

STATE OF TEXAS §
 August 19, 2019
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 August 19, 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 Council Member Willie Steele.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of August 5, 2019. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Melton; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

SPECIAL PRESENTATION

PRESENTATION BY DENISON CHIEF OF POLICE MIKE GUDGEL

Mike Gudgel, Denison Police Chief, said he had been on the job about a month and a half. Before he was hired, he spoke with Zach Flores, Sherman Police Chief, about how much he wanted to work with him. "Crime doesn't have boundaries." He said it has been amazing so far, to work together.

PRESENTATION
DENISON POLICE
CHIEF

He said his first week on the job was a tough one, as one of their police officers, Sergeant Brian Conrad, passed away. He said the Sherman Police Department sent their Pipes and Drum Corp to Denison for the funeral.

Last week, Chief Gudgel said they had an officer involved shooting, and Sherman Police also assisted with that situation.

Chief Gudgel thanked Chief Flores for his assistance and presented him with an appreciation plaque from the Denison Police Department, extending their gratitude to the Sherman Police Department for their generous show of support during the loss of Sergeant Conrad, and for their continued support of the Denison community.

Chief Flores thanked Chief Gudgel for the plaque saying he has had many conversations and enjoys a great friendship with him. Both Chiefs have told their departments that "a

battle on the football field is one thing, but we're not going to do it in the Police Department."

PUBLIC HEARING

CAPITAL IMPROVEMENT PROGRAM 2019-2024

CIP PROGRAM

Mayor Plyler introduced the City's Five Year Capital Improvement Program covering the period from October 1, 2019 through September 30, 2024.

Mary Lawrence, Director of Finance, said the City's Charter requires Council approval of a Five Year Capital Improvement Plan, in conjunction with the Annual Budget.

The plan calls for \$223 million in projects over the five year period, however only the first year is funded through the Annual Budget. No changes were made to the plan since the Council reviewed it at the last Council Meeting. Approval of the plan will be in the form of a resolution, later in the meeting.

No citizens appeared before the City Council to discuss the Five-Year Capital Improvement Program for the period from October 1, 2019 through September 30, 2024.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6233 and called for a public hearing:

ORD 6233
ANNUAL BUDGET

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR A REPEALER.

Mayor Plyler said "this budget will raise more total property taxes than last year's budget by \$3,654,000 and 27% and, of that amount, \$507,000 is revenue to be raised from new property to be added to the roll this year. The decrease in residential trash rate by \$6 per month per customer will fully offset the impact of the tax rate increase for the average residential taxpayer."

Robby Hefton, City Manager, gave a presentation relating to the budget and the tax rate with updates since the last City Council Meeting. The only action required tonight will be on the budget. A second public hearing and consideration of the tax rate will be scheduled for the next City Council Meeting.

After the last Council Meeting, the staff looked at alternatives to reduce or eliminate the impact of the tax rate increase to the residential customer.

He said there are 2,700 tax accounts of citizens 65 years of age or older, whose taxes are frozen. These accounts would not be affected by any action taken on the tax rate for Sherman.

COUNCIL MINUTES – AUGUST 19, 2019

There are also 12,100 single family residential trash accounts in Sherman. The current tax rate for Sherman is \$0.427 per \$100 valuation. The proposed tax rate for FY 2020 is \$0.489 per \$100 valuation. The Rollback Rate for FY 2020 is \$0.4899 per \$100 valuation.

Mr. Hefton said the impact of the tax rate increase on the average single family residence would be \$0.0617 per \$100 valuation or \$72 per year. According to the Grayson Appraisal District, the average taxable value of a single family residence in Sherman is \$117,000.

Mr. Hefton said the staff is proposing to reduce the residential solid waste rates by \$6 per month for all customers, which would be \$72 per year. For the average resident, this plan would have the impact of the tax rate increase completely offset by the trash rate reduction.

Residents that are 65 years or older would feel no impact from the tax rate increase, AND they would get a \$72 per year reduction in their trash costs.

