

STATE OF TEXAS

§

August 6, 2018

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 6, 2018.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.
COUNCIL MEMBERS HOLLAND, SOFEY, STEELE,
STEVENSON, TEAMANN.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance was led by Weston Cain, John Dannel, and Max Dowd, Boy Scouts from Troop 15, and the Invocation was given by Council Member Josh Stevenson.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of July 16, 2018. Deputy Mayor Howeth moved to approve the Minutes, as presented; Second by Council Member Teamann. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6136 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER 082018-01, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 6136
INDUSTRIAL
REINVESTMENT
ZONE
(GLOBITECH)

Mary Lawrence, Director of Finance, said this ordinance establishes the Industrial Reinvestment Zone that only covers the GlobiTech property. It is the required first step prior to granting a tax abatement.

GlobiTech has applied for a tax abatement for phase 1 of the new project that is about \$47 million in real property and additional equipment.

The Tax Reinvestment Committee has recommended the tax abatement, which will be considered separately on the August 20, 2018 Council Agenda. This ordinance only establishes the zone.

No citizens appeared before the City Council to discuss Ordinance No. 6136.

Mayor Plyler introduced Ordinance No. 6137 and called for a public hearing:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SHERMAN, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2018”; SPECIFYING THE TERMS AND FEATURES OF SAID CERTIFICATES; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF THE NET REVENUES FROM THE OPERATION OF THE CITY’S WATERWORKS AND SEWER SYSTEM; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID CERTIFICATES, 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.

**ORD 6137
CERTIFICATES OF
OBLIGATION**

Ms. Lawrence said, this morning, the City accepted a competitive bid for the latest Certificate of Obligation issuance. The Council approved the issuance for \$19.5 million for a match for Texas Department of Transportation projects, including the Park Avenue Realignment, Northgate Drive, Travis Street West, and Pecan Grove Ballfields.

She introduced Garry Kimball, President at Specialized Public Finance, Inc., and the City’s Financial Advisor. Mr. Kimball distributed a copy of the bid tally, saying he was very pleased with bids. They accepted bids from seven different bidders representing 35 different firms. There was a strong interest in the transaction.

The winning bidder was Robert W. Baird & Company, Inc., with a winning bid of 3.46%, rounded. It is a 25 year, fixed rate, and compares favorably to the budgeted rate of 3.93%. The difference in total interest expense over the term of the deal is approximately \$1.57 million to the good.

The City’s bond rating was reviewed and it was confirmed at a AA, with a stable outlook, by Standard & Poor’s. They commented specifically on the City’s very strong management, strong financial policies, strong budgetary performance, and very strong budget flexibility. Mr. Kimball recommended approval of the bond issuance.

No other citizens appeared before the City Council to discuss Ordinance No. 6137.

Mayor Plyler introduced Ordinance No. 6138 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT “STOP” SIGN ON DRY CREEK ROAD AT NORTH CREEK DRIVE WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6138
STOP SIGN**

COUNCIL MINUTES – AUGUST 6, 2018

Clint Philpott, Director of Engineering, said the stop sign is a result of the new Magnolia Village Subdivision.

No citizens appeared before the City Council to discuss Ordinance No. 6138.

Mayor Plyler introduced Ordinance No. 6139 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 400 BLOCK OF EAST BROCKETT STREET, BEING ALL OF LOT 3 AND PART OF LOTS 4-6, BLOCK 2, G.W. BOND'S SUPPLEMENT NO. 2 ADDITION, CONTAINING 0.465 ACRES (LAZY L ENTERPRISES, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6139
ZONE CHANGE
(400 BLOCK OF
E. BROCKETT)

Mr. Philpott said the request is to go from a C-2 zoning to an R-1 zoning for the residential development of three lots. It does comply with the City's Master Plan. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6139.

