

STATE OF TEXAS §
 July 16, 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 July 16, 2018.

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

MEMBERS ABSENT: COUNCIL MEMBERS SOFEY, STEELE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Mayor David Plyler.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting (Budget Workshop) of June 14, 2018 and the Regular City Council Meeting of June 18, 2018. Deputy Mayor Howeth moved to approve the Minutes as presented; Second by Council Member Holland. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

“PROFESSIONAL ENGINEERS DAY” – AUGUST 1, 2018

Mayor Plyler presented a proclamation to John Ho, Professional Engineer, and former President of the Texas Society of Professional Engineers, designating August 1, 2018 as “Professional Engineers Day” in Sherman.

**PROFESSIONAL
ENGINEERS DAY
(AUG. 1, 2018)**

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6129 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED “GENERAL ZONING ORDINANCE”, AT SECTION 6.8, ENTITLED “O-1 (75 & 82) OVERLAY DISTRICT”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY.

**ORD 6129
75-82 OVERLAY
DISTRICT**

Scott Shadden, Director of Development Services, said this ordinance would extend the existing 75 and 82 Overlay District, from FM 1417, west to the City limits along US Hwy 82. This area has been annexed and this will help future development for non-residential uses.

The Planning and Zoning Commission recommended approval of the expansion of the 75 and 82 Overlay District.

No citizens appeared before the City Council to discuss Ordinance No. 6129.

COUNCIL MINUTES – JULY 16, 2018

Mayor Plyler introduced Ordinance No. 6130 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 C-O (OFFICE) DISTRICT AT 2607 LOY LAKE ROAD, BEING LOTS 2 AND 3, BOB ALLEN ADDITION (TRINITY BAPTIST CHURCH, OWNERS; DEPARTMENT OF FAMILY & PROTECTIVE SERVICES, TENANT; ROBERT MINSHEW, REPRESENTATIVE; SCALES ENGINEERING, ENGINEER; AND GOODWIN/LASITER/STRONG, ARCHITECT/SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6130
ZONE CHANGE
(2607 LOY LAKE RD.)

Mr. Shadden said this zone change would go from a residential zone to a C-O office zone, for the construction of a new office for the Department of Family & Protective Services. This zone change would be in compliance with the Master Plan.

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

Larry Wornet, 207 Craik Street, Marlin, Texas

Mr. Wornet was the owner of the project and was available to answer questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6130.

Mayor Plyler introduced Ordinance No. 6131 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 C-1 (RETAIL BUSINESS) DISTRICT AT 4070 LOY LAKE ROAD, BEING 10 ACRES IN THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137 (SOUTHWEST PREMIER PROPERTIES, LLC, OWNERS; AND KYLE BOOTHE, BLUESTONE PARTNERS, REPRESENTATIVE); PROVIDING FOR A REPEALER.

ORD 6131
ZONE CHANGE
(4070 LOY LAKE RD.)

Mr. Shadden said this was the Central Freight property, located north of Sherman Town Center. The area was annexed into the City already developed and it came in residential.

With the development currently in process, it was causing some setback problems. The staff recommended they apply for C-1 zoning. 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. 6131.

Mayor Plyler introduced Ordinance No. 6132 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION

ORD 6132
SUP FOR PATIO
HOMES
(MAGNOLIA VILLAGE)

(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 AT 502 EAST NORTHCREEK DRIVE, 4706-4723 INDIO LANE, 400-516 CARNEROS DRIVE, 4701-4733 DRY CREEK ROAD AND 400-505 SONOMA COURT, BEING LOTS 1-5, BLOCK A, LOTS 1-19, BLOCK B, LOTS 1-21, BLOCK C, MAGNOLIA VILLAGE ADDITION (CECI BATES VENTURES, LLC, HOMES BY JLS OF TEXOMA AND MAGNOLIA VILLAGE, LP, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., 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.

Mr. Shadden said this request includes 44 patio homes. The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6132.

Mayor Plyler introduced Ordinance No. 6133 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 2300 BLOCK OF PEGGEY'S COVE, 3300-3500 BLOCKS OF HANAN STREET AND 2300-2400 BLOCKS OF SOUTHRIDGE LANE, BEING LOTS 19-39, BLOCK E AND LOTS 38-42, BLOCK G, PEBBLEBROOK SOUTH, PHASE III (ZAKIAH US LLC AND WYLDEWOOD HOMES, LLC, OWNERS); 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 6133
SUP FOR PATIO
HOMES
(PEBBLEBROOK
SOUTH, PHASE III)

Mr. Shadden said this request includes 26 patio homes. The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6133.