In order to do this, Mr. Hefton said there have been a few changes in the proposed budget. The residential trash rate would be reduced by \$6 per month instead of \$4 per month, and the expected Texoma Area Solid Waste Authority distribution of \$400,000, that is expected in the summer of 2020, would be added to the Solid Waste Fund revenue. The budget presented tonight reflects these changes.

Mr. Hefton also mentioned other considerations. An increase in the Grayson County tax base of \$1.1 billion has allowed them to lower the proposed rate to \$0.416 per \$100 valuation, or \$.026 per \$100 valuation. Sherman's contribution to that growth is about \$360 million, or one-third of the increase. Therefore Sherman residents are realizing another reduction in their rates because of growth in Sherman.

The Council's goal at the last Council Meeting was to find a way to fully offset the tax rate increase, and Mr. Hefton felt this proposed plan accomplished that goal. He asked the Council to support the \$0.489 per \$100 valuation tax rate and the \$6 per month reduction in the residential trash rate.

Ms. Lawrence said the proposed budget includes a property tax rate of .489, which is lower than the rate presented at the Budget Workshop, due to the increase in values. Most of the increase in taxes will go to fund the debt service.

The budget also includes the \$6 per month decrease in residential solid waste rates, which, for the average home owner would be a net effect of zero.

Ronald Aycock, 220 E. Houston

Mr. Aycock asked if the presentation that Mr. Hefton just gave could be published in the Herald Democrat so the citizens could see it.

Mr. Hefton said the City didn't control what is published in the newspaper. Council Members said they hope it would be published. Mr. Hefton asked Michael Hutchins, Herald Democrat Reporter, if he would publish the presentation word for word. Mr. Hutchins said he "couldn't promise anything."

No other citizens appeared before the City Council to discuss Ordinance No. 6233.

Mayor Plyler introduced Ordinance No. 6234 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2019; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A REPEALER.

ORD 6234
LEVY OF AD
VALOREM TAXES

Mayor Plyler said "the City Council will consider the adoption of the tax rate ordinance at the regular meeting scheduled for 5:00 p.m. on Monday, September 16, 2019, at Sherman City Hall, 220 West Mulberry Street, Sherman, Texas."

Ms. Lawrence said if the proposed tax rate is higher than the effective rate or the rollback rate, the State requires two public hearings. This is the first public hearing and the second one will be at the September 3, 2019 Council Meeting. Consideration of the final adoption will be at the September 16, 2019 Council Meeting. No action is required tonight.

No citizens appeared before the City Council to discuss Ordinance No. 6234.

Mayor Plyler introduced Ordinance No. 6235 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6235
REGULAR ELECTION
TWO DISTRICT
COUNCIL MEMBERS

Brandon Shelby, City Attorney, said Ordinance Nos. 6235, 6236, and 6237 relate to the November Election. This one is

COUNCIL MINUTES – AUGUST 19, 2019

the regular City Council Election to elect two District City Council Members.

No citizens appeared before the City Council to discuss Ordinance No. 6235.

Mayor Plyler introduced Ordinance No. 6236 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

**ORD 6236
SPECIAL ELECTION
STREET SALES
TAX**

Mr. Shelby said this ordinance relates to the Special Election for the reauthorization of the Street Sales Tax. The City has had this tax for several years.

No citizens appeared before the City Council to discuss Ordinance No. 6236.

Mayor Plyler introduced Ordinance No. 6237 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CALLING A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR NOTICE OF SAID ELECTION; DESIGNATING ELECTION PRECINCTS; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

**ORD 6237
SPECIAL ELECTION
CHARTER
AMENDMENT**

Mr. Shelby said this ordinance relates to the Special Election for the proposed Charter Amendments that were presented at the last City Council Meeting.

No citizens appeared before the City Council to discuss Ordinance No. 6237.

