

STATE OF TEXAS § July 17, 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 July 17, 2023.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON.
COUNCIL MEMBERS DOBBS, HOWETH, MARROQUIN.

MEMBERS ABSENT: COUNCIL MEMBERS HOLLAND, TEAMANN.

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 Henry Marroquin.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting of June 26, 2023, and the Called City Council Meeting of July 5, 2023. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Dobbs; 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. Deputy Mayor Stevenson moved to approve the Consent Agenda, as presented. Second by Council Member Howeth. 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 Howeth moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Dobbs. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6613 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

ORD 6613
SUP FOR AUTO SALES
(2303 TEXOMA PKWY)

GRANTING A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES, NEW OR USED AND AUTOMOBILE REPAIR, BODY WORK, OR PAINTING IN THE C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH McGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (LCA PROPERTIES, LLC, OWNER; TODD KOFSKY, SHERMAN MOTORS, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Rob Rae, Director of Development Services, said this Specific Use Permit is to allow automobile sales and repair. The auto repair will be done as it applies to the sale of their vehicles, and not general auto repair for customers.

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

Todd Kofsky, Sherman Motors, 3514 Texoma Parkway

Mr. Kofsky appeared representing the applicant, Sherman Motors. They previously rented the property at 3514 Texoma Parkway, and have purchased the property at 2303 Texoma Parkway. They are moving their operation to the new location.

No other citizens appeared before the City Council to discuss Ordinance No. 6613.

Mayor Plyler introduced Ordinance No. 6614 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 MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1, IN THE SHERMAN MINI WAREHOUSE ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (REX HUDDLESTON, OWNER; KENT HUGHLETT, REPRESENTATIVE; AND BARRON STARK ENGINEERS, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6614
SUP FOR
MINI-WAREHOUSE
(5820 TEXOMA PKWY)

Mr. Rae said the request is for a mini-warehouse in a C-2 District. The applicant has recently purchased this property and would like to expand it by 14,000 square feet. It is currently an existing mini-warehouse, and the request is just to expand the facility and increase the number of storage units.

COUNCIL MINUTES – JULY 17, 2023

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

No citizens appeared before the City Council to discuss Ordinance No. 6614.

Mayor Plyler introduced Ordinance No. 6615 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 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 6501 BLOCK OF NORTH HIGHWAY 75, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MARUTI INTERESTS, OWNERS; AND SARTIN & ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6615
ZONE CHANGE
(6501 BLOCK OF
N. HWY 75)

Mr. Rae said this item is to rezone from an R-6 District to an MF-30 District. The applicant is planning to construct 144 units, consisting of a mix of one, two, and three-bedroom units.

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

No citizens appeared before the City Council to discuss Ordinance No. 6615.

Mayor Plyler introduced Ordinance No. 6616 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 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 419 SOUTH MONTGOMERY STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (JASON EARNHART, EARNHARTBUILT, LLC, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6616
ZONE CHANGE
(419 S. MONTGOMERY)

Mr. Rae said this rezone is from R-6 to R-5, and the lot currently is smaller than a 60-foot lot. The applicant would like to rezone the lot to R-5, so they can build a single-family home.

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

COUNCIL MINUTES – JULY 17, 2023

No citizens appeared before the City Council to discuss Ordinance No. 6616.

Mayor Plyler introduced Ordinance No. 6617 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 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 708 AND 722 SOUTH RUSK STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (LUKE SCHEIBMEIR, OWNERS; CHRIS NOAH; REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6617
ZONE CHANGE
(708 & 722 S. RUSK ST)

Mr. Rae said this is the current location of the Little Store. The property owner and tenant, have purchased the property north of the Store, and would like to add a parking lot at that location. Part of that request would be to zone it to Neighborhood Commercial District, and get a replat of the property.

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

No citizens appeared before the City Council to discuss Ordinance No. 6617.