Mayor Plyler introduced Ordinance No. 6140 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 2800-3100 BLOCKS OF NORTH HICKORY STREET, BEING 3.556 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING LOTS 1-28, BLOCK 1 OF THE PROPOSED McANAIR ESTATES (WESTAR HOME BUILDERS, LLC, OWNERS; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6140
SUP FOR PATIO
HOMES
(2800-3100 BLOCKS
OF N. HICKORY)

Mr. Philpott said the request is for a Specific Use Permit for 28 lots out of 219 lots in the proposed subdivision. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6140.

Mayor Plyler introduced Ordinance No. 6141 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, ENTITLED “MUNICIPAL COURT”, CREATING A NEW ARTICLE 7.04 TO BE ENTITLED “MUNICIPAL COURT OF RECORD”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6141
MUNICIPAL COURT
OF RECORD

Brandon Shelby, City Attorney, said the next three ordinances on this Agenda, pertained to the Substandard Structure Ordinance. The City is moving to a phase where there will be more and more cases that would need to be brought to Council to determine whether or not the structure should be remediated.

One way to avoid having extra-long Council Meetings is to create a Court of Record that would hear the cases instead of the City Council. This would allow one day in court per month to hear all the cases for that month.

One requirement to do this, is that the City’s Municipal Court become a “Court of Record,” which means that the Court would be recorded and a transcript would be available for a certain number of days, if requested.

Mr. Shelby said Ordinance 6141 creates the Court of Record, Ordinance 6142 makes that Court of Record the “tryer of fact” in the Substandard Structure process, and Ordinance 6143 appoints an Alternate Judge to the Municipal Court of Record.

The current Municipal Judge, Scott Smith, would still hear the cases he hears now, such as traffic cases and Class C Misdemeanors. The Alternate Judge would hear the Substandard Structure hearings and Environmental Code cases.

He said the staff is recommending that Holly Fox be appointed as the Alternate Judge to hear these cases. She is not from Sherman, which would help politically, and is very experienced, having presiding over these types of cases for almost 10 years. She is also highly recommended by Chip Matthews, the City’s new Neighborhood Quality Coordinator.

No citizens appeared before the City Council to discuss Ordinance No. 6141.

Mayor Plyler introduced Ordinance No. 6142 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED “BUILDING REGULATIONS”; AT ARTICLE 3.06, ENTITLED “HOUSING CODE”, DIVISION 2, ENTITLED “DANGEROUS BUILDINGS”, AT SECTIONS 3.06.010, 3.06.012, 3.06.014, 3.06.015, 3.06.016, AND 3.06.017;

ORD 6142
ABATEMENT OF
SUBSTANDARD
STRUCTURES

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

No citizens appeared before the City Council to discuss
Ordinance No. 6142.

Mayor Plyler introduced Ordinance No. 6143 and called for a
public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, APPOINTING AN ALTERNATE MUNICIPAL
COURT OF RECORD JUDGE FOR THE CITY OF SHERMAN,
TEXAS; PROVIDING FOR A REPEALER CLAUSE.

ORD 6143
ALTERNATE JUDGE
FOR MUNICIPAL
COURT OF RECORD

No citizens appeared before the City Council to discuss
Ordinance No. 6143.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6136

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS
INDUSTRIAL REINVESTMENT ZONE, NUMBER 082018-01,
CITY OF SHERMAN, TEXAS, PROVIDING FOR THE
ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND
OTHER MATTERS RELATING THERETO; PROVIDING
FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE;
PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT
OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 6136
INDUSTRIAL
REINVESTMENT
ZONE
(GLOBITECH)

Ordinance 6137

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF
SHERMAN, TEXAS, COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2018”; SPECIFYING
THE TERMS AND FEATURES OF SAID CERTIFICATES;
PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF
OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON
ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED
PLEDGE OF THE NET REVENUES FROM THE OPERATION OF
THE CITY’S WATERWORKS AND SEWER SYSTEM;
RESOLVING OTHER MATTERS INCIDENT AND RELATING TO
THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY
OF SAID CERTIFICATES, 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.

