

STATE OF TEXAS

§

August 7, 2023

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 7, 2023.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON.
COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH, MARROQUIN,
TEAMANN.

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 led by Council Member Justin Dobbs.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of July 17, 2023. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZENS COMMENTS

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Howeth moved to approve the Consent Agenda, as presented. Second by Council Member Teamann. 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 Dobbs moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Holland. All present voted AYE.

SPECIAL PRESENTATION

RECOGNIZING THE HEROIC, LIFE SAVING EFFORTS OF
SHERMAN POLICE OFFICER JACOB FOREMAN

Jason Jeffcoat, Police Chief, recognized Police Officer Jacob Foreman for his lifesaving actions. On June 9, 2023, Officer

HEROIC, LIFE
SAVING EFFORTS

Foreman arrived on the scene of a motorcycle accident and recognized a life-threatening situation to the motorcyclist's leg. His leg was severely injured and bleeding profusely. Officer Foreman placed a tourniquet on the motorcyclist's left thigh to stop the bleeding. He was care flighted to the hospital and underwent surgery.

While he ultimately lost his leg, Officer Foreman's dedication to performing lifesaving techniques played a key role in stabilizing the patient's condition and helping to ensure his survival.

Chief Jeffcoat said this was a testament to his dedication and outstanding service to the citizens of Sherman. Officer Foreman was presented with the Lifesaving Award.

RECOGNIZING THE HEROIC, LIFE SAVING EFFORTS OF
SHERMAN EMERGENCY COMMUNICATIONS OFFICER SARA
PATTERSON

HEROIC LIFE
SAVING EFFORTS

Chief Jeffcoat recognized Emergency Communications Officer Sara Patterson, who has been employed with the City for 16 years. On April 5, 2023, the Sherman Communications Center received a distressing call about a fire engulfing a building at Hilltop Village Apartments, with residents trapped inside.

Communications Officer Patterson fielded a call from a desperate couple trapped inside their second floor apartment, with a collapsed building blocking their only known exit.

Remaining composed and focused, Officer Patterson assessed the dire circumstances and encouraged the couple to explore alternate escape routes. She displayed unwavering compassion and reassurance, and after assessing the situation, it was determined the only viable option was to leap from the window. Both individuals survived the catastrophic event.

Officer Patterson's actions far surpassed the expectations of an Emergency Communications Operator. She calmed the situation and her exceptional communication skills were vital to survival. She demonstrated a remarkable commitment to the safety and wellbeing of the community. Emergency Communications Officer Patterson was presented with the Lifesaving Award.

Mayor Plyler called for a public hearing:

FIRST PUBLIC HEARING REQUIRED BY THE CHARTER TO ADOPT A BUDGET AND PROVIDE FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; DECLARING THAT THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$5,849,000 AND 27%, AND OF THAT AMOUNT \$1,492,000 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR; PROVIDING A SAVING/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

FIRST PUBLIC
HEARING ON
BUDGET

Mary Lawrence, Director of Finance, said the City Charter requires that a public hearing is held on the proposed Budget. This Budget is unchanged from the Budget that was presented to Council in July 2023, except for the 1% additional cost-of-living adjustment for non-sworn employees. The Budget contains about \$172.6 million in appropriations.

A second public hearing will be held on August 21, 2023, with a Council vote at that same meeting. Robby Hefton, City Manager, said there will be two known absences of Council Members at the August 21 Council Meeting and asked if the public hearing and vote could be moved to the September 5, 2023 Council Meeting. He would like everyone to vote on the Budget. Another notice will be published, if the Council sets the public hearing for the September 5, 2023 Council Meeting.

No citizens appeared before the City Council to discuss the proposed Budget for FY 2023-2024.

Mayor Plyler asked that the captions of Ordinance Nos. 6620 and 6621 be read together.

ORD 6620
ZONE CHANGE
FOR CITY PARK

Mayor Plyler introduced Ordinance No. 6620 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 26.598 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2400-2500 BLOCKS SOUTH EAST STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT, (CITY OF SHERMAN, OWNER; ROB RAE, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

Rob Rae, Director of Development Services, said these zone changes are related and are zone changes from R-A to R-5, however they are two different property owners.

The City of Sherman is the property owner for Ordinance 6620 and Three Oaks is the property owner for Ordinance 6621. Both ordinances are related to the Post Oak Creek Park Development project. Recently the City posted a bid for the sale of the property, and in return they would receive donated land for the park.

The Planning and Zoning Commission recommended approval of the zone changes.

No citizens appeared before the City Council to discuss Ordinance No. 6620.

Mayor Plyler introduced Ordinance No. 6621 and called for a public hearing:

ORD 6621
ZONE CHANGE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 49.496 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, (KIRK ALLEN, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00

FOR RESIDENCE

No citizens appeared before the City Council to discuss Ordinance No. 6621.

Mayor Plyler introduced Ordinance No. 6622 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI-WAREHOUSE IN THE C-1 (RETAIL BUSINESS) DISTRICT/FM 1417 OVERLAY DISTRICT, LOCATED AT 1300 SOUTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 4.9167 ACRES, BEING ALL OF LOTS 2, 3, 4, 5 AND 6, BLOCK 6, HERITAGE FARMS ESTATES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS. (MICHAEL POSTAR, OWNER; JOSEPH GONZALEZ, REPRESENTATIVE; AND CENTERLINE ENGINEERING & CONSULTING, LLC, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6622
SUP FOR
MINI-WAREHOUSE
(1300 S. FM 1417)

Mr. Rae said this ordinance is for a Specific Use Permit for a mini-warehouse in a C-1 District. The developer applied for a SUP in 2020, but no action had occurred on the site. Since that time, the Zoning Ordinances have changed. Therefore, they were required to bring the request back to the Planning and Zoning Commission and to City Council.

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

No citizens appeared before the City Council to discuss Ordinance No. 6622.

Mayor Plyler introduced Ordinance No. 6623 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 67.891 ACRES, BEING A PART OF S. INMAN SURVEY, ABSTRACT NO. 621, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2800 BLOCK BLUE FLAME ROAD, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT

ORD 6623
ZONE CHANGE
FOR RESIDENCE
(2800 BLOCK BLUE
FLAME RD)

IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (CHAD McDUFFIE, MD, OWNERS; D2 INVESTMENTS, INC., REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

Mr. Rae said this request is a zone change from R-6 to an R-5 District. The developer is proposing to build a mix of 50' and 60' lots. In their conceptual plan they have 110 50' lots and 106 60' lots, that are intermixed.

The Planning and Zoning Commission recommended approval of the zone change.

David Davis, 1830 Silverside Drive, Grapevine, Texas

Mr. Davis appeared representing D2 Development, and was available to answer any questions the Council might have. He said this was their first project in Sherman.

No other citizens appeared before the City Council to discuss Ordinance No. 6623.

Mayor Plyler introduced Ordinance No. 6624 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 0.482 ACRES, BEING IN THE G.W. BOND'S THIRD ADDITION, BLOCK 1, LOTS 2, 3 AND 4, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 516-518 EAST CHERRY STREET, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (CHEMTICA USA, LLC, OWNERS; AND BURNS SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6624
ZONE CHANGE
FOR GENERAL
COMMERCIAL
(516-518 E. CHERRY ST)

Mr. Rae said this was a zone change from an M-2 to a C-2 District. The property owner would like to run their commercial business out of this location.

The Planning and Zoning Commission recommended approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6624.