Mayor Plyler introduced Ordinance No. 6238 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REAPPOINTING A PRESIDING MUNICIPAL COURT OF RECORD JUDGE AND ALTERNATE MUNICIPAL COURT OF RECORD JUDGES FOR THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

**ORD 6238
APPOINTING
MUNICIPAL COURT
JUDGES &
ALTERNATES**

Ms. Lawrence said in 2017 the City Council approved a change to the Municipal Court, making it a Court of Record. This allowed a more efficient handling of the substandard structures through the demolition process by using a Civil Court.

The updated ordinance includes a provision that aligns with the State law that requires reappointment of Municipal Court Judges every two years. This change will accomplish that requirement for the Judge and Alternate Judges, and it will be done every two years going forward.

No citizens appeared before the City Council to discuss Ordinance No. 6238.

Mayor Plyler introduced Ordinance No. 6239 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", ARTICLE 1.07, ENTITLED "AVIATION", DIVISION 1, ENTITLED "GENERALLY", TO PROVIDE FOR A NEW SECTION 1.07.004 TO BE ENTITLED "SHERMAN MUNICIPAL AIRPORT ADVISORY BOARD"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6239
AIRPORT ADVISORY
BOARD

Ms. Lawrence said the Airport Advisory Board was disbanded in 2012. Since that time there has been an increased interest in developing the Airport.

Phase I of the Sherman Municipal Airport Master Plan has been completed. A contract for Phase II of the Master Plan will be presented to the City Council for consideration, later in the meeting.

She said an important part of the Master Plan is stakeholder input. The staff felt that an Airport Advisory Board was an important liaison between the users of the Airport, the City Council, and the staff. Therefore, the staff is requesting creation of the Airport Advisory Board.

No citizens appeared before the City Council to discuss Ordinance No. 6239.

Mayor Plyler introduced Ordinance No. 6240 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", ARTICLE 1.07, ENTITLED "AVIATION", AT DIVISION 2, ENTITLED "MUNICIPAL AIRPORT", SECTION 1.07.034, AT DIVISION 3, ENTITLED "AIRPORT RULES", SECTIONS 1.07.092, 1.07.093, 1.07.095 AND 1.07.098, AND DELETING SECTIONS 1.07.033 AND 1.07.100 IN THEIR ENTIRETY; PROVIDING FOR

ORD 6240
AIRPORT RULES
& REGULATIONS

INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

Ms. Lawrence said the Airport Ordinance has not been updated since 1991. Since that time there have been some significant changes in Federal and State laws, dealing with general aviation.

The staff proposes changing the ordinance to reflect the changes in laws and the general aviation environment. There are also some changes needed to help the City develop the Airport, according to the Master Plan.

No citizens appeared before the City Council to discuss Ordinance No. 6240.

Mayor Plyler introduced Ordinance No. 6241 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REDESIGNATING RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, TO CITY OF SHERMAN REINVESTMENT ZONE, NUMBER 10 (#10), FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.

ORD 6241
RENAME
REINVESTMENT
ZONE

Ms. Lawrence explained that the State Comptroller changed their policy for how reinvestment zones are numbered. They notified the City that the numbering is not correct. This ordinance changes the number of this reinvestment zone to meet their new policy. There are no changes in the program, the area, or any other part of the original ordinance.

No citizens appeared before the City Council to discuss Ordinance No. 6241

The Public Hearing was closed.

OTHER BUSINESS

PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE

Mr. Hefton said Ms. Lawrence has already presented the impacts and what the staff is proposing on the property tax increase. There is a statement that needs to be read.

RATIFICATION OF
PROPERTY TAX
INCREASE

ACTION TAKEN.

Motion by Deputy Mayor Teamann to ratify the property tax increase proposed in Budget Ordinance No. 6233. The decrease in residential trash rate by \$6 per month per customer will fully offset the impact of the tax rate increase for the average residential taxpayer. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

ADOPTION OF ORDINANCES

Ordinance 6233

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR A REPEALER.

ORD 6233
ANNUAL BUDGET

Deputy Mayor Teamann voted against the tax rate increase at the last Council Meeting, but there were a lot of Council Members that wanted to see an offset. That request was heard by the staff, and he said he greatly appreciated the staff working to make sure the average citizen doesn't have that tax burden.