Mayor Plyler introduced Ordinance No. 6618 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.02.002 (ZONING EQUIVALENCY TABLE), 14.03.008 (ARTS AND CULTURAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT), 14.10.001 (USE CHART); REPEALING THE ARTS AND CULTURAL OVERLAY DISTRICT; MODIFYING CERTAIN EXISTING REGULATIONS AND PRESCRIBING NEW REGULATIONS RELATING TO THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND ESTABLISHING NEW SUBDISTRICTS; PROVIDING A PENALTY NOT TO EXCEED \$2,000; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6618
UPDATE ZONING ORD
OVERLAY DISTRICTS

Mr. Rae said this was a recommendation from the staff to update the Central Business District Overlay. When the County requested a zoning text amendment, the staff felt it would also be a good time to update the overlay districts.

Changing the Overlay Districts was discussed with the Planning and Zoning Commission Subcommittee last year, with the 2022 zoning updates. However, because of the notification requirements for all people within those locations, they decided not to update the districts at that time.

With the requested changes for Grayson County, the staff decided it was also time to update the Central Business District Overlay. One recommendation was to repeal the Arts and Cultural Overlay District. This district is completely encompassed within the Central Business District, and caused “overlapping” overlay districts. The regulations from that district, were incorporated into the Central Business District update.

Mr. Rae said this change has nothing to do with the Cultural District that was established in 2018, by former Mayor Cary Wacker. He said this ordinance would add additional regulations for downtown, on the look of buildings, the architecture of buildings, the building setbacks in different parts of the overlay, and essentially make them consistent with the other overlay districts in Sherman.

Meetings were held with the Main Street Board, and the Planning and Zoning Commission recommended approval of the updates.

No citizens appeared before the City Council to discuss Ordinance No. 6618.

Mayor Plyler introduced Ordinance No. 6619 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 43.9389 ACRES, TRACT ONE, BEING 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL AND TRACT TWO, CONSISTING OF 6.9124 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5, 6 AND 7, BLOCK 1, OF THE REPLAT OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 4800 TEXOMA PARKWAY, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT CLASSIFICATION, (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6619
ZONE CHANGE
(4800 TEXOMA PKWY)

Mr. Rae said this was a zone change from an M-1 and C-2 District, to a C-2 District. Part of this item was discussed at the June 25, 2023 City Council Meeting. Another part of the zoning change happened at the last Planning and Zoning Commission Meeting.

COUNCIL MINUTES – JULY 17, 2023

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

Scott Cresswell, Star Midway, LLC, 900 Linden Ave, Suite 100, Rochester, New York

Mr. Cresswell, appeared representing the owner of Midway Mall, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6619.

The Public Hearing was closed.

Ordinance 6603 (Tabled at the June 26, 2023 Called City Council Meeting)

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 A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 43.9389 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2, AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6603
SUP FOR
MINI-WAREHOUSE
(4800 TEXOMA PKWY)

Mayor Plyler said Ordinance Nos. 6603 and 6604 were tabled at the last Council Meeting and would need to be brought off table if the Council wanted to consider them.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to remove Ordinance Nos. 6603 and 6604 from table for discussion. Second by Council Member Howeth.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED TO REMOVE FROM TABLE.

Ordinance 6604 (Tabled at the June 26, 2023 Called City Council Meeting)

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 WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 53.1534 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY,

ORD 6604
SUP FOR
WAREHOUSING
(4800 TEXOMA PKWY)

ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2 AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Ordinance 6614

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 MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1, IN THE SHERMAN MINI WAREHOUSE ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (REX HUDDLESTON, OWNER; KENT HUGHLETT, REPRESENTATIVE; AND BARRON STARK ENGINEERS, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6614
SUP FOR
MINI-WAREHOUSE
(5820 TEXOMA PKWY)

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6614, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6613