Mayor Plyler introduced Ordinance No. 6625 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 29.278 ACRES, CONTAINED IN TRACT ONE, BEING IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2700-3100 BLOCKS NORTH TRAVIS STREET,

ORD 6625
ZONE CHANGE
FOR RESIDENCE
(2700-3100 BLOCKS
N. TRAVIS ST)

HERETOFORE ZONED AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT CLASSIFICATION, (TBJB1, LLC, OWNER; BEN McKAY, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

Mr. Rae said this is for a rezoning from R-6 to R-4, which is a minimum of 40' lots. The developer is proposing to build 149 of these 40' lots. Any zoning district that is reclassified as an R-4 or R-5, is required to provide 10% of the area as open space.

The Planning and Zoning Commission recommended approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6625.

Mayor Plyler introduced Ordinance No. 6626 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 2.993 ACRES, BEING IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY), HERETOFORE ZONED C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (WYLDEWOOD HOMES, LLC, OWNER; BRYAN BLAGG, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6626
ZONE CHANGE
FOR NEIGHBORHOOD
COMMERCIAL
(700 BLOCK OF
N. FM 1417)

Mr. Rae said the developer would like to rezone to Neighborhood Commercial, in order to get lesser setbacks from residential, however they there are also some reductions in what uses are available.

The Planning and Zoning Commission recommended approval of the zone change.

Bryan Blagg, 618 Pikes Place

Mr. Blagg appeared representing Wyldewood Homes, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6626.

Mayor Plyler said Ordinance Nos. 6627 and 6628 were being pulled from this Agenda.

Ordinance No. 6627:

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 7TH DAY OF

ORD 6627
CALLING REGULAR
MUNICIPAL ELECTION
(PULLED FROM
AGENDA)

NOVEMBER, 2023, 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.

Ordinance No. 6628:

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 7TH DAY OF NOVEMBER, 2023, 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 6628
CALLING SPECIAL
MUNICIPAL ELECTION
(PULLED FROM
AGENDA)

Mayor Plyler introduced Ordinance No. 6229 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 AN ALTERNATE MUNICIPAL COURT OF RECORD JUDGE FOR THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

ORD 6629
REAPPOINTING
MUNICIPAL COURT
OF RECORD JUDGES

Ms. Lawrence said reappointment of the Municipal Court Judges is required every other year, in odd numbered years. This ordinance reappoints Judge Scott Smith as Presiding Judge and Judge Holly Fox as the Alternate Judge. Judge Fox presides over the Civil Court.

No citizens appeared before the City Council to discuss Ordinance No. 6629.

The Public Hearing was closed.

FIRST PUBLIC HEARING ON BUDGET

BUDGET

FIRST PUBLIC HEARING REQUIRED BY THE CHARTER TO ADOPT A BUDGET AND PROVIDE FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; DECLARING THAT THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$5,849,000 AND 27%, AND OF THAT AMOUNT \$1,492,000 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR; PROVIDING A SAVING/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Council Member Teamann verified that this item would just set the public hearing on the Budget, so that it could be considered later for adoption.

Mr. Hefton said normally, the public hearing would “roll to the next meeting,” however because of Council absences, he asked that the motion include setting the public hearing for the September 5, 2023 Council Meeting.

ACTION TAKEN.

Motion by Council Member Teamann to set the Public Hearing on the FY 2023-2024 Budget on September 5, 2023, as presented. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6620

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 26.598 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2400-2500 BLOCKS SOUTH EAST STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT, (CITY OF SHERMAN, OWNER; ROB RAE, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6620
ZONE CHANGE
FOR CITY PARK

Ordinance 6621

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 49.496 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, (KIRK ALLEN, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00

ORD 6621
ZONE CHANGE
FOR RESIDENCE

Ordinance 6622

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A MINI-WAREHOUSE IN THE C-1 (RETAIL BUSINESS) DISTRICT/FM 1417 OVERLAY DISTRICT, LOCATED AT 1300 SOUTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 4.9167 ACRES, BEING

ORD 6622
SUP FOR
MINI-WAREHOUSE
(1300 S. FM 1417)

ALL OF LOT 2, 3, 4, 5 AND 6, BLOCK 6, HERITAGE FARMS ESTATES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS. (MICHAEL POSTAR, OWNER; JOSEPH GONZALEZ, REPRESENTATIVE; AND CENTERLINE ENGINEERING & CONSULTING, LLC, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Council Member Dobbs asked on Ordinance 6622, for storage, and Ordinance 6626, for office space, will the proposed updates to the Zoning and Subdivision Ordinances, in Item G-1, impact them as to aesthetics, and for expectations on FM 1417.

Mr. Hefton said it would. Item G-1 is a presentation from Half Associates, about engaging them to do additional work on the City's Subdivision Ordinance, which would include aesthetics, green space, and a tree ordinance. This would apply to the FM 1417 corridor.

Council Member Dobbs said his question was about "upping the expectations" for the entire City.

Ordinance 6623

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 67.891 ACRES, BEING A PART OF S. INMAN SURVEY, ABSTRACT NO. 621, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2800 BLOCK BLUE FLAME ROAD, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (CHAD McDUFFIE, MD, OWNERS; D2 INVESTMENTS, INC., REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6623
ZONE CHANGE
FOR RESIDENCE
(2800 BLOCK BLUE
FLAME RD)

Ordinance 6624

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 0.482 ACRES, BEING IN THE G.W. BOND'S THIRD ADDITION, BLOCK 1, LOTS 2, 3 AND 4, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 516-518 EAST CHERRY STREET, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (CHEMTICA USA, LLC, OWNERS; AND BURNS SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6624
ZONE CHANGE
FOR GENERAL
COMMERCIAL
(516-518 E. CHERRY ST)

Council Member Howeth asked what the company does. Mr. Rae said they are assembling pest control products, such as boxes and traps. The property is too small for the M-2 District, and would need to be replatted. Council Member Howeth confirmed that they would also have a store.

Ordinance 6625

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 29.278 ACRES, CONTAINED IN TRACT ONE, BEING IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2700-3100 BLOCKS NORTH TRAVIS STREET, HERETOFORE ZONED AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT CLASSIFICATION, (TBJB1, LLC, OWNER; BEN McKAY, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6625
ZONE CHANGE
FOR RESIDENCE
(2700-3100 BLOCKS
N. TRAVIS ST)

Council Member Dobbs said there are two refineries on the property, and asked if that will limit what can be developed there. Mr. Rae said the developer had to re-plan their site because of those oil wells.

Buildings or future home sites cannot be within 200 feet of the oil wells. The City has adopted the International Fire Code and enforces their distance requirement of 200 feet. Mr. Hefton said they could have put more than the 140 lots on the property if this 200 foot distance had not been in effect.

Council Member Teamann confirmed that the developer may have chose the 40 foot lots because of the density and the need to space them from the oil wells. Mr. Rae said they also have to include the 10% open space requirement.

Ben McKay, 1909 Wren Ct., Edmond, Oklahoma

Mr. McKay appeared representing TBJBA, LLC, the owner, and said that was exactly why they chose the 40 foot lots. When they tried to lay out 60 foot lot lines and stay 200 foot from the oil wells, they could only put 53 lots on approximately 30 acres. This allowed them to add density to the project.

Council Member Dobbs said he understood that density was important, but they had to protect what was already there. He felt 40 foot lots instead of 60 foot lots was not always in the best interest of the City. However, in this case, it does make sense.