ACTION TAKEN.

Motion by Council Member Melton to approve Ordinance No. 6233, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6235
REGULAR ELECTION
TWO DISTRICT
COUNCIL MEMBERS

Ordinance 6236

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6236
SPECIAL ELECTION
STREET SALES
TAX

Council Member Howeth asked what the sales tax for streets could actually be used for. Mr. Hefton said the sales tax for streets can be used only on existing roads and cannot be used for building new roads. It is for the maintenance and repair of roads that exist at the time the sales tax for streets is enacted.

Council Member Howeth reiterated that it cannot be used to build new roads in areas where the infrastructure needs expanding.

Council Member Melton added that the City is also getting sales tax from visitors to Sherman that are utilizing the streets. Mr. Hefton said over half of Sherman's sales tax comes from users outside the City of Sherman. It's a way to have these services paid for by the people that are using them.

Ordinance 6237

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CALLING A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR NOTICE OF SAID ELECTION; DESIGNATING ELECTION PRECINCTS; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6237
SPECIAL ELECTION
CHARTER
AMENDMENT

Ordinance 6238

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REAPPOINTING A PRESIDING MUNICIPAL COURT OF RECORD JUDGE AND ALTERNATE MUNICIPAL COURT OF RECORD JUDGES FOR THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

ORD 6238
APPOINTING
MUNICIPAL COURT
JUDGES &
ALTERNATES

Ordinance 6239

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", ARTICLE 1.07, ENTITLED "AVIATION", DIVISION 1, ENTITLED "GENERALLY", TO PROVIDE FOR A NEW SECTION 1.07.004 TO BE ENTITLED "SHERMAN MUNICIPAL AIRPORT ADVISORY BOARD"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6239
AIRPORT ADVISORY
BOARD

Council Member Steele asked why the Airport Advisory Board was disbanded in 2012. Mr. Hefton said for the last several years the staff has been looking to determine if there was another beneficial use for the Airport.

The Airport Advisory Board was active for many years and there were discussions about another use for the property. With the recent activity and interest from both members of the community and other investors, the desire for growth, expansion, investment, and development at the Airport has

really taken off. The staff felt this was a good step in that direction. He felt it was useful to put this board back into commission.

Council Member Steele agreed, adding that he was one that had doubts about the Airport, but it was exciting to see that the Municipal Airport is possibly on the verge of expansion and growth. He agreed it was a good idea to re-establish the Airport Advisory Board.

Mr. Hefton said he has been a part of Airport discussions for over ten years, and it wasn't that the City staff was against keeping the Airport Board active. The staff was asking for a third-party investor to take an interest in development and redevelopment of the Airport.

Users of the Airport said there was a demand for hanger space, but until recently, no one has "stepped up" and said they would put their money into that project. With the market maturing and the recent changes at North Texas Regional Airport, that is finally happening. He felt there are now people that have the best interest of Sherman Municipal Airport in mind.

Ordinance 6240

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", ARTICLE 1.07, ENTITLED "AVIATION", AT DIVISION 2, ENTITLED "MUNICIPAL AIRPORT", SECTION 1.07.034, AT DIVISION 3, ENTITLED "AIRPORT RULES", SECTIONS 1.07.092, 1.07.093, 1.07.095 AND 1.07.098, AND DELETING SECTIONS 1.07.033 AND 1.07.100 IN THEIR ENTIRETY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6240
AIRPORT RULES
& REGULATIONS

Ordinance 6241

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REDESIGNATING RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, TO CITY OF SHERMAN REINVESTMENT ZONE, NUMBER 10 (#10), FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.

ORD 6241
RENAME
REINVESTMENT
ZONE

ACTION TAKEN.

Motion by Council Member Melton to approve Ordinance Nos. 6235, 6236, 6237, 6238, 6239, 6240, and 6241, as presented. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6510 – APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS

RES 6510
CIP PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS.

Ms. Lawrence said this is the same Capital Improvement Plan that was discussed earlier. This is the vote to adopt the plan.