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 AUTOMOBILE SALES, NEW OR USED AND AUTOMOBILE REPAIR, BODY WORK, OR PAINTING IN THE C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH McGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (LCA PROPERTIES, LLC, OWNER; TODD KOFSKY, SHERMAN MOTORS, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6613
SUP FOR AUTO SALES
(2303 TEXOMA PKWY)

Council Member Marroquin said this was an existing building and he asked if the repair shop would be in this building. Mr. Kofsky said the existing building would be a sales office. He has requested a small workshop for "prepping" vehicles, and this would allow them to prepare vehicles in an indoor facility.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6613, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6615

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 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 6501 BLOCK OF NORTH HIGHWAY 75, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MARUTI INTERESTS, OWNERS; AND SARTIN & ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6615
ZONE CHANGE
(6501 BLOCK OF
N. HWY 75)

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6615, as presented. Second by Council Member Marroquin.
VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6616

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 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 419 SOUTH MONTGOMERY STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (JASON EARNHART, EARNHARTBUILT, LLC, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6616
ZONE CHANGE
(419 S. MONTGOMERY)

Council Member Marroquin said the property line runs through the porch of the house next door.

Mr. Rae said they actually received a complaint from the neighbor on the south, when they added fill to the property and constructed retaining walls.

After the survey was completed and the City inspectors went out there, it was found that the porch actually went onto the subject property. The porch was removed because it illegally went into the other lot.

COUNCIL MINUTES – JULY 17, 2023

Wayne Lee, Director of Engineering, said the imported fill has also been removed.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6616, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6617

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 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 708 AND 722 SOUTH RUSK STREET, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (LUKE SCHEIBMEIR, OWNERS; CHRIS NOAH; REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6617
ZONE CHANGE
(708 & 722 S. RUSK ST)

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6617, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6618

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OR ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.02.002 (ZONING EQUIVALENCY TABLE), 14.03.008 (ARTS AND CULTURAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT), 14.10.001 (USE CHART); REPEALING THE ARTS AND CULTURAL OVERLAY DISTRICT; MODIFYING CERTAIN EXISTING REGULATIONS AND PRESCRIBING NEW REGULATIONS RELATING TO THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT AND ESTABLISHING NEW SUBDISTRICTS; PROVIDING A PENALTY NOT TO EXCEED \$2,000; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6618
UPDATE ZONING ORD
OVERLAY DISTRICTS

ACTION TAKEN.

Motion by Council Member Howeth to adopt Ordinance No. 6618, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6619

ORD 6619
ZONE CHANGE
(4800 TEXOMA PKWY)

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 43.9389 ACRES, TRACT ONE, BEING 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL AND TRACT TWO, CONSISTING OF 6.9124 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5, 6 AND 7, BLOCK 1, OF THE REPLAT OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 4800 TEXOMA PARKWAY, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-2 (GENERAL COMMERCIAL) DISTRICT CLASSIFICATION, (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Council Member Howeth asked what types of development could be done with Midway Mall, with this zoning change. Mr. Rae said anything retail would be permitted. Some things, like a mini-warehouse, would be allowed, but would require a Specific Use Permit. A hotel would be permitted in a C-1 District, but not a C-2. Mr. Rae said many different things could be done in a C-2 District.

Deputy Mayor Stevenson asked to discuss Ordinance Nos. 6603, 6604, and 6619 together, for the purpose of questions.

He said there was some confusion as to how the proposed mini-warehouse would work, and asked for an overview of the project, including the overall usage. He understood cars would be driving through the Mall.

Mr. Cresswell said his company owned the entire site, other than the Dillard's store. They plan to take it from Burlington down past the old Penney's building, and continue that as a retail location. They are currently signing leases for these locations. Six or seven new tenants will be moving in within the next 30 to 60 days.

The second part is the middle of the building, which will be developed in two phases. The old Beall's space will become storage units, indoor, climate-controlled units. Initially, patrons will pull in, unload into the storage unit, and back out. Eventually they will build a one-way road, that will go through the facility. This will add convenience and security to the facility.