ORD 6137
CERTIFICATES OF
OBLIGATION

Ordinance 6138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, PROVIDING FOR A PERMANENT “STOP”
SIGN ON DRY CREEK ROAD AT NORTH CREEK DRIVE WITHIN
THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS;
PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR
SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6138
STOP SIGN

Ordinance 6139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 400 BLOCK OF EAST BROCKETT STREET, BEING ALL OF LOT 3 AND PART OF LOTS 4-6, BLOCK 2, G.W. BOND'S SUPPLEMENT NO. 2 ADDITION, CONTAINING 0.465 ACRES (LAZY L ENTERPRISES, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6139
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(400 BLOCK OF
E. BROCKETT)

Ordinance 6140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 2800-3100 BLOCKS OF NORTH HICKORY STREET, BEING 3.556 ACRES IN THE J.B. McANAIK ESTATES (WESTAR HOME BUILDERS, LLC, OWNERS; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6140
SUP FOR PATIO
HOMES
(2800-3100 BLOCKS
OF N. HICKORY)

Ordinance 6141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, ENTITLED "MUNICIPAL COURT", CREATING A NEW ARTICLE 7.04 TO BE ENTITLED "MUNICIPAL COURT OF RECORD"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6141
MUNICIPAL COURT
OF RECORD

Deputy Mayor Howeth said there was a discussion several months ago about several substandard structures that were supposed to be removed. At least one of those structures has not been removed.

Steve Ayers, Assistant City Manager, said the City has recently hired new personnel to take over that position, and he has been straightening out records and preparing several houses for demolition. Any delays were due to bringing in new personnel. He said there are five properties ready to go at the current time.

Council Member Sofey said there are also some "loose definitions" between the Housing Code and what is deemed to be a substandard structure.

In a previous presentation by Nate Strauch, Community and Support Services Manager, a software program that would be used for tracking substandard structure cases through the various stages and departments was introduced. He asked if

the City was using that program to implement these changes. Mr. Ayers said the proposed changes are consistent with the City Council's priority to make improvements and clean up the City. The program will be broader and tie in with other violations and issues, such as rubbish and junk vehicles, that go along with substandard structures.

Council Member Sofey asked if the software program has been implemented. Mr. Strauch said the staff is currently scheduled for training on the program, but the dataset for substandard structures has not been "built into" the program yet. He said the program is in place today.

Council Member Steele verified that the new judge would only handle substandard structures and environmental code issues. Council Member Stevenson verified that the proposed changes would speed up the timeline. Mr. Strauch said they anticipated that these cases would be presented to the judge once a month.

Mr. Ayers said the judge they are recommending specializes in these types of cases and the staff felt that Sherman would benefit from her experience and knowledge. Mr. Strauch said they want someone experienced in the process because of the legal aspects of the program.

Council Member Teamann verified that it would basically be the same process, except it would be presented to the judge instead of the City Council. He asked about the cost to hire the Alternate Judge and verified that there was money in the budget for one court hearing per month.

Deputy Mayor Howeth wanted to be sure that there was publicity to warn citizens that the City is "beefing up" code enforcement and dealing with substandard structures. Many times the owners of substandard structures don't live in Sherman.

Council Member Holland verified that most cities that are dealing with substandard structures are handling it through a similar process.

Ordinance 6142

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS"; AT ARTICLE 3.06, ENTITLED "HOUSING CODE", DIVISION 2, ENTITLED "DANGEROUS BUILDINGS", AT SECTIONS 3.06.010, 3.06.012, 3.06.014, 3.06.015, 3.06.016, AND 3.06.017; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6142
ABATEMENT OF
SUBSTANDARD
STRUCTURES

Ordinance 6143

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AN ALTERNATE MUNICIPAL

ORD 6143
ALTERNATE JUDGE
FOR MUNICIPAL

COURT OF RECORD JUDGE FOR THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A REPEALER CLAUSE.

COURT OF RECORD

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6136, 6137, 6138, 6139, 6140, 6141, 6142, and 6143 and to appoint Holly Fox as the Alternate Municipal Court of Record Judge, as mentioned in Ordinance No. 6143, as presented. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6389 – AUTHORIZING EXECUTION OF A SCHOOL RESOURCE OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT

**RES 6389
SISD RESOURCE
OFFICER**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A SCHOOL RESOURCE OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT.