Council Member Teamann confirmed that some of the green space was in the 200 foot "buffer" zone. Council Member Marroquin confirmed that there will be a privacy fence around the oil wells.

Ordinance 6626

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND, CONSISTING OF 2,993 ACRES, BEING IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 700 BLOCK NORTH

ORD 6626
ZONE CHANGE
FOR NEIGHBORHOOD
COMMERCIAL
(700 BLOCK OF
N. FM 1417)

FM 1417 (HERITAGE PARKWAY), HERETOFORE ZONED C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (WYLDEWOOD HOMES, LLC, OWNER; BRYAN BLAGG, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00.

Deputy Mayor Stevenson confirmed that moving from a C-1 to a C-N District is more restrictive, and that there is nothing in C-N that is not in a C-1 District.

Ordinance 6627

Ordinance No. 6627 was pulled from the Agenda and not considered for adoption.

Ordinance 6628

Ordinance No. 6628 was pulled from the Agenda and not considered for adoption.

Ordinance 6629

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

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Ordinance Nos. 6620, 6621, 6622, 6623, 6624, 6625, 6626, and 6629, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7109 -- DETERMINING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTERESTS FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS CONSISTING OF TWO TRACTS OF LAND COMPRISING +/- 1.953 ACRES (PERMANENT WATER EASEMENT) AND A +/- 1.6956 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG, RECORDED UNDER VOLUME 5411, PAGE 544 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE PLEASANT THOMPSON SURVEY, ABSTRACT NO. 1208, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES;

ORD 6627

CALLING REGULAR
MUNICIPAL ELECTION
(PULLED FROM
AGENDA)

ORD 6628

CALLING SPECIAL
MUNICIPAL ELECTION
(PULLED FROM
AGENDA)

ORD 6629

REAPPOINTING
MUNICIPAL COURT
OF RECORD JUDGES

RES 7109

36" WEST SHERMAN
WATER MAIN
EMINENT DOMAIN

AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTEREST FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, CONSISTING OF TWO TRACTS OF LAND COMPRISING OF +/- 1.953 ACRES (PERMANENT WATER EASEMENT) AND A +/- 1.6956 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG, RECORDED UNDER VOLUME 5411, PAGE 544 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE PLEASANT THOMPSON SURVEY, ABSTRACT NO. 1208, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Hefton said these are two more properties that the City has made offers on for easements for the 36" West Sherman Water Main, based on the initial appraisal. He said the City and the property owners are "very far off" on an agreement. Now the property owners have cut off communications. The City continues to reach out, but they need authority to go to the next step, if necessary.

Mayor Plyler called for a public hearing on Resolution 7109. No citizens appeared before the City Council to discuss Resolution 7109.

Council Member Howeth said most of the Council is not in favor of Eminent Domain, but with the rising value of property in Sherman, many people have a very high opinion of what their property value should be. This is above and beyond the appraised value.

There are certain projects that the City must do, such as this water easement. She said the Council is not looking forward to eminent domain.

Council Member Teaman said everyone knows his opinion on eminent domain, but both of these projects are outside the realm of what the current property value is on these properties. Mr. Hefton added, "about four and a half times." Both tracts are owned by the same owner.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson that the City Council of the City of Sherman authorize the use of the power of eminent domain to acquire two tracts of land comprising +/- 1.953 acres and a +/- 1.6956 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement, for Resolution No. 7109. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7110 -- DETERMING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTEREST FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS CONSISTING OF TWO TRACTS OF LAND COMPRISING +/- 1.697 ACRES (PERMANENT WATER EASEMENT) AND A +/- 1.508 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG, RECORDED UNDER VOLUME 5409, PAGE 210 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM A DEAVER SURVEY ABSTRACT NO. 347, EXTRATERRITORIAL JURISDICTION OF THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTEREST FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, CONSISTING OF TWO TRACTS OF LAND COMPRISING OF +/- 1.697 ACRES (PERMANENT WATER EASEMENT AND A +/- 1.508 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT OWNED BY NUO YANG RECORDED

RES 7110
36" WEST SHERMAN
WATER MAIN
EMINENT DOMAIN

UNDER VOLUME 5409, PAGE 210 OF THE OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS, WITHIN THE WILLIAM A. DEAYER SURVEY, ABSTRACT NO. 347, EXTRATERRITORIAL JURISDICTION OF THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Hefton said this is the same situation and same owner, just a different tract of property.

Mayor Plyler called for a public hearing on Resolution 7110. No citizens appeared before the City Council to discuss Resolution 7110.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson that the City Council of the City of Sherman authorize the use of the power of eminent domain to acquire two tracts of land comprising +/- 1.697 acres and a +/- 1.508 acres, as described in Exhibit A to the resolution, for a permanent water easement and temporary construction easement, for Resolution No. 7110. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7111 -- ESTABLISHING THE MAIN STREET REIMBURSEMENT PROGRAM AND DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN THE PROGRAM TO PROMOTE ECONOMIC DEVELOPMENT IN CERTAIN AREAS OF THE CITY IN ACCORDANCE WITH CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING THE MAIN STREET REIMBURSEMENT PROGRAM AND DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN THE PROGRAM TO PROMOTE ECONOMIC DEVELOPMENT IN CERTAIN AREAS OF THE CITY IN ACCORDANCE WITH CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE. PRESCRIBING ELIGIBILITY, GUIDELINES AND PROCEDURES FOR THE PROGRAM.

RES 7111
MAIN STREET
REIMBURSEMENT
PROGRAM

Nate Strauch, Community and Support Services Manager, said in 2022, City staff met with some of the Downtown business owners to discuss struggles they had been going through during the last

few years. With this information, they have designed a program to help those business owners with some of their concerns. If approved, the program would “go live” tomorrow morning.

This program would inject several hundred thousand dollars into Downtown Sherman, over the course of the next few years, and as long as the Council desires.

This program would reimburse sales tax to businesses at the end of the year. It is open to new and existing businesses, to recognize the struggles of the downtown businesses. It will apply retroactively to existing businesses, for 2022 taxes, and continue on for four years after that. For new businesses, the five years will start when they obtain their Certificate of Occupancy.

Mr. Strauch explained that 8.25% sales tax is collected on taxable items, with the City receiving 2% of that amount. Of the City’s 2%, 1% goes to the General Fund, 0.5% goes in lieu of property taxes, 0.375% goes to the Sherman Economic Development Corporation, and 0.125% goes to the Sales Tax for Streets. The portion that would be rebated is the City’s 1% that goes to the General Fund.

He said, for new businesses, they want to incentivize downtown as the preferred location for new small businesses that generate sales like retail and restaurants.

For existing businesses, they want to help, since it has been difficult with the Kelly Square fire and the highway construction projects. These businesses have also been hit with higher property valuations and rent increases.

To determine the possible cost, Mr. Strauch said they “ran the numbers for 2022,” but they don’t know who will sign up in the future. Based on those numbers, there is about \$135,000 eligible for rebate. That number would continue, plus whatever amount would be added for new businesses. The cost would peak in 2026, and then those first businesses would “drop off,” and it would only be new businesses after that.

Of the 39 businesses that generated sales tax in 2022, 30 of them would receive more than \$1,000 back; 12 would receive more than \$4,000; and three would receive more than \$10,000, for the next five years.

Mr. Strauch said the 1% is actually 1% of gross sales. He said with restaurants, many times the profit margin is between 3% and 5%, and giving them 1% back could be a lot of additional profit.