The back part of the building will be available for warehouse space, in sizes from 50,000 square feet to 150,000 square feet, depending on the tenants.

Mr. Cresswell said across the road from the Mall, there's a 3.3 acre parcel, behind the equipment rental store. He said they are talking to several people about building a hotel at that location. They are also talking about adding two to four more "box stores," that could be "broken down" in size, depending on the needs of the tenant. These would face Texoma Parkway. The area between these box stores and the existing retail part of the Mall, would be parking.

Council Member Marroquin asked for clarification on the entrance for the warehouses.

Council Member Dobbs asked what other cities had this similar set-up. Mr. Cresswell originally said they had developed this type of facility in other cities. He said this was about their 30th property that they would be building, and about 25 of those have "drive aisles."

Council Member Howeth expressed concern about the retailers in front of the storage units and how it might impact them, such as with exhaust from the vehicles, and how to protect the retailers and the patrons in the building.

Mr. Cresswell said there would be firewalls to separate the three areas of the building. There will also be large fans and a monitoring system for dangerous fumes. He added that this has been done in other retail malls attached to facilities.

Deputy Mayor Stevenson asked the Fire Marshal what issues there might be, and did he feel this was "doable."

Dillion Stewart, Fire Marshal, said he hasn't seen a detailed plan of what they want to do, only an overview. He addressed phase 1 and phase 2 of the project. Deputy Mayor Stevenson mentioned the exhaust, the venting, and the firewall. Marshal Stewart said, there are ways to do it, but it will take a lot. He added that the building was sprinkled.

Robby Hefton, City Manager, asked if there was an issue with one way in, and one way out. He said he hasn't seen any measurements on the drives, but said phase 1 would be a big safety issue.

Mr. Cresswell explained how the drive would be setup. Mr. Rae added that in phase 1, it appears that, vehicles would only go partially in because there would be bollards set up. There would be no way to turn around and vehicles would have to back out.

Mr. Cresswell said they would follow the building code and whatever the City recommends. Council Members and staff discussed requirements of the sprinkler system, and Mr. Rae said it would be treated similar to requirements for a parking garage.

Ordinance 6603 (Tabled at the June 26, 2023 Called City Council Meeting)

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 A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 43.9389 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2, AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6603
SUP FOR
MINI-WAREHOUSE
(4800 TEXOMA PKWY)

Ordinance 6604 (Tabled at the June 26, 2023 Called City Council Meeting)

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 WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 53.1534 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2 AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER; AND BLUE SKY SURVEYING AND MAPPING, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6604
SUP FOR
WAREHOUSING
(4800 TEXOMA PKWY)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6603, 6604, and 6619, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7104 -- AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT KNOWN AS HICKORY HILL, BEING A RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS

RES 7104
HICKORY HILL
AMENDED MASTER
DEVELOPMENT
AGREEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT KNOWN AS HICKORY HILL, BEING AN RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS.

Clint Philpott, Assistant City Manager, said this Amended Master Development Agreement was presented to the Council in June, to better define who would pay and who would install the water and sewer infrastructure. The other portion concerned the funding and construction of Lamberth and Friendship Roads.

Since the original submission, there is firm bid pricing from the developer, for Lamberth and Friendship Roads. This Amended Master Development Agreement includes that updated pricing, which is based on bid pricing.

The previous Amended Master Development Agreement was approved, but not fully executed by the developer, so the proposal is to revoke the previous agreement and just have this one Amended Master Development Agreement.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7104, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7105 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH D&S ENGINEERING LABS, LLC NOW DOING BUSINESS AS GEOTEX ENGINEERING, LLC FOR THE ANNUAL GEOTECHNICAL ENGINEERING AND CONSTRUCTION MATERIALS TESTING

**RES 7105
GEOTECHNICAL
ENGINEERING &
CONSTRUCTION
MATERIALS TESTING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH D&S ENGINEERING LABS, LLC NOW DOING BUSINESS AS GEOTEX ENGINEERING, LLC FOR THE ANNUAL GEOTECHNICAL ENGINEERING AND CONSTRUCTION MATERIALS TESTING.