Zach Flores, Police Chief, said this agreement would allow the City to put a police officer at Sherman High School as a permanent assignment. The Sherman Independent School District would pay 70% of the officer's salary and benefits, and the City would pay 30%, based upon the officer's tenure.

He felt this was a good move, based on the climate of today's society. This would allow a consistent officer in the school, who would be aware of who should and should not be in the school.

Council Member Steele asked if there were any changes to the program since it was discussed during the Budget Work Session. Chief Flores said it was consistent with the program that was originally presented. At that point, they did not know which officer would be assigned for the duty. Since that time, Officer Tom Caver has been assigned to the position and now the dollar amount is available.

Officer Caver will work at Sherman High School and other officers will work at the remaining schools, on a contract basis, as they currently do. This agreement won't remove any security from the other campuses, and it will provide a liaison between the City and the SISD.

COUNCIL MINUTES – AUGUST 6, 2018

Council Member Steele verified it would require the addition of one officer for FY 2019, to fill Officer Caver's position.

Deputy Mayor Howeth asked if the SISD would provide a second officer that would be paid by them. Dr. Tyson Bennett, SISD Assistant Superintendent of Finance & Operations, said they would continue to have the same number of personnel. This officer will be full-time, and will be the same person every day, which will help develop consistency and rapport, with both students and staff.

Council Member Steele said there has also been discussions about adding a vehicle to each campus. Chief Flores said that was not part of this agreement. He said the City will retain vehicles that would normally be transferred to other City departments. The vehicles will be retained in the Police Department longer and will remain "marked" for use at the schools.

Council Member Teamann asked if the officer would be following the normal chain of command, since the SISD was paying 70% of his salary. Chief Flores said he will be an employee of the City, with the same chain of command. He will be assigned to the school and to liaison with the principal, because he will have some direction from the principal.

Mr. Ayers added that, during the school's summer vacation or other school vacations, the officer will come back to work at the Police Department. At that time, he will supplement patrol or in any other area where he is needed.

Council Member Stevenson asked if there was specific training for this officer since he will be in a "unique position." Chief Flores said there is an organization for school resource officers and they provide certification. He added that Officer Caver will be expected to get the basic certification within the first year. The City will also provide for continuing education. Chief Flores said the City has agreed to pay for the training.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6389, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6390 – AUTHORIZING THE EXECUTION OF AN UNIMPROVED PROPERTY CONTRACT WITH BROOKSTONE ESTATES DEVELOPMENT JV FOR THE PURCHASE OF A 6.920 ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED

**RES 6390
PURCHASE OF
PARK LAND**

EXHIBIT “A” AND ILLUSTRATED IN THE ATTACHED EXHIBIT “B”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN UNIMPROVED PROPERTY CONTRACT WITH BROOKSTONE ESTATES DEVELOPMENT JV FOR THE PURCHASE OF A 6.920 ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT “A” AND ILLUSTRATED IN THE ATTACHED EXHIBIT “B”.
CONSENT AGENDA.

RESOLUTION NO. 6391 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 611 SOUTH MONTGOMERY STREET

RES 6391
RESIDENTIAL
TAX ABATEMENT
(611 S. MONTGOMERY)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 611 SOUTH MONTGOMERY STREET.
CONSENT AGENDA.

**REQUEST TO ADVERTISE
CONSTRUCTION OF WEST TRAVIS STREET, PHASE 4 WITHIN
THE SHERMAN CROSSROADS**

WEST TRAVIS
ST. CONSTRUCTION

Mr. Philpott explained that this project was the phase directly in front of the new high school, between Moore Street and FM 1417. Phase 2 and 3 of the project has been skipped, in order to start the phase where the new school will be located. The estimated cost for the project is about \$3 million.