Discussions were also held about how to make the existing downtown incentive for new businesses, more robust. They decided to focus on the existing businesses that needed help first. The program can be expanded if the Council chooses to do so. They also wanted to incentivize the business owners, not the property owners. The other downtown program provides grant assistance to property owners that are investing in downtown.

He added that, if a business decided to come to Downtown Sherman that would be a major business, generating millions of dollars in sales tax, the Council could choose to go “above and beyond” this program.

Council Member Howeth asked how the business owners would be notified about the program. Mr. Strauch said there is a database that they will use and will work with the Main Street Office to make sure everyone is aware of the program.

Council Member Teamann verified that this program will apply only to the Downtown Overlay District, however there are a couple of businesses outside that District that might be “worthy of inclusion.”

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7111, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7112 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH DAVID DOWNTAIN, D/B/A RP SHERMAN PROPERTIES II, LLC UNDER THE CITY OF SHERMAN'S DOWNTOWN BUILDING IMPROVEMENT GRANT PROGRAM FOR RENOVATIONS AT 219 W HOUSTON STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH DAVID DOWNTAIN, D/B/A RP SHERMAN PROPERTIES II, LLC UNDER THE CITY OF SHERMAN'S DOWNTOWN BUILDING IMPROVEMENT GRANT PROGRAM FOR RENOVATIONS TO 219 W. HOUSTON STREET.

RES 7112
DOWNTOWN BLDG
IMPROVEMENT GRANT
(219 W. HOUSTON ST)

Mr. Strauch said this will add an additional grant to the Kreager Building at 219 West Houston Street in Downtown Sherman. It has been vacant “for decades.” Part of the project that David Downtain, RP Sherman Properties II, LLC, is working on for that building, includes an elevator.

Mr. Strauch said instead of “tacking” the elevator on the back of the building, he is building an elevator shaft in the center of the structure.

David Downtain, RP Sherman Properties II, LLC

Mr. Downtain thanked the Council for their dedication to Downtown and their consideration of the 380 Agreement program. He addressed the two-story building at 219 West Houston Street, saying it was wrapped on two sides by City parking.

In order to make the upstairs available for retail space, the elevator was needed for access. He said retrofitting an elevator is extremely expensive, with a budget of approximately \$225,000, just for the elevator. With the City's assistance, he said it would make that building more “spectacular.”

He said there are 27 rooms upstairs that will lend themselves to small personal services, such as family counseling. Over 60% of the space is already leased to a tenant that will be doing spa services.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No.

7112, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7113 -- AUTHORIZING DELEGATION OF CERTIFYING OFFICER FOR HUD-ADMINISTERED COMMUNITY DEVELOPMENT BLOCK GRANT AND OTHER HUD-ADMINISTERED GRANTS IN ACCORDANCE WITH 24 CFR PART 58
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING DELEGATION OF CERTIFYING OFFICER FOR HUD-ADMINISTERED COMMUNITY DEVELOPMENT BLOCK GRANT AND OTHER HUD-ADMINISTERED GRANTS IN ACCORDANCE WITH 24 CFR PART 58.
CONSENT AGENDA.

RES 7113
CDBG & OTHER
HUD GRANTS

RESOLUTION NO. 7114 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOUTHWEST CDJR, LLC FOR THE PURCHASE OF TWO FORD EXPLORERS FOR THE SHERMAN POLICE DEPARTMENT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SOUTHWEST CDJR, LLC FOR THE PURCHASE OF TWO FORD EXPLORERS FOR THE SHERMAN POLICE DEPARTMENT.
CONSENT AGENDA.

RES 7114
POLICE VEHICLES

RESOLUTION NO. 7115 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH EARNHARTBUILT, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1013 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH EARNHARTBUILT, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1013 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RES 7115
RESIDENTIAL TAX
ABATEMENT
(1013 S. FIRST ST)

RESOLUTION NO. 7116 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1017 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)

RES 7116
RESIDENTIAL
TAX ABATEMENT
(1017 S. FIRST ST)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1017 SOUTH FIRST STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).

CONSENT AGENDA.

RESOLUTION NO. 7117 -- AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 7, 2023

RES 7117
JOINT ELECTION
AGREEMENT

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 8, 2023.

CONSENT AGENDA.

OTHER BUSINESS

RECEIVE A PRESENTATION FROM HALFF ASSOCIATES ON UPDATES TO THE ZONING AND/OR SUBDIVISION ORDINANCES

ZONING &
SUBDIVISION
ORD UPDATES

Mr. Rae introduced Jordan Maddox, Director of Planning, Halff Associates, to present updates to the Zoning and Subdivision Ordinances.

The City contracted with Halff Associates in June 2023 to update the Subdivision Ordinance and create a Development Guide. The Development Guide will help clarify the process for development in Sherman.

Mr. Rae said the staff would like clarification tonight on whether or not the Council wants to continue to review plats and replats, during Council Meetings. State law does not require that the Council review those items, and allows for approval by the Planning and Zoning Commission.

Deputy Mayor Stevenson and Council Member Teamann indicated that they did not want to continue reviewing plats and replats.

Mr. Rae added that the staff has been receiving a lot of calls on tree preservation. Because of that, Mr. Rae said Mr. Maddox will also present a "primer on tree preservation."

Mr. Rae said there is an action item in the City's Comprehensive Plan, that was adopted last year, that encouraged the City to consider establishing a tree preservation ordinance, within zero to two years.

Mr. Hefton wanted to verify whether or not the Council wanted to review plats and replats. Council Member Dobbs wanted to "see" them. Mayor Plyler confirmed that, by State law, the Council could not deny a plat or replat, if they comply with all the minimum regulations from the City, as determined by staff. The Council would be required to approve them, by State law. Therefore, it would be a formality, or ministerial act by the Council.

Ryan Pittman, City Attorney, said that having the plat come before the City Council, would add approximately 30 days to the developer, instead of having it approved by staff. Mayor Plyler added that if a Council Member wanted to see what was on the agenda, they could watch the Planning and Zoning Meeting. Council Members discussed the process.

Mr. Maddox said the discussion about trees came up with the Comprehensive Master Plan discussion. He outlined the types of trees that were common in North Texas.

He said there is a landscaping section in Sherman's current zoning code, that addressed the use of trees, in both residential and commercial development. There are planting requirements for trees in both development areas, however it does not speak to existing trees. The ordinance addresses placing trees on the site, not removing trees from the site.

Mr. Maddox discussed examples of tree ordinances in other Texas cities, saying they all approached their regulations for different reasons. If the City Council would like, Mr. Maddox said they would study other City's ordinances for possible ideas for a Sherman tree ordinance.

He said, currently, Sherman has landscape requirements for trees. Some cities take the next step, which is tree mitigation. He also discussed the various components that these types of ordinances might contain, which are based on the goals that the particular City is trying to accomplish. The ordinance contributes to the City's identity and aesthetic appearance.

Mr. Maddox also discussed impacts to the City that might go with a tree ordinance, including cost, additional staff that might be needed, and less efficient per acre use for new housing. If Sherman would like to consider a tree ordinance, he offered some questions that should be considered to determine what the desired result would be and what concerns they are trying to address.

Mr. Rae said in the development review meetings that are held, the questions that always come up are about impact fees, and if Sherman has a tree survey. He added that it is a concern for developers. The estimated cost for a tree survey will vary, depending on the canopy of the subject property. This variable cost would be passed on to developers.

