRAYSON COUNTY**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN  
AGREEMENT FOR AMBULANCE SERVICES WITH GRAYSON  
COUNTY FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH  
SEPTEMBER 30, 2022.  
CONSENT AGENDA.**

**CHANGE ORDER NO. 1**

**NORTHWEST SEWER AND FORCE MAIN PROJECT; LYNN  
VESSELS CONSTRUCTION, LLC; \$132,744.04 INCREASE**

**CHANGE ORDER  
NORTHWEST SEWER  
& FORCE MAIN  
PROJECT**

**Mr. Lee said this change order is for the Northwest Sewer and  
Force Main Project. The contractor received pricing on the pipe,  
from a pipe manufacturer, in May 2021, when the project bid.**

**Recently the contractor received notice that the supplier would  
not be able to supply the pipe, not just at the price given, but that  
he couldn't supply it at all. The supplier is a large manufacturer  
with a factory in Texas. The freeze in February 2021 affected  
them so much, and everything is not repaired.**

**Mr. Lee added that, in general, the PVC industry has been having  
issues with supplies and materials, and manufacturing pipe. The  
contractor found another manufacturer that could supply the  
pipe, but it is at a slightly higher price.**

**Council Member Melton and Council Member Howeth expressed  
concern that the pipe was "that much higher" from this supplier.  
Mr. Lee said it was "tens of thousands of feet" of pipe.**

**He said PVC prices have been very volatile this past year. This  
bid was originally set to be awarded within a week of the bid  
opening because PVC suppliers were not guaranteeing the  
prices for longer than a week. Some suppliers weren't  
guaranteeing prices for more than a day.**

**Council Member Melton said the Council approved the bid with  
them guaranteeing the price within seven days, and the pipe was  
ordered the next day.**

**Mr. Philpott said even with this increase, the cost is \$200,000 less  
that the next bidder, and that bidder won't honor his prices  
because that was three months ago.**

**Council Member Steele was in favor of the change order because  
he said he sees this every day. It's now a "fact of life".**

**ACTION TAKEN.**

Motion by Council Member Steele to approve Change Order No. 1, in the amount of a \$132,744.04 increase, for the Northwest Sewer and Force Main Project, as presented.

Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Steele, Stevenson.

VOTING NAY: Melton.

MOTION CARRIED.

**OTHER BUSINESS**

**RECEIVE SEMI-ANNUAL REPORT ON THE SHERMAN CULTURAL DISTRICT**

**SHERMAN ANNUAL CULTURAL DISTRICT**

Eddie Brown, President of the Sherman Chamber of Commerce, thanked the Mayor, City Council, and City staff for their support of the cultural arts in Sherman. He said, according to the State of Texas, cultural arts districts attract artists and cultural enterprises to the community, encourage businesses and job development, address specific needs of a community, establish tourism destinations, preserve and reuse historic buildings, enhance property values, and foster local cultural development.

Heidi Rushing, Chairman of the Cultural Arts Board, presented the Semi-Annual Report of the Sherman Cultural District. She thanked Mr. Brown for his service on the board.

She said entering the District from the north on Travis Street, there is a new welcome sign. It was paid for through a State grant. The stained glass symbol on the sign was taken from metal work at Kidd-Key Auditorium.

She said a new event this year was the SherTown Taco Tour in July, which raised over \$3,000 for the mural project. She said there are many taco restaurants located in the Cultural District. They have also applied for a matching funds grant for the mural project.

The mural project is a wall, located near City Hall, that will be painted with a mural that was designed by David Freeman of Mount Pleasant. Community participants will help paint the wall during the annual Arts Festival event on September 18, 2021.

**CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR “STROLL ON THE SQUARE & TEXOMA’S BEST BITES” ON SATURDAY, OCTOBER 2, 2021**

**CLOSE STREETS  
STROLL ON THE  
SQUARE & TEXOMA’S  
BEST BITES  
(OCT. 2, 2021)**

The City Council approved the request of Downtown Sherman NOW to temporarily close the 100 blocks of South Travis, South Crockett, and North Travis Streets, and the 200 block of South Travis on October 2, 2021, from 1:00 p.m. until 11:00 p.m., for “Stroll on the Square & Texoma’s Best Bites”.

Businesses will offer wine samples inside their downtown locations, and restaurants and caterers will be situated outside on the closed streets and on the sidewalks, offering free samples of food.

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The City will provide barricades, cones, and solid waste receptacles. Downtown Sherman NOW will work with the Police Department for security officers, and will maintain emergency vehicle accessibility through the closed streets at all times.  
**CONSENT AGENDA.**

**FINAL PLAT APPROVAL OF AUSTIN LANDING, PHASE IV, BEING 40.840 ACRES IN THE ALEXANDER AND RICHARDS SURVEY, ABSTRACT NO. 42 (LEO JOSEPH BOWLER, III, OWNER; WINDROSE LAND SURVEYING, SURVEYOR; AND CODY CRANNELL, CCM ENGINEERING, CIVIL ENGINEER/ REPRESENTATIVE) 700 BLOCK WEST NORTHCREEK DRIVE & 4900 BLOCK NORTH TRAVIS STREET)**

The City Council approved the Final Plat of Austin Landing, Phase IV, a 40.840 acre tract, located in the 700 block of West Northcreek Drive and 4900 block of North Travis Street.