Once construction on Phase 4 begins, Mr. Philpott said the City would begin working on the plans for the other phases, back towards the tie-in for Sherman Crossroads and US Hwy 75. This project includes the storm drain and water.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to authorize the City to advertise for the construction of West Travis Street, Phase 4, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

**OTHER BUSINESS
RECEIVE QUARTERLY PROGRESS REPORT FROM
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD CHAIRMAN JOHN SILD**

QUARTERLY SEDCO
PROGRESS REPORT

COUNCIL MINUTES – AUGUST 6, 2018

John Sild, Chairman, Sherman Economic Development Corporation, presented a quarterly progress report on the Board's activities.

He said they are currently working on eight active projects, with an estimated \$145 million in investments, and 493 new jobs. During the past quarter, they have paid a total of \$307,000 in incentive payments to Elevate Recoveries, GlobiTech, and Robit USA. These projects total a capital investment of about \$10 million and 78 jobs.

In April 2018, SEDCO completed a performance agreement with Emerson for the addition of 45 new employees and sponsored the Workforce Solutions Texoma Career Connection Job Fair, where there were 783 job seekers visiting with 46 employers.

SEDCO also interviewed Sherman High School juniors for the IMT Program and offered seven scholarships for the upcoming school year.

In May 2018, SEDCO approved a land agreement that states GlobiTech will purchase 1.31 acres abutting Howe Drive for \$10,000.

Mr. Sild said they also hosted the Sherman Industry Appreciation Picnic for the industries, their employees, and their families. This was an opportunity for SEDCO to say "thank you" to the industries for their contribution to Sherman.

They hosted the IMT Graduate Reception where industry sponsors, mentors, and the SEDCO Board and staff celebrated with Sherman's first IMT graduates and their families.

In June 2018, Mr. Sild said SEDCO closed on 23.51 acres for the new FedEx Freight facility in Progress Park II for \$931,000.

Stacey Jones, Vice President of Business Retention & Expansion, and Mark Anderson, Emerson Plant Manager and Chairman of the Texoma Manufacturing Consortium, visited the corporate headquarters of Finisar in Sunnyvale, California, to discuss the Advanced Manufacturing Program with Michael Hurlston, Finisar CEO.

They also celebrated Frank Gadek, Executive Vice President's, 23 years of service at a Farewell Reception, and launched a new marketing campaign, designating Sherman as the "Ace of North Texas."

SETTING THE PUBLIC HEARING ON THE PROPOSED AGREEMENT WITH GLOBITECH INCORPORATED, A DELAWARE CORPORATION, FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER 082018-01, CITY OF SHERMAN, TEXAS

INDUSTRIAL TAX
ABATEMENT
GLOBITECH

COUNCIL MINUTES – AUGUST 6, 2018

Ms. Lawrence said this agenda item was to set the public hearing on GlobiTech's tax abatement for the Council Meeting of August 20, 2018.

ACTION TAKEN.

Motion by Council Member Sofey to set a Public Hearing for the proposed tax abatement for GlobiTech, for August 20, 2018, as presented. Second by Council Member Steele.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

REVIEW 2018-2019 DRAFT BUDGET

Ms. Lawrence said the Draft Budget for 2018-2019 is substantially the same Budget that was presented at the Budget Workshop in June 2018. It includes \$67 million in operations and \$32 million for capital projects, many of which were included in the debt issuance that was approved earlier tonight. It also includes some projects funded by the Greater Texoma Utility Authority.

Ms. Lawrence said the final review and request to adopt the Budget will be held at the Council Meeting on August 20, 2018.

DISCUSSION OF THE PROPOSED TAX RATE FOR FISCAL YEAR 2018-2019 AND SCHEDULING PUBLIC HEARINGS FOR THE BUDGET AND PROPOSED TAX RATE

Ms. Lawrence said the proposed Tax Rate for next year is unchanged from the current year, however since the proposed Tax Rate exceeds the Effective Tax Rate, the City is required by law to hold two public hearings.

The City is also required to hold a public hearing prior to adoption of the Budget. The Council has to ratify the "tax increase." As defined by the Tax Code, a tax increase is when the City will receive more money in 2019 than they did in 2018. It is not a tax rate increase, but it is additional revenue.