Mayor Plyler said citizens are upset tht developers remove trees from these old-growth greenspaces, for their developments. Council Member Howeth agreed that citizens are upset about the "scorched earth" where developers bulldoze the trees. She was in favor of some type of tree ordinance. Council Member Dobbs felt they needed to maintain the aesthetics of the City and not just "the pocketbooks" of the developers.

Council Members discussed the need for a tree ordinance and most seemed to be in favor of some type of ordinance. Mr. Hefton

recommended holding a work session to get input for the type of tree ordinance Council Members wanted to see.

Mr. Maddox recommended a fact-finding phase to talk to stakeholders, and do additional research on how other communities are dealing with the issue. It could then be presented to the Council for discussion and consideration.

Mr. Hefton recommended bringing back an adjustment to the existing scope of work that Halff Associates is doing on other issues, to consider an agreement to add this to their study.

Mayor Plyler recommended that the Council consider a “boiler plate” ordinance quickly, to put something in force, while a larger study and more detailed plan is prepared. Council Member Teamann recommended including a tree preservation clause in future Development Agreements.

Mr. Rae emphasized that any changes would only effect new development and not development that has already been approved.

Council Members also discussed including an arborist in the discussions. Council Member Dobbs also wanted to include commercial landscaping in the ordinance.

REVIEW OF THE DRAFT CAPITAL IMPROVEMENT PROGRAM (CIP) 2023-2028 AND SET A PUBLIC HEARING FOR MONDAY, AUGUST 21, 2023

DRAFT CIP

Ms. Lawrence said the Draft of Capital Improvement Projects is the result of the Workshop that was held on May 25, 2023. The CIP is required by the City’s Charter; however, approval of the program does not obligate the City to fund or implement any program, project, or plan. It is a planning tool for the future. The projects in the first year of the CIP are included in the Draft Budget.

Staff is asking the Council to set the Public Hearing for the September 5, 2023 City Council Meeting.

ACTION TAKEN.

Motion by Council Member Howeth to set a Public Hearing on the Capital Improvement Program 2023-2028, for Tuesday, September 5, 2023, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RECORD VOTE ON PROPOSAL TO CONSIDER TAX INCREASE

PROPOSED
TAX INCREASE

Ms. Lawrence said the City is required to submit the notice about tax rates to the City Council by August 7, 2023. The proposed rate is \$0.508 per \$100 valuation, which funds the City’s debt service and operations.

She explained that the Tax Code requires the City Council to vote on the proposal to consider a tax increase. A tax increase is considered anytime the proposed rate is greater than the no new revenue rate.

This does not obligate a Council Member to vote yes or no on the tax rate, it just gives the required vote for the Notice of Public Hearing Posting on the tax increase.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson for the City Council to consider the proposal for the tax increase at the Meeting on Tuesday, September 5, 2023, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: Teamann.

MOTION CARRIED.

REPLAT OF LOTS 2, 3, 4 IN BLOCK A OF G.W. BOND'S THIRD ADDITION, CONSISTING OF 0.482 ACRES, BEING IN THE G.W. BOND'S THIRD ADDITION, BLOCK 1, LOTS 2, 3 AND 4, AND IS CURRENTLY ZONED M-2 (HEAVY MANUFACTURING) DISTRICT; CHEMICA USA, LLC (OWNER) AND BURNS SURVEYING (SURVEYOR) (516-518 EAST CHERRY STREET)

APPROVE REPLAT
G.W. BOND'S
THIRD ADDITION
(516-518 E. CHERRY ST)

Mr. Rae said this Replat is tied to Agenda Item E-6, that was approved earlier tonight, and had to be considered after that zone change was approved.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve the Replat of Lots 2, 3, 4, in Block A of G.W. Bond's Third Addition, consisting of 0.482 acres, located at 516 through 518 East Cherry Street), as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

REPLAT OF NEU ADDITION, LOT 1R, CONSISTING OF 6.500 ACRES, BEING IN THE GARRETT PANGBURN SURVEY, ABSTRACT NO. 945 ALSO BEING LOT 1, NEU ADDITION, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION); KEVIN AND JULIA WOODS AND SHU FEEI WANG (OWNERS), KEVIN WOODS (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) (100 JIM LAMB ROAD)

APPROVE REPLAT
NEU ADDITION
(100 JIM LAMB RD)

The City Council approved the Replat of Neu Addition, a 6.500 acre tract, located at 100 Jim Lamb Road, in the City's Extra Territorial Jurisdiction. The owner would like to plat the property into one lot for residential development.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT OF COHO MOORE ADDITION, LOT 4R-A, CONSISTING OF 0.214 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING THE WEST 49 FOOT OF LOT 4, BLOCK 7 OF B.H. MOORE HEIRS ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; CORBY HOSEA (OWNER) AND HELVEY WAGNER SURVEYING (SURVEYOR) (300 WEST MOORE STREET)

APPROVE REPLAT
COHO MOORE
ADDITION
(300 W. MOORE ST)

The City Council approved the Replat of COHO Moore Addition, a 0.214 acre tract, located at 300 West Moore Street. The property is currently zoned R-6 (Single Family Residential) District. The owner would like to plat the property into one lot for residential development.

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 OF MENJIVAR HIGH COUNTRY ADDITION, LOT 1, BLOCK A, CONSISTING OF 2.255 ACRES, BEING IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION); JOSE MENJIVAR (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) (50 HIGH COUNTRY ROAD)

APPROVE FINAL PLAT
MENJIVAR HIGH
COUNTRY ADDITION
(50 HIGH COUNTRY RD)

The City Council approved the Final Plat of Menjivar High Country Addition, a 2.255 acre tract, located at 50 High Country Road, in the City's ETJ. The owner would like to plat the property into one lot for residential development.

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 OF ESTATES AT BAKER PARK, PHASE 1, CONSISTING OF 31.687 ACRES IN THE E. JONES SURVEY, ABSTRACT NO. 625, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT/FM 1417 OVERLAY DISTRICT; STONEHOLLOW HOMES (OWNER) AND SPIARS ENGINEERING INC. (CIVIL ENGINEER/SURVEYOR) (200 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY))

APPROVE FINAL PLAT
ESTATES AT BAKER
PARK, PHASE 1
(200 BLOCK S. FM 1417)

The City Council approved the Final Plat of Estates at Baker Park, Phase 1, a 31.687 acre tract, located in the 200 block of South FM 1417. The property is currently zoned R-6 (Single Family Residential) District/FM 1417 Overlay District. The owner would like to plat the property into 79 lots for residential development.

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 OF WILLOW BRANCH SUBDIVISION, PHASE 1, CONSISTING OF 2.197 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; TBJB1, LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) (3000 BLOCK NORTH HICKORY STREET)

APPROVE FINAL PLAT
WILLOW BRANCH
SUBDIVISION, PHASE 1
(3000 BLOCK N.
HICKORY ST)

The City Council approved the Final Plat of Willow Branch Subdivision, Phase 1, a 2.197 acre tract, located in the 3000 block of North Hickory Street. The property is currently zoned R-6 (Single Family Residential) District. The owner would like to plat the property into 14 lots for residential development.