Deputy Mayor Teamann said the CIP lists \$223 million in projects over the five year period, and he asked how those would be paid for. The City has been seeing a 3% to 3 1/2 % growth in the tax base. He said it costs about \$15 million annually to fund all these projects.

Ms. Lawrence said the City does have other things that are funded with the growth. She said the projects are actually “across all funds.”

She added that the CIP is always changing. The plan is for five years, but next year one project might totally be removed from the plan and another one comes on. Conditions change so the plan changes. The staff does not consider the funding side when the plan is prepared. Mayor Plyler added that some of the projects may be funded through FEMA.

Mr. Hefton said the concept is to look at potential needs over a longer period of time, but the budget only includes funding for the first year of projects. The budget, including funding for the first year of the CIP, is set only for one year at a time. The authority to spend and do these projects will come back to the Council for consideration, multiple times, with each project, and the revenue sources are varied.

Mr. Hefton said not all the projects would be done, and they won’t all cost the same as the estimate. The plan is to advise the Council and the citizens about projects that could be coming up. The funding sources for the General Fund projects, will rely substantially on growth from the tax base. He added that, “if the development comes as it is planning to come, there will be ample resources” for the projects.

He said the staff tries to do a balancing act through planning ahead with the five-year plan, knowing that the timing, the nature, and the extent of the projects will change. The CIP is required by Charter.

COUNCIL MINUTES – AUGUST 19, 2019

Council Member Steele said projects for the first year of the CIP total about \$31 million or \$32 million, out of the \$223,474,159.

Mr. Hefton added that the first year projects of the CIP were just approved by the City Council and the funding source for those projects is in place.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6510, as presented. Second by Council Member Holland.

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

VOTING NAY: Teamann.

MOTION CARRIED.

RESOLUTION NO. 6511 – AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 5, 2019
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 5, 2019.

**RES 6511
JOINT ELECTION
AGREEMENT**

Council Member Steele asked if it was possible there wouldn't be an Election. Mr. Hefton said, generally speaking, whether the City has one "matter of business" for the Election, or more, the cost is about the same. It may vary slightly.
CONSENT AGENDA.

RESOLUTION NO. 6512 – AWARDING A PROPOSAL TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH CORGAN FOR AVIATION PLANNING SERVICES FOR THE SHERMAN MUNICIPAL AIRPORT MASTER PLAN PHASE II PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A PROPOSAL TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH CORGAN FOR AVIATION PLANNING SERVICES FOR THE SHERMAN MUNICIPAL AIRPORT MASTER PLAN PHASE II PROJECT.

**RES 6512
AIRPORT MASTER
PLAN**

Ms. Lawrence said the City previously contracted with Corgan for Phase I of the Airport Master Plan. The study was to assess the current conditions of the Airport, and develop goals and objectives for Airport development.

The staff would like to proceed with Phase II of the Airport Master Plan, to develop a Capital Improvement Plan and other operational plans. Cost of Phase II is \$75,000.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 6512, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6513 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED WITH SKYTRUST, LLC FOR THE SALE OF CITY-OWNED REAL PROPERTY IN THE 1700 BLOCK OF SOUTH GRIBBLE STREET
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED WITH SKYTRUST, LLC FOR THE SALE OF CITY-OWNED REAL PROPERTY IN THE 1700 BLOCK OF SOUTH GRIBBLE STREET.

RES 6513
SALE OF CITY
PROPERTY –
ADJACENT TO
AIRPORT

Ms. Lawrence said the City accepted bids on the sale of nine acres for an aviation related development. Skytrust submitted a detailed plan for development west of the Airport. This gives the City an opportunity to acquire some property for the right-of-way to construct Lake Street. It's actually two separate transactions, and not a swap of property. Skytrust currently owns the land south of the nine acres in question.

Council Member Steele asked about the cost per acre. Ms. Lawrence said Skytrust is paying \$12,000 per acre for the nine acres, and the City will be acquiring the right-of-way for the same price.