This agenda item sets the dates for those public hearings so the State law requirements will be fulfilled.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to propose a tax rate of forty-two point seventy-three cents per hundred dollars of valuation for the upcoming budget year and to set public hearings on this proposal, as presented. Second by Council Member Holland.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

REVIEW OF THE DRAFT CAPITAL IMPROVEMENT PROGRAM (CIP) 2018-2023 AND SET A PUBLIC HEARING FOR MONDAY, AUGUST 20, 2018

DRAFT BUDGET

PROPOSED TAX RATE

DRAFT CAPITAL IMPROVEMENT PROGRAM

Ms. Lawrence said the City Charter requires that the staff present the City Council with a Five-Year Capital Improvement Program. Only the first year of the program is actually funded and is part of the Annual Budget.

The final plan will be presented to the Council for consideration, at the August 20, 2018 meeting.

Council Member Steele said he had questions about some of the projects that were and were not included in the CIP. However, he felt those questions could be discussed prior to approval at the next Council Meeting.

ACTION TAKEN.

Motion by Council Member Sofey to set a public hearing for August 20, 2018, at 5:00 p.m. to consider the Draft Capital Improvement Program (CIP) 2018-2023, as presented. Second by Deputy Mayor Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2018

The City Council approved the Quarterly Investment Report for the quarter ended June 30, 2018. The portfolios were in compliance with applicable State laws and the City's Investment Policy.

**QUARTERLY
INVESTMENT
REPORT**

The operating investment portfolio had a book value of about \$17.3 million, an increase of about \$0.9 million from the prior quarter of \$16.4 million. This increase was due to purchases of \$1.0 million in U.S. Agency Securities and \$1.5 million deposited in Local Government Investment Pools (LGIP) with maturities of \$0.6 million in State of Texas political subdivision obligations and \$1.0 million in U.S. Agency Securities.

The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid, and its weighted-average maturity was about 380 days, down from 476 days from last quarter.

The portfolio yield of 1.78% for the quarter is 55 basis points lower than the benchmark yield of 2.33%. The portfolio value on the City's books is slightly below market value due to the effect of rising interest rates.

The debt proceeds portfolio balance of \$19.5 million was invested in a Local Government Investment Pool, a U.S. Agency, and an FDIC insured money market account. Transactions in this portfolio included the receipt of interest income and payments for capital projects. The yield of 1.5% was below the benchmark yield of 1.77% for this portfolio. Book value and market value were about the same.

CONSENT AGENDA.

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, SEPTEMBER 4, 2018, DUE TO CONFLICT WITH A FEDERAL HOLIDAY

The City Council approved calling a Special Meeting of the City Council for Tuesday, September 4, 2018, due to a conflict with the Labor Day holiday.

CONSENT AGENDA.

SCHEDULE CALLED MEETING
(SEPT. 4, 2018)

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR 12:00 NOON ON THURSDAY, SEPTEMBER 27, 2018, TO REVIEW AND APPROVE SEDCO'S ANNUAL BUDGET AND WORK PLAN

The City Council approved scheduling a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors for September 27, 2018, at 12:00 noon, to review and approve SEDCO's Annual Budget and Work Plan for FY 2018-2019.

CONSENT AGENDA.

SCHEDULE JOINT MEETING WITH SEDCO
(SEPT. 27, 2018)

SITE PLAN APPROVAL AND EXCEPTIONS FOR YELLOW EQUIPMENT & TRMS, OWNERS; YRC FREIGHT, TENANT; SHAW SERVICES, LLC, CONTRACTOR/REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR, UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2)(J) FOR SITE PLAN APPROVAL FOR AN EQUIPMENT AND TERMINAL BUILDING FOR YRC FREIGHT AND EXCEPTIONS UNDER SECTION 410 (2)(M) TO ALLOW "BPR" TYPE PANELS ON THE SIDES OF THE FREIGHT TERMINAL BUILDING AND STUCCO FINISH ON THE OFFICE VIEWABLE FROM THE STREET; SECTION 410 (2)(J) AND ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) & (I) TO ALLOW A 6' ENVIROSCREEN FENCE ON THE PROPERTY LINE IN LIEU OF THE REQUIRED 55.7' SETBACK IN THE BLALOCK INDUSTRIAL PARK AT 211 DORSETT DRIVE

The City Council approved the Site Plan and Exceptions for Yellow Equipment & TRMS for an equipment and terminal building for YRC Freight, located at 211 Dorsett Drive.