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 OF HOWE SUBSTATION ADDITION, CONSISTING OF 6.00 ACRES, BEING IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT) DISTRICT; SHERMAN ECONOMIC DEVELOPMENT CORPORATION, KENT SHARP (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) (5000 BLOCK HOWE DRIVE)

APPROVE FINAL PLAT
HOWE SUBSTATION
ADDITION
(5000 BLOCK
HOWE DR)

The City Council approved the Final Plat of Howe Substation Addition, a 6.00 acre tract, located in the 5000 block of Howe Drive. The property is currently zoned in the Blalock Industrial Park PD (Planned Development) District. The property is owned by the Sherman Economic Development Corporation, and they would like to plat the property into one lot for commercial development.

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 OF VEIN CENTER OF NORTH TEXAS ADDITION, CONSISTING OF 0.626 ACRES, BEING IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-O (OFFICE) DISTRICT/SAM RAYBURN OVERLAY; VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) (1325 NORTH TRAVIS STREET)

APPROVE FINAL PLAT
VEIN CENTER OF
NORTH TEXAS
ADDITION
(1325 N. TRAVIS ST)

The City Council approved the Final Plat of Vein Center of North Texas Addition, a 0.626 acre tract, located at 1325 North Travis Street. The property is currently zoned C-O (Office) District/Sam Rayburn Overlay. The owner would like to plat the property into one lot for commercial development.

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 OF EARNHARTBUILT'S 14TH, CONSISTING OF 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56; JASON EARNHART, EARNHARTBUILT, LLC (OWNER) AND COPLEY LAND SURVEYING (SURVEYOR) (419 SOUTH MONTGOMERY STREET)

APPROVE FINAL PLAT
EARNHARTBUILT'S
14TH
(419 S. MONTGOMERY
ST)

The City Council approved the Final Plat of Earnhartbuilt's 14th, a 0.131 acre tract, located at 419 South Montgomery Street. The owner would like to Plat the property into one lot for residential development.

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

MAIN STREET ADVISORY BOARD (2)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to reappoint David Downtain to the Main Street Advisory Board, for a term from June 8, 2023 to June 8, 2025, and to appoint Stuart Holcomb, for a term from August 8, 2023 to August 8, 2025, as presented.
Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

MAIN STREET
ADVISORY BOARD

RED RIVER GROUNDWATER CONSERVATION DISTRICT (1)

ACTION TAKEN.

Motion by Council Member Teamann to reappoint Mark Gibson to the Red River Groundwater Conservation District, for a term from August 31, 2023 to August 31, 2027, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RED RIVER
GROUNDWATER
CONSERVATION
DISTRICT

PLANNING AND ZONING COMMISSION (1)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to reappoint Glen Whitaker to the Planning and Zoning Commission, for a term from August 4, 2023 to August 4, 2026, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

PLANNING &
ZONING COMMISSION

CIVIL SERVICE COMMISSION (1)

ACTION TAKEN.

Motion by Council Member Teamann to confirm the City Manager's reappointment of Dr. Al Hambrick to the Civil Service Commission, for a term from July 18, 2023 to July 18, 2026, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CIVIL SERVICE
COMMISSION

COUNCIL COMMENTS

RECOGNIZE LAW ENFORCEMENT PERSONNEL

Council Member Holland recognized Police Officer Jacob Foreman and Emergency Communications Officer Sara Patterson for their life saving efforts.

RECOGNIZE LAW
ENFORCEMENT
PERSONNEL

RECOGNIZE LAW ENFORCEMENT PERSONNEL

Council Member Dobbs also recognized Officer Foreman and Officer Patterson for their dedication in working to save lives.

RECOGNIZE LAW
ENFORCEMENT
PERSONNEL

MAJOR INTERSECTION WORK

Council Member Dobbs said he was impressed with some of the major intersection cleanup work that has been done recently. It has been long overdue.

MAJOR
INTERSECTION
WORK

HALFF ASSOCIATES REPORT

Council Member Dobbs said he was excited about Halff Associates upcoming work.

HALFF ASSOCIATES
REPORT

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Sherman's 42nd Annual Arts Fest will be held on September 16, 2023, beginning at 9 a.m., Kidd-Key Park.
- The Sherman Public Library will host an event for local kids to learn about falconry on August 8, 2023, at 6:30 p.m.
- The Sherman Museum will sponsor a special event on August 9, 2023, at 10 a.m., dedicated to dinosaurs and meteorites.

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 cement kilns

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) Red River Groundwater Conservation District (1)
- (B) Civil Service Commission (1)
- (C) Planning and Zoning Commission (1)

TEX. GOV'T CODE § 551.076 –

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

TEX. GOV'T CODE § 551.087 –

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

- (A) Hotel
- (B) The Village

TEXAS 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 6:22 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:16 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

COUNCIL MINUTES – AUGUST 7, 2023

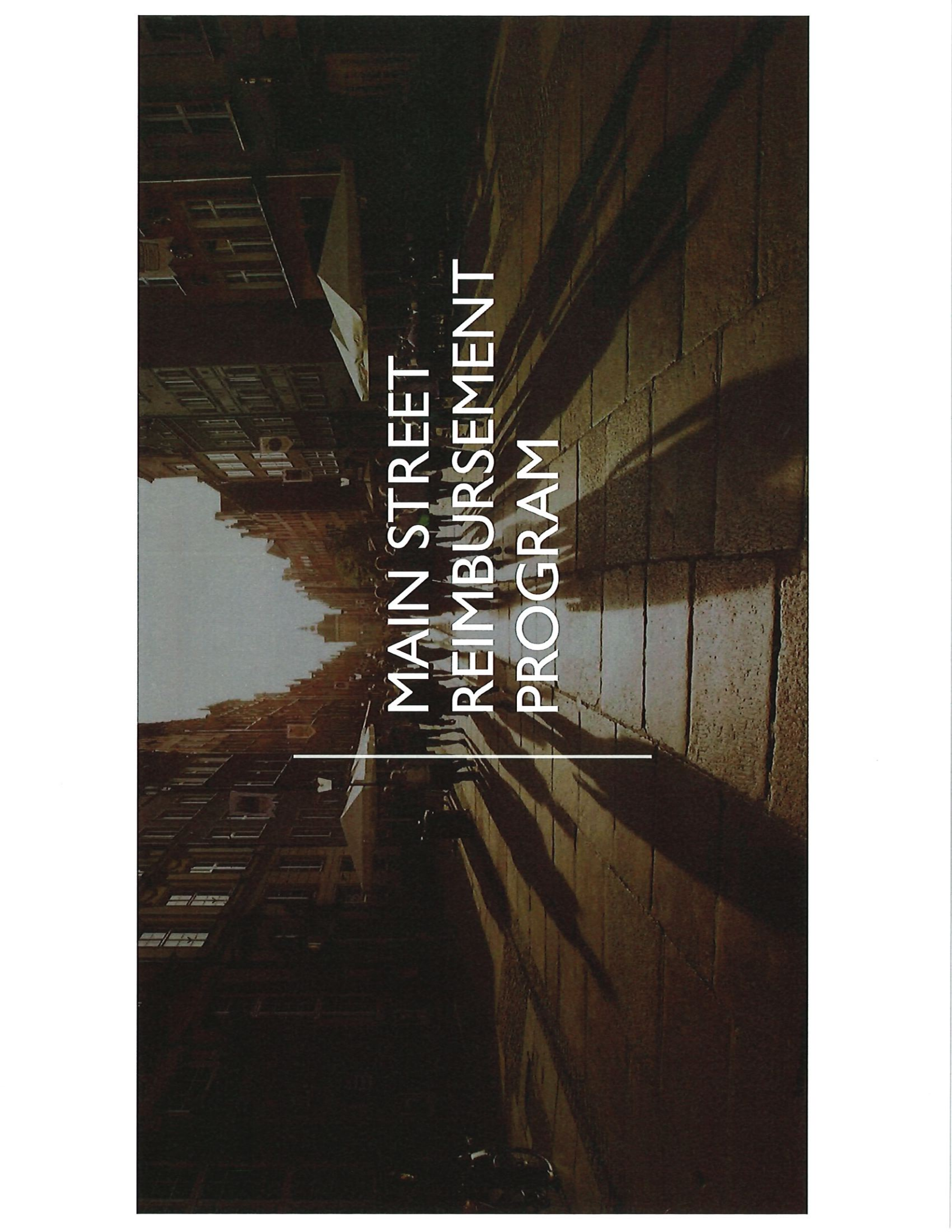
ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:17 p.m.