The property is zoned SF-1 (Single Family Residential) District. The Final Plat (125 lots) was denied at the July 19, 2021 City Council Meeting, pending approval of exceptions to allow three lots to be less than 60' wide. The lots for the exceptions are Lot 11, Block A, at 45.29' wide; Lot 12, Block A, at 42.34' wide; and Lot 23, Block B, at 40.22' wide. The exceptions were approved at the August 17, 2021 Planning and Zoning Commission Meeting and the Board of Adjustments Meeting.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.  
**CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.**

**REPLAT APPROVAL OF CYPRESS LOFTS ADDITION, PHASE 1A, BEING A REPLAT OF LOT 1-R, BLOCK 2, CYPRESS LOFTS ADDITION, A PART OF LOT ONE AND ALL OF LOT TWO, BLOCK 2, REPLAT OF BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE, BEING 11.069 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 275, ALSO BEING ALL OF LOT 1-R, BLOCK 2, CYPRESS LOFTS ADDITION, THE REMAINDER OF LOT 1, BLOCK 2, REPLAT OF BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE (SAID LOT 1-R BEING A PORTION OF SAID LOT ONE, BLOCK 2) AND ALL OF LOT 2, BLOCK 2; CYPRESS LOFTS SHERMAN, LP, OWNERS; HELVEY-WAGNER SURVEYING, INC., SURVEYOR; AND YOUNG ENTERPRISES, LP, REPRESENTATIVES (4901 KNOLLWOOD ROAD)**

The City Council approved the Replat of Cypress Lofts Addition, Phase 1A, a 11.069 acre tract, located at 4901 Knollwood Road.

The property is zoned a C-1 (Retail Business) District, and the owner would like to add a dog park area to the apartment complex (Cypress Lofts Apartments), which are currently under construction. They are replatting the property into one lot and adding additional acreage to include the dog park.

**APPROVE REPLAT  
CYPRESS LOFTS  
ADDITION  
(4901 KNOLLWOOD RD)**

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The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.  
CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

FINAL PLAT APPROVAL OF ADAMS ADDITION, BEING 4.988 ACRES IN THE W.A. DEEVER SURVEY, ABSTRACT NO. 347; JEFFREY T. AND DESIREE ADAMS, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR (801 RIDDELS ROAD)

The City Council approved the Final Plat of the Adams Addition, a 4.988 tract, located at 801 Riddels Road. The owner would like to plat the property into one lot for residential development.

APPROVE FINAL PLAT  
ADAMS ADDITION  
(801 RIDDELS RD)

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

FINAL PLAT APPROVAL OF SHERMAN CROSSROADS MEDICAL NO. 3, BEING 1.005 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 IN TRACT 4 OF THE BLALOCK INDUSTRIAL PARK; HERITAGE DEVELOPMENT PARTNERS, LLC, OWNER; BROCKETT DAVIS DRAKE, INC., REPRESENTATIVE; AND VOTEX SURVEYING COMPANY, SURVEYOR (221 WEST TRAVIS STREET)

The City Council approved the Final Plat of the Sherman Crossroads Medical No. 3, a 1.005 acre tract, located at 221 West Travis Street.

APPROVE FINAL PLAT  
SHERMAN  
CROSSROADS  
MEDICAL  
(221 W. TRAVIS ST)

The property is located in the Blalock Industrial Park and the Blalock Commercial Overlay District. The Site Plan was approved for Crossroads Medical Office Building, and the owner would like to plat the property into one lot to move forward with the commercial development of the medical office building.

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

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

KEEP SHERMAN BEAUTIFUL COMMISSION (5)  
ACTION TAKEN.

Motion by Council Member Melton to reappoint Ronald Engelke and Rajendra Wagle to the Keep Sherman Beautiful Commission for a term from January 1, 2021 to January 1, 2023, and to appoint Cynthia Moore and Renea Valita Fornof-Dennington for a term from September 8, 2021 to September 8, 2023, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

KEEP SHERMAN  
BEAUTIFUL  
COMMISSION

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

**COUNCIL COMMENTS**

**THANKS TO CITY STAFF**

Council Member Howeth thanked the staff saying, the City has been through two crisis this year, the freeze and loss of water service in February 2021, and the leak in the main feed line for Lake Texoma water and subsequent move to only ground water for citizens in September 2021. She also thanked the citizens for their understanding during the event.

**THANKS TO  
CITY STAFF**

**ANNOUNCEMENTS**

Mayor Plyler announced the following:

- A Remembrance Ceremony marking the 20<sup>th</sup> Anniversary of 9/11 will be held at the Grayson County Courthouse on September 11, 2021, at 8:30 a.m.
- The Hispanic Heritage Festival will be held on September 11, 2021, from 4:00 p.m. until 9:00 p.m., in Kidd-Key Park. There will be food, music, and activities for the entire family.
- The 40<sup>th</sup> Annual Sherman Arts Fest will be held September 18, 2021, on the Municipal Building Grounds. The event will feature vendors, live music, and activities for the kids.
- The Sherman Celtic Festival will be held on September 25 and 26, 2021, at Pecan Grove Park. The event will feature Highland Games, bagpipe competition, live music on two stages, a Viking Village, and fun for the entire family.

**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**

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 REGARDING WASTEWATER TREATMENT AGREEMENT NOVEMBER 2, 2009

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 THE CITY MANAGER

(B) TEXOMA COMMUNITY CENTER (2)

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) UPDATE ON THE SHERMAN HOSPITAL PROJECT

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 6:31 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:31 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  
TEXOMA COMMUNITY CENTER (2)**

TEXOMA COMMUNITY

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**ACTION TAKEN.**

Motion by Council Member Melton to reappoint Billy Hamilton to the Texoma Community Center Board of Trustees, for a term from August 31, 2021 to August 31, 2023, and to appoint Lander Bethel for a term from September 8, 2021 to August 31, 2023, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

**CENTER**

**ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 7:32 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY CLERK**