APPROVE SITE PLAN & EXCEPTIONS FOR YELLOW FREIGHT
(211 DORSETT DR.)

The exceptions include allowing "BPR" type panels on the sides of the Freight Terminal Building and a stucco finish on the office, viewable from the street. Exceptions also allow a granite parking lot in lieu of the required concrete or asphalt, and a six foot EnviroScreen Fence on the property line, in lieu of the required 55.7 foot setback in the Blalock Industrial Park.

The building was damaged by a windstorm and was demolished in 2017. The owners would like to build a new 10,602 square foot building on the existing foundation.

The Planning and Zoning Commission recommended approval of the Site Plan and Exceptions, subject to the Staff Review Letter, with the condition that the six foot EnvironScreen Fence be a solid natural color.

CONSENT AGENDA.

FINAL PLAT APPROVAL OF FLANARY ROAD BUSINESS ADDITION, BEING 23.115 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765; SHERMAN ECONOMIC DEVELOPMENT CORPORATION, OWNERS; SHERMAN RE, LLC, AN OHIO LIMITED LIABILITY COMPANY, DEVELOPER; BENCHMARK DESIGN GROUP, LLC, ED SNODGRASS, CIVIL ENGINEER; AND THOMPSON & ASSOCIATES, INC., SURVEYOR [1426 WEST F.M. 1417 (HERITAGE PARKWAY)]

The City Council approved the Final Plat of the Flanary Road Business Addition, a 23.115 acre tract located at 1426 West FM 1417). The property is zoned an M-1 (Light Manufacturing) District and is also located in the O-1.1 (FM Highway 1417) District.

The Sherman Economic Development Corporation is the owner, and would like to plat the property into one lot for development of FedEx Freight. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGENDA.

FINAL PLAT APPROVAL OF ERIKA LOPEZ ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.976 ACRES IN THE JOSEPH DEVER SURVEY, ABSTRACT NO. 359; ERIKA LOPEZ, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR (600-700 BLOCKS OF NORTH FRIENDSHIP ROAD)

The City Council approved the Final Plat of the Erika Lopez Addition, located in the 600 and 700 blocks of North Friendship Road, in the City's Extra Territorial Jurisdiction.

The owner would like to plat the property into two lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGENDA.

REPLAT APPROVAL OF COLLEGE PARK ESTATES ADDITION, BEING A REPLAT OF LOT 3 AND PARTS OF LOTS 4, 5 AND 6 OF BOND'S 2ND ADDITION, BEING ALL OF LOT 3 AND PART OF LOTS 4-6, BLOCK 2, G.W. BOND'S SUPPLEMENT NO. 2 ADDITION, CONTAINING 0.465 ACRES, LAZY L ENTERPRISES, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (400 BLOCK OF EAST BROCKETT STREET)

The City Council approved the Replat of the College Park Estates Addition, a 0.465 acre tract, located in the 400 block of East Brockett Street.

The owners would like to plat the property into three lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGNEDA.

APPROVE FINAL PLAT
FLANARY RD.
BUSINESS ADDITION
(1426 W. FM 1417)

APPROVE FINAL PLAT
ERIKA LOPEZ
ADDITION
(600-700 BLOCKS OF
N. FRIENDSHIP RD.)

APPROVE REPLAT
COLLEGE PARK
ESTATES ADDITION
(400 BLOCK OF E.
BROCKETT ST.)

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

THANKS TO BOY SCOUTS

Council Member Stevenson thanked the Boy Scouts that were in attendance at the meeting and led the Pledge of Allegiance.

THANKS TO
BOY SCOUTS

ANNUAL BUDGET

Council Member Stevenson said the City is in the process of adopting next year's Budget and all the Council Members take that task very seriously. They also welcome input from the citizens.