Mr. Lee said the City entered into the professional services agreement with D&S Engineering Labs, now known as Geotechnical Engineering, in December 2022. The company handles geotechnical and construction material testing services for subdivision and capital improvement projects.

Estimated cost for the annual testing is \$275,000, however, because of the unprecedented growth, the cost has already reached \$254,000. The amendment will increase the contract amount to an estimated \$600,000, until its renewal in December 2023.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7105, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7106 -- APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE THREE (GMP 3.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE THREE (GMP 3.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN.

RES 7106
36" WEST SHERMAN
WATER MAIN PROJECT

Tom Pruitt, Utility Engineer, explained that this resolution was to approve the Greater Texoma Utility Authority's intention to award the Guaranteed Maximum Price Three for Garney Companies, Inc., for the 36-inch West Sherman Water Main Project. There will be four total bid packages.

ACTION TAKEN.

Motion by Council Member Dobbs to approve Resolution No. 7106, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7107 -- FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY

RES 7107
DENIAL OF ONCOR
RATE INCREASE

A RESOLUTION OF THE CITY OF SHERMAN, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY.
CONSENT AGENDA.

RESOLUTION NO. 7108 -- AUTHORIZING THE EXECUTION OF A CONTRACT WITH SHADE STRUCTURES, INC. DBA USA SHADE FOR PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT PECAN GROVE WEST ATHLETIC COMPLEX THROUGH THE BUYBOARD PURCHASING COOPERATIVE

RES 7108
SHADE STRUCTURES
AT PECAN GROVE
WEST ATHLETIC
COMPLEX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH SHADE STRUCTURES, INC. DBA USA SHADE FOR THE PURCHASE AND INSTALLATION OF SHADE STRUCTURES AT PECAN GROVE WEST ATHLETIC COMPLEX THROUGH THE BUYBOARD PURCHASING COOPERATIVE.
CONSENT AGENDA.

REQUEST TO ADVERTISE
ANNUAL REQUIREMENTS FOR JANITORIAL SERVICES IN
CERTAIN CITY-OWNED FACILITIES

REQ TO ADVERTISE
JANITORIAL SERVICES

The City Council approved the request to advertise for Janitorial Services in certain City-owned facilities. The current agreement expires at the end of September 2023.

The request will include proposals for janitorial services for the Public Library, Municipal Airport, Utilities Laboratory, Senior Citizens Center, City Hall, Parks and Recreation Activity Center, Municipal Building, Glennie O. Ham Center, Equipment Services Building, Waste Maintenance Shop, West Hill Cemetery Building, Solid Waste Building, Vehicle Service Center, Street Maintenance Building, and the Police Department Building on Taylor Street.
CONSENT AGENDA.

ANNUAL CONTRACT FOR GASOLINE AND DIESEL SUPPLY

GASOLINE &
DIESEL

The City Council approved the request to advertise for the annual contract for gasoline and diesel supply for the City's fleet and equipment. The current contract, including renewals, expires on September 30, 2023.
CONSENT AGENDA.

ANNUAL TWO-WAY RADIO AND EARLY WARNING SIREN
MAINTENANCE

TWO-WAY RADIO &
EARLY WARNING
SIREN MAINTENANCE

The City Council approved the request to advertise for the annual two-way radio and early warning siren maintenance, which includes parts replacement, repairs, and maintenance related to in-vehicle two-way radios and the early warning siren system. The current contract expires at the end of September 2023.
CONSENT AGENDA.