Council Member Howeth confirmed that the thoroughfare would be from Lake Street to Dewey Avenue. The project includes what is currently known as Lake Street, which will eventually become Park Street.

Council Member Howeth asked about how many planes will be taking off and landing each day. Mr. Hefton said there will be 58 lots in the development, and each will have an airplane. Ms. Lawrence said the development will also include a restaurant.

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Resolution No. 6513, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6514 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MYGOV, LLC FOR COMMUNITY DEVELOPMENT SOFTWARE
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH MYGOV, LLC FOR COMMUNITY DEVELOPMENT SOFTWARE.
CONSENT AGENDA.

RES 6514
COMMUNITY
DEVELOPMENT
SOFTWARE

RESOLUTION NO. 6515 – AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM SSCGC HOLDINGS, LLC FOR THE CONVEYANCE AND ACQUISITION OF 5.214 ACRES FOR RIGHT OF WAY FOR WEST TRAVIS STREET, AND 2.626 ACRES OF ADJACENT PROPERTY, TOTALING 7.84 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; FURTHER THE CITY AGREES TO TRANSFER TITLE VIA CONVEYANCE DOCUMENTS FOR THE FOLLOWING PROPERTIES: LOTS 12 & 13, BLOCK 1; LOT 20, BLOCK 5; AND LOT 1, BLOCK 15, ALL OF RANDOLPH HEIGHTS ADDITION, VOLUME 203, PAGE 326, DEED RECORDS, GRAYSON COUNTY, TEXAS FOR THE PUBLIC PURPOSE OF THE DEVELOPMENT OF LOW-INCOME OR MODERATE-INCOME HOUSING PER LOCAL GOVERNMENT CODE SECTION 272.001(G)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM SSCGC HOLDINGS, LLC FOR THE CONVEYANCE AND ACQUISITION OF 5.214 ACRES FOR RIGHT OF WAY FOR WEST TRAVIS STREET, AND 2.626 ACRES OF ADJACENT PROPERTY, TOTALING 7.84 ACRES OF LAND, MORE OF 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; FURTHER THE CITY AGREES TO TRANSFER TITLE VIA CONVEYANCE DOCUMENTS FOR THE FOLLOWING PROPERTIES: LOTS 12 & 13, BLOCK 1; LOT 20, BLOCK 5; AND LOT 1, BLOCK 15, ALL OF RANDOLPH HEIGHTS ADDITION, VOLUME 203, PAGE 326, DEED RECORDS, GRAYSON COUNTY, TEXAS FOR THE PUBLIC PURPOSE OF THE DEVELOPMENT OF LOW-INCOME OR MODERATE-INCOME HOUSING PER LOCAL GOVERNMENT CODE SECTION 272.001(G).

RES 6515
WEST TRAVIS ST.
RIGHT-OF-WAY
(RESOLUTION
AMENDED)

Mr. Philpott said this purchase is the final piece of right-of-way the City needs for West Travis Street, and some adjacent property. The staff used the amounts that were recently negotiated with ActiTech and Panda for their right-of-way and the negotiated sale for the additional lots.

Mr. Shelby said during the negotiations, the extra lots were lots that the City had acquired that have not been on the tax roll. They are of no use to the City and were included in the sale to offset some of the cost of the acquisition.

He said there was also a typo in the caption and the original resolution, which should have included five lots instead of four lots. He asked the Council to consider approval of the resolution, with the addition of Lot 1, Block 2, Randolph

Heights Addition. The lots will be added back onto the tax rolls as low to moderate housing.

Council Member Melton verified that these lots are in the vicinity of lots already owned by SSCGC Holdings. Mr. Hefton said the lots are adjacent to property the company owns. The property will be removed from the City's maintenance schedule and added back onto the tax rolls. The lots were conveyed as a reduction for a part of the amount that the City would have paid for the right-of-way.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6515, adding Lot 1, Block 2 of the Randolph Heights Addition. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED TO AMEND RESOLUTION.