ADJOURNMENT


MAYOR


CITY CLERK



MAIN STREET REIMBURSEMENT PROGRAM

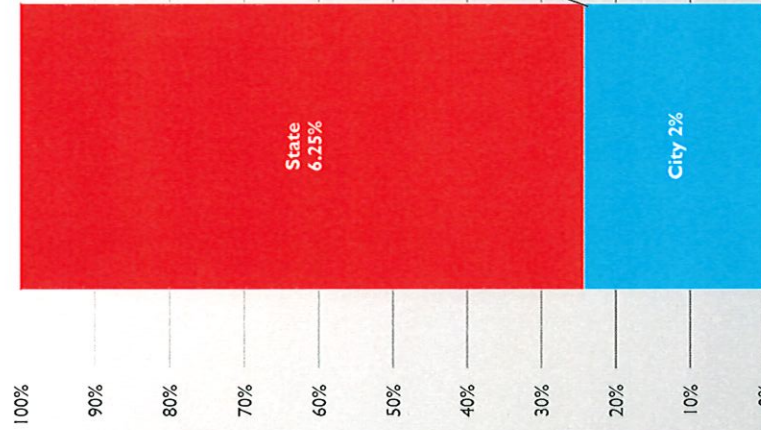
WHAT IS IT?

- A program to refund sales taxes to downtown businesses
- Sales-tax-producing-businesses (STPB) in the Downtown Overlay District would be eligible
- All new STPB could apply, and would remain enrolled for a period of 5 years
- Any STPB currently operating in the Overlay could apply as well
 - Date of eligibility would be 10/31/2021 to cover displaced businesses
 - Would apply retroactively to tax year 2022 (or date of CO) - as well as '23-'26
- Only the City-received 1% tax would be eligible for refund
 - Excludes SEDCO, street tax, and sales-tax-in-lieu

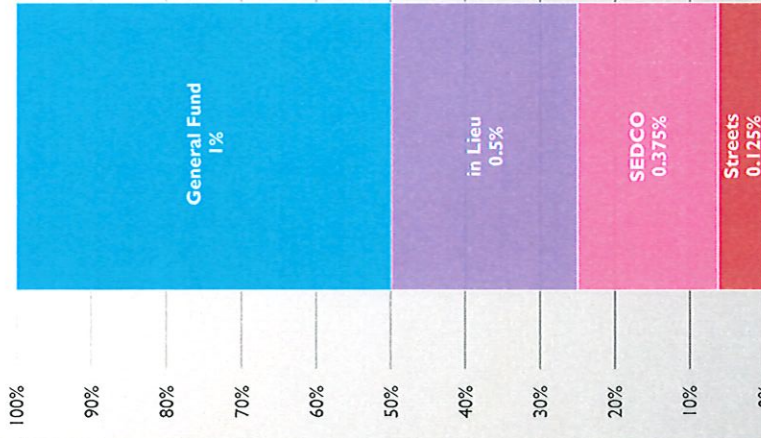
Total Purchase



Sales Tax



City Sales Tax



WHY IS IT?



For new businesses...

We want to incentivize downtown as the preferred location for new small businesses (Businesses that generate sales taxes especially, which are often retail and restaurants)

We want certainty in our offer when approached by prospective tenants



For existing businesses...

The last few years have been rough – only 7 of 39 STPB have increased their sales in 2023

Kelly Square fire removed a major source of foot traffic

Highway construction has disproportionately impacted downtown

Property valuations and corresponding rents have gone up significantly

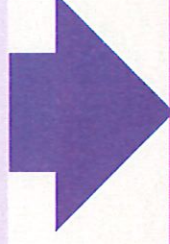
HOW MUCH IS IT?

Downtown Overlay District generated
\$270,142 in sale tax in 2022

The portion eligible
for rebate would be
\$135,071

Actual amount
dispersed will likely
be less

Costs will increase
yearly through 2026,
then decrease



In 2022, there were 39 eligible businesses

30 eligible for
\$1,000+

12 eligible for
\$4,000+

3 eligible for
\$10,000+

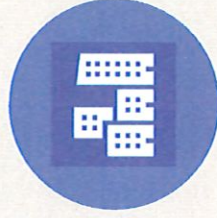
THOUGHTS ON WHAT IT IS



1% of total sales might not sound like a lot, but when operating margins are 3-10%, it can make a legitimate difference, especially for those starting out.



If the program is successful, it could be expanded geographically to replace our existing retail incentive program, which is currently .5% for two years.



We want to incentivize the business owners, not the property owners, which is why we shelved plans for a companion property tax abatement



“Whales” could still be courted with more generous terms

Sherrin

CLASSIC TOWN. BROAD HORIZON.





Sherman, Texas

Update on Zoning / Subdivision Regulations and Intro to Trees

August 7, 2023



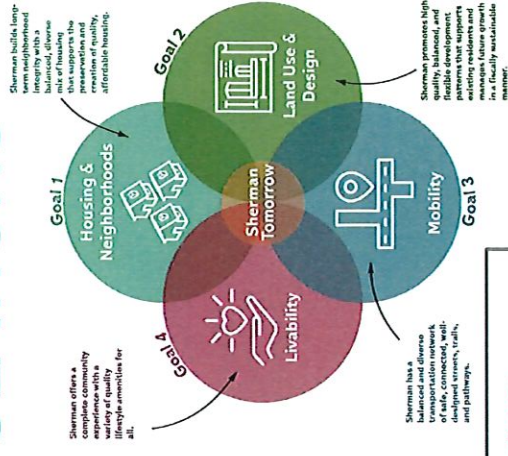
CONNECT WITH US. LIKE US. FOLLOW US.

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UPDATE ON ZONING/SUBDIVISION REGULATIONS

- Zoning Ordinance
- Development Guide
- Subdivision Regulations
- Plat Approval Authority
- Quick Guide
- Tree Ordinance Consideration



Where to Begin

RELEVANT CODE

- PLATS § 5 Planning Reg.
- 6.0 Plat Plat
- PLATING § 12.04 Subdivision, Survey, and Platting
- ZONING § 14 Zoning Ordinance
- PLAT PLATS § 14.06.000 See Other requirements.