ANNUAL BUDGET

CHANGES TO MUNICIPAL COURT

Council Member Steele felt the changes to the Municipal Court and the Environmental Court were a good thing and a move in the right direction. He said most of the complaints that are received by Council Members have something to do with the environmental code enforcement.

CHANGES TO
MUNICIPAL COURT

He said the changes were "a step in the right direction" and would give the City a "little more teeth" in actions for violations. He thanked the staff.

SISD NEW TEACHER LUNCHEON

Deputy Mayor Howeth thanked the SISD for inviting elected officials and staff to their recent new teacher luncheon. She also recognized all the businesses that were in attendance to support the teachers.

SISD NEW TEACHER
LUNCHEON

NAACP SCHOLARSHIP BANQUET

Deputy Mayor Howeth thanked the NAACP for allowing Council Members to attend their recent Scholarship Banquet. She said there were some really talented young people and it was nice to see them receive a little extra money before they go off to college.

NAACP
SCHOLARSHIP
BANQUET

COMMEND FINANCE DEPARTMENT STAFF

Council Member Sofey commended Ms. Lawrence and her staff for their hard work on the Budget.

COMMEND FINANCE
DEPT. STAFF

SUBSTANDARD STRUCTURES

Council Member Sofey said several of the current Council Members have previously served on the Planning and Zoning Commission and they understand the challenges of dealing with substandard structures and code enforcement.

SUBSTANDARD
STRUCTURES

There are many "hurdles" that the staff must go through to meet the legal requirements. He said the City has struggled to get to where they are today, but he felt things are moving in the right direction.

SUBSTANDARD STRUCTURES

Council Member Teamann said it's nice to see the City put resources toward substandard structures and making it happen more efficiently.

**SUBSTANDARD
STRUCTURES**

COFFEE WITH THE MAYOR

Council Member Teamann said he appreciated Mayor Plyler's program "Coffee With the Mayor." Last Friday's edition was interesting, with the President of Southeastern Oklahoma State University, which he said was his alma mater.

**COFFEE WITH
THE MAYOR**

JUMPSTART THE HEART GRANT

Council Member Teamann said Lauren e recently received a "Jumpstart the Heart" grant, and he congratulated them and Board and Brush for their one year anniversaries. He said it was great to see some of those businesses that have received the grant to help further their business.

**JUMPSTART
THE HEART**

SEDCO QUARTERLY REPORT

Council Member Teamann said they appreciate SEDCO and all their hard work in recruiting companies and "keeping things moving."

**SEDCO QUARTERLY
REPORT**

CONGRATULATED ASSISTANT CITY MANAGER

Council Member Teamann congratulated Mr. Ayers on conducting his first City Council Meeting.

**CONGRATULATED
ASST. CITY MANAGER**

SEDCO QUARTERLY REPORT

Council Member Holland recognized the hard work that SEDCO has been doing to bring new businesses to Sherman and to organize new programs and celebrations.

**SEDCO QUARTERLY
REPORT**

CITY AND SISD WORKING TOGETHER

Council Member Holland recognized the City and the SISD for working together on various projects.

**CITY & SISD
WORKING
TOGETHER**

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Arts Fest is one of the City's largest events each year. It will be held September 15, 2018, in Kidd-Key Park. He said there would be "new additions" this year.
- The Chamber of Commerce will be sponsoring a Fall concert series on Thursday nights, starting August 16, 2018. There will be three concerts in businesses, starting with one at Ebby Halliday Realtors.
- The Soggy Dog event will be held at The Splash on August 18, 2018, at 9:00 a.m.

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

EXECUTIVE SESSION

COUNCIL MINUTES – AUGUST 6, 2018

WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.074 -- PERSONNEL MATTERS:
CONSIDER THE QUALIFICATIONS,
APPOINTMENT AND REMOVAL OF
A PUBLIC OFFICER OR EMPLOYEE

Mayor Plyler said there was no need for an Executive Session.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:47 p.m.

ADJOURNMENT

MAYOR

CITY CLERK