REQUEST TO ADVERTISE

UTILITY RELOCATION AT CENTER STREET AND U.S. HIGHWAY 75

The City Council approved the request to advertise for the utility relocation at Center Street and U.S. Hwy 75. With the Texas Department of Transportation planned improvements of U.S. Hwy 75, the existing utilities will need to be relocated.

The project consists of approximately 550 linear feet of sewer lines that will be bored under U.S. Hwy 75, and 276 linear feet of water lines that will be relocated by open cut under U.S. Hwy 75. Both relocations are required to avoid conflicts with the proposed highway and bridge improvements. Project cost is estimated at approximately \$450,000.

CONSENT AGENDA.

CHANGE ORDER NO. 1

**FAIRVIEW ELEVATED TANK REPAIR AND PAINT PROJECT;
AMERICAN SUNCRAFT COMPANY, INC.; \$5,415.00
DECREASE**

The City Council approved Change Order No. 1, to American Suncraft Company, Inc., for a \$5,415 decrease, for the Fairview Elevated Tank Repair and Paint Project.

The change order is a final reconciliatory change order to adjust the final project quantities. There was an increase in the project price for additional welding on pits inside the tank and a decrease in the price for several structural repair members that were not required.

The change order decreases the total contract price by \$5,415, yielding a final contract amount of \$938,027.

CONSENT AGENDA.

REQ TO ADVERTISE
UTILITY RELOCATION
CENTER ST. &
US HWY 75

CHANGE ORDER
FAIRVIEW WATER
TANK

OTHER BUSINESS

CONSIDER REQUEST OF THE SHERMAN INDEPENDENT SCHOOL DISTRICT AND THE SHERMAN HIGH SCHOOL STUDENT COUNCIL TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “2019 SHERMAN HIGH SCHOOL HOMECOMING PARADE” ON MONDAY, SEPTEMBER 16, 2019

The City Council approved the request of the Sherman Independent School District and the Sherman High School Student Council to close streets for the SHS Homecoming Parade on September 16, 2019, from 5:30 p.m. until 7:30 p.m. The event will require traffic control assistance and barricades.

CONSENT AGENDA.

CLOSE STREETS
SHS HOMECOMING
PARADE
(SEPT. 16, 2019)

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “STROLL ON THE SQUARE & TEXOMA’S BEST BITES” ON SATURDAY, OCTOBER 5, 2019

The City Council approved the request of Downtown Sherman Now to close streets for the Stroll on the Square & Texoma’s Best Bites, on October 5, 2019, from 1:00 p.m. until 11:00 p.m.

The event will require barricades, cones, and solid waste receptacles from the City. The organizers will also work with the Police Department to arrange for security officers. Emergency vehicle accessibility must be maintained through the closed street at all times.

CONSENT AGENDA.

CLOSE STREETS
STROLL ON
THE SQUARE
(OCT. 5, 2019)

CONSIDER REQUEST OF AUSTIN COLLEGE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE 2019 5K “ROO RUN” ON SATURDAY, OCTOBER 26, 2019

The City Council approved the request of Austin College to close streets for the 5K “Roo Run”, on October 26, 2019, beginning at 7:30 a.m.

The event will require City labor and equipment to provide traffic control assistance and barricade placement.

CONSENT AGENDA.

CLOSE STREETS
AUSTIN COLLEGE
ROO RUN
(OCT. 26, 2019)

CONSIDER REQUEST OF COUCH ENTERTAINMENT, LLC TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “BACK TO THE 90’S” CONCERT ON SATURDAY, NOVEMBER 2, 2019

The City Council approved the request of Couch Entertainment, LLC, to close streets for the “Back to the 90’s” concert on November 2, 2019, from 7:00 a.m. until 11:30 p.m.

The event will require barricades, cones, and trash receptacles from the City. The Police and Fire Departments are also requested to provide for any additional security officers, and EMS services may be necessary to ensure safety at the event.

CONSENT AGENDA.