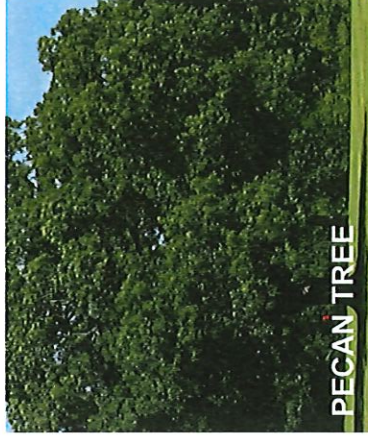
Preapplication Process

- 1 Visit online, in-person, or over the phone.
Phone: (903) 922-7222
Email: Planning@CityofSherman.com
Address: 220 W Mulberry, Sherman, TX 75090
- 2 Discuss your development request with someone.
(Is there a meeting request form?)
- 3 Schedule your preapplication meeting.
(When are these meetings usually held?)
- 4 Attend your preapplication meeting.
(What all does someone need to bring to said meeting?)

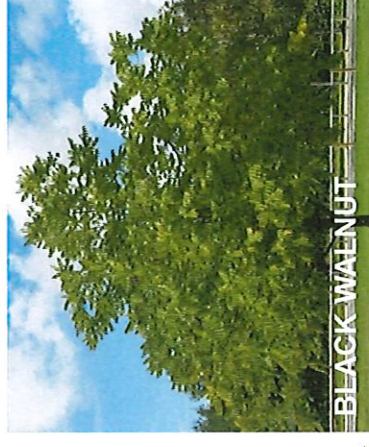
TREES OF NORTH TEXAS

Grayson County is located in Texas Parks and Wildlife Ecoregion 5, Cross Timbers and Prairies and includes the following trees:

- Pecan
- Black Walnut
- Sycamore
- Eastern Cottonwood
- Plateau Liveoak
- Bur Oak
- Blackjack Oak
- American Elm
- Texas Persimmon
- Little Walnut
- Honey Mesquite
- Lance-leaf Sumac
- Mexican Plum
- Ashe Juniper
- Eastern Red Cedar



PECAN TREE



BLACK WALNUT



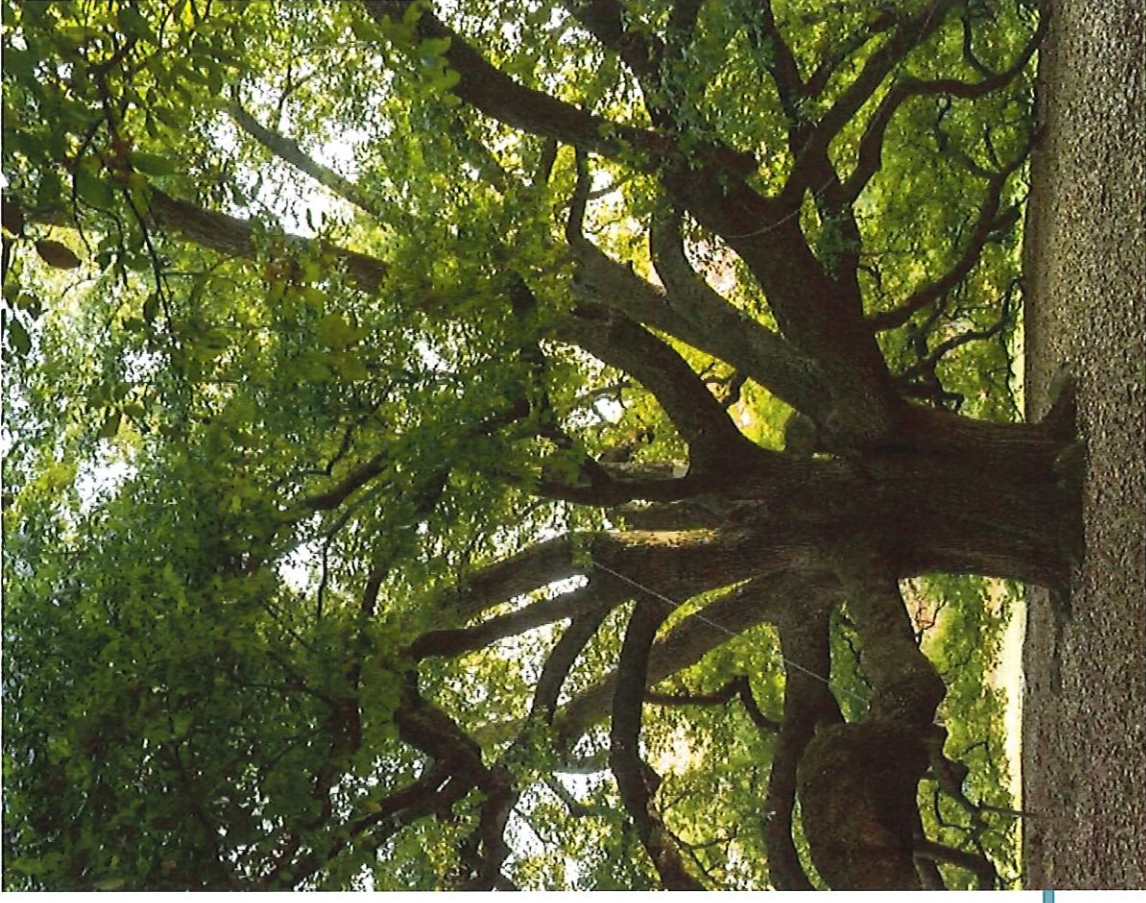
AMERICAN ELM

SHERMAN'S CURRENT CODE

- Chapter 14 Zoning Ordinance
 - Article 14.04 Supplementary District Regulations
 - Sec. 14.04.006 Residential and commercial landscaping requirements

For all new residential construction: Two 2-inch caliper trees from the approved tree list are required

Commercial landscaping requirements: Parking lots with 25+ spaces shall have open landscaped areas that are equal to but not less than 10 percent of the parking areas and drives in the parking areas. A minimum of 40 percent of the required landscaped area must be used as islands.



PEER CITIES

Each of the following four identified peer communities contain language related to requirements for tree plantings; however, the amount of tree preservation and protection regulation varies for each.

Further study of these and other ordinances may be necessary.



DENISON'S TREE ORDINANCE

Tree Preservation Requirements:

In all zoning districts, no clear cutting of land is allowed without a permit. An approved tree preservation plan or approved site plan is the permit that allows the removal of trees subject to this ordinance.

No tree 18 inches diameter breast height may be removed unless:

- Located in areas specifically exempted by ordinance
- The city has approved removal based on the tree's health/condition
- The city has approved removal after assessment of a mitigation fee

Ordinance Elements

- Tree survey
- Tree preservation plan
- Requirements for tree preservation
- Tree replacement and mitigation
- Incentives for preservation
- Penalty and enforcement

ORDINANCE TIERS



Various components may be found in each of these ordinance types, or tiers, which may include:

- Type, size, spacing of tree to be planted or preserved
- Mitigation ratios to provide for Replacement Trees
- Establishment of tree classifications based on size (Protected, Signature, Heritage, etc.)
- Preservation requirements to guard against clear-cutting

PROS & CONS



Contributes to a sense of place and community identity by enhancing a city's physical and aesthetic appearance



Provides for shade and seasonal interest, wildlife habitat, soil stabilization and stormwater protection



Protects and enhances property values and new development aesthetics



Impacts to developer through cost, time, and site design considerations



Impacts to City through time and cost associated with plan review – additional consultant and / or staff



Less efficiency per acre for new housing / development if tree preservation required.

QUESTIONS TO CONSIDER

To develop a tree ordinance best suited to Sherman, the community must consider:

- What are we currently seeing that concerns us?
- What do we want to protect?
- What does a successful outcome look like?
- Do we prefer a regulatory or incentive-based structure?
- Who is / will be impacted by a tree ordinance?
- How can we ensure a balanced approach to the process?