CHANGE ORDER NO. 2

CHANGE ORDER
NEW CITY HALL

DESIGN OF THE NEW SHERMAN CITY HALL; M. ARTHUR
GENSLER JR. & ASSOCIATES, INC FOR MASTERPLANNING
SERVICES ASSOCIATED WITH THE NORTHWEST SECTION OF
DOWNTOWN AND THE PROPOSED CITY HALL FOR A PRICE NOT
TO EXCEED \$30,000

Mr. Hefton said since the Budget Workshop, there have been questions about many of the projects, including the City Hall, such as how big does it need to be, how it's finished out, and cost per square foot. It has been determined that the size could probably decrease, which could result in a substantial cost savings.

He said there are so many priorities and responsibilities of the City to maintain "what we have," for things such as streets, parks, and other facilities, that we don't want to lose sight of the first responsibility, to take care of "what we have."

Mr. Hefton said the staff is proposing to come back to the City Council with a description of a plan of what the intermediate and long-term plans are for parks, streets, maintenance of Texas Department of Transportation rights-of-way, and to continue cleaning up the City. He said it doesn't mean a choice must be made between building a City Hall or Public Works Facility, but that all of the things can be done.

Zachary Flores, Executive Director of Public Safety, said at the Budget Workshop, the staff was asked to bring back what City Hall would look like as it ties into the downtown area, especially in the northwest section.

He said this will take a little more study and some "help" from Gensler. With the change order for this design, the staff will be able to bring back a plan, later in the year. He said this was "a piece of the larger plan." He felt the study would be completed quickly, but might not be brought back immediately. It can be brought back when the Council determines.

Mr. Hefton said this change order is up to \$30,000, and was not required to be brought back to the City Council for consideration. It is under the \$50,000 minimum that must be brought back. However, the staff wanted transparency in the plans for this project, and all projects.

Council Member Howeth said everyone on the City Council gets complaints about the roads, and they aren't going to get better until the construction on Highway 75 is complete. The local roads are "overused" because of the other construction.

She said, while some think considering a new City Hall might be overspending, the fact is City Hall is out of space and is having trouble getting things done, because there aren't enough engineers or inspectors, because there is no place to physically put them.

ACTION TAKEN.

Motion by Council Member Howeth to approve Change Order No. 2, for a \$30,000 increase, to M. Arthur Gensler, Jr. & Associates, Inc., for the design of the new Sherman City Hall, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

PREVIEW OF THE 2023-2024 DRAFT BUDGET

Mary Lawrence, Director of Finance, presented a preview of the 2023-2024 Budget. The Draft Budget is mostly unchanged from the one presented at the Budget Workshop.

Preliminary property tax numbers are tracking about where expected, but final values will be received next week. The rate in the budget is the same one that was presented at the Budget Workshop.

DRAFT BUDGET

The increase is due to debt service on the 2023 Certificates of Obligation and funded all the projects that were discussed. The Budget does not include sales tax for July, which was 47% over the previous year. Therefore, several days of fund balance is not reflected in the budget now.

The first public hearing on the Budget will be held at the next Council Meeting. Another public hearing and final adoption will be held August 21, 2023. The tax rate requires one public hearing, which will also be held on August 21, 2023.

Mr. Hefton said a large portion of the sales tax increase isn't recurring, and will be one-time money for construction activities that may be going on for the next few years, but won't last forever. The staff is trying to be diligent in using those funds, and plans to use them for "one-time things," and not to pay for ongoing operations, such as salaries or employees.

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION PRESIDENT KENT SHARP

SEDCO QUARTERLY
PROGRESS REPORT

Kent Sharp, President, Sherman Economic Development Corporation, presented their quarterly progress report. During this quarter, SEDCO passed two resolutions, one that authorized the sale of 6.309 acres in Progress Park V to Oncor Electric Delivery Company for \$360,000, for a new electric substation, that is necessary to meet the demands of the Texas Instruments and GlobalWafers projects and future industrial customers.