CLOSE STREETS
BACK TO THE 90’S
CONCERT

CITIZENS REQUESTS

SAMPLE OF STREET CONCRETE

Peter Tracy, 705 S. Valentine, said he brought a sample of the thickness of the street from the Oak Park Addition in Sherman. At the last City Council Meeting, Mr. Tracy said the street in that area appeared to be about 1/4" thick.

SAMPLE OF
STREET CONCRETE

UTILITY COMPANY DRILLING HOLES NEAR SCHOOL

Mr. Tracy said he has mentioned before that the local utility companies had drilled holes around their utility poles, near Crutchfield Elementary School, and he was concerned about a child falling into the hole.

UTILITY COMPANY
DRILLING HOLES

He said they have drilled another hole around a utility pole, which is 7' deep and 18" in diameter. He put stakes and tape around the hole, but asked the City to put guards around it.

Council Member Steele asked about requirements from the utility company and the staff said they were supposed to fill the hole or barricade it.

MEDIA QUESTIONS

There were no media questions

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (1)

ACTION TAKEN.

Motion by Council Member Melton to reappoint Brian Jones to the Parks and Recreation Advisory Board, for a term from May 19, 2019 to May 19, 2021, as presented.

Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

PARKS &
RECREATION
ADVISORY BOARD

COUNCIL COMMENTS

BATTLE OF THE AX

Council Member Melton mentioned two Sherman staff members that wore yellow right before the Battle of the Ax football game with Denison.

BATTLE OF THE AX

RECOGNIZING CITY EMPLOYEE

Council Member Melton recognized Sanitation Worker Michael Easley, for finding and returning someone's wallet at a local gas station.

RECOGNIZING
CITY EMPLOYEE

BATTLE OF THE AX CANNED GOODS COLLECTION

Council Member Melton said canned goods are being collected for the Battle of the Ax at each Sherman school and the SISD Central Office.

BATTLE OF THE AX
CANNED GOODS
COLLECTION

CHECK ON NEIGHBORS IN THE HEAT

Council Member Howeth urged citizens to check on their neighbors, especially senior citizens, during the recent heat

CHECK ON
NEIGHBORS IN
THE HEAT

spell. Also check on pets. She said many people may need additional help.

BATTLE OF THE AX

Deputy Mayor Teamann said he was looking forward to seeing the Denison Mayor wearing the Sherman Football Jersey this year. Go Bearcats!

BATTLE OF THE AX

DENISON POLICE DEPARTMENT PRESENTATION

Council Member Holland said he couldn't think of a better time for the Sherman and Denison Police Departments to come together. He praised them for their presentation, especially with the Battle of the Ax competition coming up.

**DENISON POLICE
DEPT. PRESENTATION**

ANNOUNCEMENTS

Mayor Plyler announced the following:

- He recently attended the American Legion 100 Year Celebration and said it was a great event. He congratulated the organization on their anniversary and said it was an honor to be a part of it.
- He congratulated the Animal Control Department on their recent "Clear the Shelters" event this past weekend. Homes for 28 animals were found on Saturday alone.
- The Keep Sherman Beautiful Commission will participate in the annual Battle of the Ax Trash-Off against Denison, on August 24, 2019, to see who can pick up more litter. Sherman hopes to take back the trophy this year.
- The Sherman Independent School District will host its annual Spirit Day prior to the Sherman-Denison game on August 30, 2019, at 5:30 p.m. The event will be held in Lucy Kidd-Key Park.
- Sherman Arts Fest will be held September 21, 2019, at Lucy Kidd-Key Park.

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

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 HOUSING AUTHORITY
(2)

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

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 6:23 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**

SHERMAN HOUSING AUTHORITY (2)

ACTION TAKEN.

Motion by Council Member Melton to reappoint Beth
Williams to the Sherman Housing Authority Board of
Directors, for a term from June 1, 2019 to June 1, 2021, and
to appoint Janie Bates for a term from August 20, 2019 to
June 1, 2021, as presented. Second by Council Member
Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

SHERMAN
HOUSING AUTHORITY

COUNCIL MINUTES – AUGUST 19, 2019

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:24 p.m.

ADJOURNMENT

MAYOR

CITY CLERK