

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, DECEMBER 18, 2023
5:00 PM**

- A.1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A.2. PLEDGE OF ALLEGIANCE AND INVOCATION LED BY COUNCIL MEMBER JOSH STEVENSON**
- A.3. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 4, 2023.**

Citizen Comments

B.1. CITIZEN COMMENTS

During this meeting, the City Council welcomes public comment only on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours, or with the Mayor or any Council member by contacting them at times other than at City Council meetings.

Consent Agenda

C.1. 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

Special Presentations

D.1. SPECIAL PRESENTATIONS

Recognizing Municipal Court Clerk Bailey Spoonemore's Accomplishment in Obtaining her Level 3 Municipal Court Clerk Certificate

Public Hearing

E.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6676

Relating to Greater Texoma Utility Authority Contract Revenue Bonds, Series 2024 (City of Sherman Project); and Approving the Issuance Thereof and the Facilities to be Constructed or Acquired by such Authority

E.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6677

Authorizing the Issuance of "CITY OF SHERMAN, TEXAS, LIMITED TAX NOTES, SERIES 2024"; Specifying the Terms and Features of Such Notes; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Such Notes; and Resolving Other Matters Incident and Related Thereto, Including the Approval and Execution of a Paying Agent/Registrar Agreement and the Approval and Distribution of an Official Statement and Providing an Effective Date

E.3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6678

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14, And Granting A Specific Use Permit

To Allow an Automobile Sales, New or Used and Automobile Repair, Body Work, or Painting with Asphalt Addition in a C-2 (Retail Business) District /75&82 Overlay District and Repeal Ordinance No. 6613, Located At 2303 Texoma Parkway; Consisting Of 0.770 acres, being in the Smith McGlothlin Survey, Abstract No. 808, and being a Remainder of Lot 1 in Block 1 of Highland Park Addition, City Of Sherman, Grayson County, Texas LCA Properties, LLC (Owner), Todd Kofsky, Sherman Motors (Representative) and Underwood Drafting & Surveying (Surveyor) Prescribing Conditions To The Specific Use Permit; Providing A Penalty Not To Exceed \$2,000.00; Providing A Repealing/Savings Clause, Severability Clause And An Effective Date

E.4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6679

Amending Sherman's Zoning Ordinance/Code Of Ordinances Chapter 14 And Granting A Specific Use Permit To Allow A Secondhand Store or Rummage Shop, On A Tract Of Land Zoned C-1 (Retail Business) District/Central Business District Overlay Located At 125 North Travis Street, Being in the J.B. McAnair Survey, Abstract No. 763, City Of Sherman, Grayson County, Texas Los Hermonos Partnership (Owner) and Laura Ayers, Still Charming/House of Eli (Representative); Prescribing Conditions To The Specific Use Permit; Providing A Penalty Not To Exceed \$2,000.00

E.5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6680

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 3 (Building Regulations) to Establish Article 3.14 (Reasonable Accommodations for Residential Uses); Providing for Application, Decision and Appeal Procedures for Reasonable Accommodation Requests by Persons with Disabilities for Residential Uses; Providing for a Savings/Repealing Clause, Severability Clause and an Effective Date; and Providing for the Publication of the Caption Hereof

E.6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6681

Amending the Code of Ordinances of the City of Sherman, Texas Chapter 10 (Subdivision Regulation) and Appendix C (Comprehensive Fee Schedule); Prescribing New Regulations Relating to the Tree Protection, Preservation, Planting and Removal on Properties Located within the Sherman City Limits and the City's Extraterritorial Jurisdiction: Requiring a Permit for the Removal of Certain Protected Trees; Providing for Tree Mitigation Credits; Setting the Tree Replacement and Mitigation fee; Providing a Penalty Clause with a Maximum Fine of \$2,000 Savings/repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

Close Public Hearing and Consider Adoption of Ordinances

F.1. ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers 6676, 6677, 6678, 6679, 6680 & 6681.

Resolutions

G.1. RESOLUTION NO. 7238

Approving the Greater Texoma Utility Authority's Intention to Award Guaranteed Maximum Price (GMP-E) Backfill, to Kiewit Water Facilities South Co., (GMP-G) Concrete, to Kiewit Water Facilities South Co., (GMP-H) Underground Electrical, to Alterman Electric, and Reject (GMP-F) Underground Piping, for the South Wastewater Treatment Plant - MBR Project

G.2. RESOLUTION NO. 7239

Approving the Greater Texoma Utility Authority's Intention to Award Preselection Package No. 4 to GMP C for the Progressive Guaranteed Maximum Price to Kiewit Water Facilities South Co. for the South Wastewater Treatment Plant - MBR Project

Other Business

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

H.1. OTHER BUSINESS

Consider and act on petition from BM Dorchester, LLC related to 660.361 acres of land located in the Antonio Hernandez Survey, Abstract No. 488, Grayson County, Texas, a portion of which is located within the City of Sherman's Extraterritorial Jurisdiction ("ETJ").

H.2. OTHER BUSINESS

Site Plan for Bel Air Beach Club, being 10.34 Acres in the Sherod Dunman Survey, Abstract No. 329 and currently zoned PD (Planned Development); Ronny Guerrero (Owner) and Michael Carlisle, Kimley-Horn and Associates (Applicant) (300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway))

H.3. OTHER BUSINESS

Prepared Presentation Promoting Progress on "Project Pepperoni"

Consider Board/Commission Appointments

I.1. * BOARD/COMMISSION APPOINTMENT

Council Audit Committee (3)

I.2. * BOARD/COMMISSION APPOINTMENT

Investment Committee (2)

I.3. * BOARD/COMMISSION APPOINTMENT

Tax Reinvestment Committee (2)

I.4. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #2 (3)

I.5. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #3 (3)

I.6. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #5 (3)

I.7. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #6 (3)

I.8. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #7 (3)

I.9. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #8 (3)

I.10. * BOARD/COMMISSION APPOINTMENT

Tax Increment Financing Board #9 (3)

COUNCIL COMMENTS

EXECUTIVE SESSION

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

Council may hold an Executive Session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

K.1.

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.

Receive legal advice regarding the Baltic Apartments and St. Charles Apartments

Receive legal advice regarding a group home at Carriage Estates

K.2.

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.

K.3.

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.

K.4.

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.

Sherman Economic Development Corporation Board of Directors (2)

Board of Adjustment (1 member, 1 alternate)

K.5.

Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.

K.6.

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.

K.7.

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.

The Council reconvenes into General Session

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on Friday, December 15th at 5:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 15th day of December 2023. City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

David Plyler

Deputy Mayor

Shawn C. Teamann

Council Members

Henry Marroquin, Council-At-Large, PL #1
Juston Dobbs, Council-At-Large, PL #2
Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2
Pamela L. Howeth, Council – District #3
Daron Holland, Council – District #4