The second resolution concerns funding for GlobiTech for a new product line of silicon carbide deposition on silicon wafers. They are increasing their technology to apply a new solution to their silicon wafers.

SEDCO also co-hosted, along with the Dallas Regional Chamber, GlobiTech, and the City of Sherman, a Taiwan Delegation that was interested in expanding operations to Texas.

The four Raising Innovative Sherman Entrepreneurs (RISE) finalists presented their final presentation to the judges and three of those were awarded funding from SEDCO.

For the next quarter, Mr. Sharp said they are working on new business attraction, especially the semiconductor suppliers. They are also still engaged in traditional manufacturing.

Currently, SEDCO is working on 10 active projects, with an estimated capital investment of \$2.8 billion, and approximately 1,805 new jobs. They have completed four site visits and prospect calls with companies interested in relocating and/or expanding their operations to Sherman.

Mr. Sharp said they are looking at adding an apron on Howe Drive, between Sunny Delight on the west side and Kaiser Aluminum and Tyson on the east side. Since Sunny Delight added the Juicy Juice

line, there are a lot more trucks on the road, and the apron should help ease the congestion.

They were also looking at an apron on Progress Drive, however, with the City building Progress Drive Extension with four lanes, it is expected that will relieve traffic and end the need for an apron.

SEDCO is also in the process of updating the aerial maps, which should be completed before the end of the year.

Mr. Sharp also outlined SEDCO's social media program and listed many conferences and events they have attended.

A couple of years ago, SEDCO owned about 700 acres of land, and they couldn't get developers to build spec buildings. Companies that were approached to come to Sherman wanted too many things for them to commit.

Then, about a year ago, after Texas Instruments and GlobalWafers announced they were coming to Sherman, people were wanting to buy every acre available. Now it's hard to find space to get the smaller spec buildings constructed. He said there are "struggles with this growth."

Mr. Hefton recognized the SEDCO staff on the great job they do, reaching out to the community, and through social media.

Council Member Howeth recognized a former RISE recipient, who purchased a building on First Street and is sponsoring "Moonlight Markets," a monthly shopping experience for local small businesses.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED JUNE 30, 2023

QUARTERLY
INVESTMENT REPORT

The City Council approved the Quarterly Investment Report for the quarter ended June 30, 2023.

The total operating portfolio book value of about \$40.3 million decreased by about \$1.3 million from the previous quarter due to the maturity of a certificate of deposit. The underlying investments were adequately diversified among six different types of securities.

The portfolio's weighted-average maturity of 363 days decreased from 412 days last quarter. The portfolio yield of 3.51% was 189 basis points below our benchmark 1-year Constant Maturity Treasury Index. Book value slightly exceeds market value (\$0.7 million).

The debt proceeds portfolio balance of \$11.6 million had decreased by about \$1.6 million due to payments for capital projects. The portfolio includes a Local Government Investment Pool, an FDIC insured investment account and U.S. Agencies.

The portfolio's weighted-average maturity of 82 days decreased from 86 days last quarter. The portfolio yield of 3.86% was 138 basis points below the benchmark yield for this portfolio, the four-

week Constant Maturity Index of 5.24%. Book value approximated market value.

CONSENT AGENDA.

REPLAT OF LITTLE STORE ADDITION, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2, & 3, BLOCK 1 OF POST OAK ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT; LUKE SCHEIBMEIR, OWNER; CHRIS NOAH, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (708 AND 722 SOUTH RUSK STREET)

APPROVAL OF REPLAT
LITTLE STORE
ADDITION
(708 & 722 S. RUSK ST)

The City Council approved the Replat of Little Store Addition, a 0.517 acre tract, located at 708 and 722 South Rusk Street. The property is currently zoned R-6 (Single Family Residential) District and a C-1 (Retail Business) District.

The owner would like to replat the property into one lot for commercial 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 LOT 1, BLOCK 1 TEXOMA HYUNDAI ADDITION, CONSISTING OF 5.933 ACRES IN THE R. HENDRIX SURVEY, ABSTRACT NO. 504, AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT; RFJ AUTO PROPERTIES, LLC, OWNER; BARTON CHAPA SURVEYING, LLC, LAND SURVEYOR (2500 TEXOMA PARKWAY)

APPROVE FINAL PLAT
TEXOMA HYUNDAI
ADDITION
(2500 TEXOMA PKWY)

The City Council approved the Final Plat of Texoma Hyundai Addition, a 5.933 acre tract, located at 2500 Texoma Parkway. The property is currently zoned C-2 (General Commercial) District.

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.

REPLAT OF NORTHWEST ADDITION, BLOCK 1, LOT 5R, CONSISTING OF 1.400 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND BEING A PART OF LOT 5, BLOCK 1 OF NORTHWEST ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; ZACHARY SANFORD, OWNER; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (2524 MOUNTAIN CLIMB ROAD)

APPROVAL OF REPLAT
NORTHWEST
ADDITION
(2524 MOUNTAIN
CLIMB RD)

The City Council approved the Replat of the Northwest Addition, a 1.400 acre tract, located at 2524 Mountain Climb Road. The property is currently zoned R-6 (Single-Family Residential) District.

The owner would like to replat 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 PEREZ EAST ADDITION BEING A REPLAT OF LOTS 13 & 14, BLOCK 2, OF THE HALL & JONES ADDITION, CONSISTING OF 0.273 ACRES, BEING LOT 13 AND LOT 14, BLOCK 2 OF THE HALL & JONES ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT; GABRIEL GARCIA PEREZ, OWNERS; UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (802 NORTH EAST STREET)

APPROVAL OF REPLAT
PEREZ EAST
ADDITION
(802 N. EAST ST)

The City Council approved the Replat of Perez East Addition, a 0.273 acre tract, located at 802 North East Street. The property is currently zoned R-6 (Single Family Residential) District.

The owner would like to replat 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 REPLAT OF GRAYSON COUNTY JUSTICE CENTER, LOT 1R, CONSISTING OF 4.050 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND IS CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT; GRAYSON COUNTY, OWNER AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (200 SOUTH CROCKETT STREET)

APPROVAL OF REPLAT
GRAYSON COUNTY
JUSTICE CENTER
(200 S. CROCKETT ST)

The City Council approved the Replat of the Grayson County Justice Center, a 4.050 acre tract, located at 200 South Crockett Street. The property is currently zoned C-1 (Retail Business) District.

The owner would like to replat the property into one lot for commercial 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 LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT), 9.023 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 4, OF THE REPLAT OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT); SAPPHIRE STOCKHOME, LLC, OWNERS AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (304 PROGRESS DRIVE)

APPROVAL OF REPLAT
SHERMAN INDUSTRIAL
DEVELOPMENT
ADDITION
(304 PROGRESS DR)

The City Council approved the Replat of Sherman Industrial Development Addition, a 9.023 acre tract, located at 304 Progress Drive. The property is currently zoned Blalock Industrial Park PD (Planned Development).

The owner would like to replat the property into two lots for commercial development. They are also requesting a Site Plan for the property.

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

COUNCIL COMMENTS

PICKLEBALL COURTS

Council Member Marroquin congratulated the Parks and Recreation Department and the City of Sherman, for the new pickleball courts.

PICKLEBALL COURTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- This week is the last Hot Summer Nights concert, featuring Pat Green. The concert will be held on Thursday, July 20, 2023, at 7 p.m. in Kidd-Key Park.

ANNOUNCEMENTS

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

EXECUTIVE SESSION

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

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) City Manager Evaluation

TEX. GOV'T CODE § 551.076 --

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

COUNCIL MINUTES – JULY 17, 2023

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

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 6:11 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:09 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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:09 p.m.

ADJOURNMENT



MAYOR



CITY CLERK