Mayor Plyler introduced Ordinance No. 6134 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 A PARKING LOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1111 NORTH RICKETTS STREET, BEING LOT 50, BLOCK 1, BIRGE-FAIRVIEW ADDITION (SHERMAN MONTESSORI PRESCHOOL INC., OWNERS; AND ALLISON WEST, REPRESENTATIVE);

ORD 6134
SUP FOR PARKING
LOT
(1111 N. RICKETTS ST.)

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.

Mr. Shadden said the Montessori School on Belden Street has purchased the lot on Ricketts Street for use as an employee parking lot. The lot is adjacent to the rear of their Belden Street property.

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

Allison West, representative for the Montessori Pre-School, appeared to answer any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6134.

Mayor Plyler introduced Ordinance No. 6135 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 MICRO-BLADING, PERMANENT MAKE-UP (TATTOO STUDIO) IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT AT 2121 NORTH F.M. 1417 (HERITAGE PARKWAY), SUITE O, BEING PART OF BLOCK 4, WESTERN HILLS ADDITION, SECTION 5 (OWEN CENTRAL, LLC, OWNERS; AMANDA'S NAILS, TENANT; AND KATIE CAMPBELL, APPLICANT); 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 6135
SUP FOR TATTOO
STUDIO
(2121 N. FM 1417)

Mr. Shadden said the State of Texas requires a tattoo license for permanent makeup. The request is for permanent makeup at an existing salon.

The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter, and added that this request would be tied to the applicant.

Katie Campbell, 32 Circle Drive, Denison

Ms. Campbell was the applicant and appeared to answer any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6135.

The Public Hearing was closed.

ADOPTION OF ORDINANCES
Ordinance 6129

ORD 6129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED “GENERAL ZONING ORDINANCE”, AT SECTION 6.8, ENTITLED “O-1 (75 & 82) OVERLAY DISTRICT”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY.

75-82 OVERLAY
DISTRICT

Ordinance 6130

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 C-O (OFFICE) DISTRICT AT 2607 LOY LAKE ROAD, BEING LOTS 2 AND 3, BOB ALLEN ADDITION (TRINITY BAPTIST CHURCH, OWNERS; DEPARTMENT OF FAMILY & PROTECTIVE SERVICES, TENANT; ROBERT MINSHEW, REPRESENTATIVE; SCALES ENGINEERING, ENGINEER; AND GOODWIN/LASITER/STRONG, ARCHITECT/SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6130
ZONE CHANGE
(2607 LOY LAKE RD.)

Ordinance 6131

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 C-1 (RETAIL BUSINESS) DISTRICT AT 4070 LOY LAKE ROAD, BEING 10 ACRES IN THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137 (SOUTHWEST PREMIER PROPERTIES, LLC, OWNERS; AND KYLE BOOTHE, BLUESTONE PARTNERS, REPRESENTATIVE); PROVIDING FOR A REPEALER.

ORD 6131
ZONE CHANGE
(4070 LOY LAKE RD.)

Ordinance 6132

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 AT 502 EAST NORTHCREEK DRIVE, 4706-4723 INDIO LANE, 400-516 CARNEROS DRIVE, 4701-4733 DRY CREEK ROAD AND 400-505 SONOMA COURT, BEING LOTS 1-5, BLOCK A, LOTS 1-19, BLOCK B, LOTS 1-21, BLOCK C, MAGNOLIA VILLAGE ADDITION (CECI BATES VENTURES, LLC, HOMES BY JLS OF TEXOMA AND MAGNOLIA VILLAGE, LP, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., 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 6132
SUP FOR PATIO
HOMES
(MAGNOLIA VILLAGE)

Ordinance 6133

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 2300 BLOCK OF PEGGEY’S COVE, 3300-3500 BLOCKS OF HANAN STREET AND 2300-2400 BLOCKS OF SOUTHRIDGE LANE, BEING LOTS 19-39, BLOCK E AND LOTS 38-42, BLOCK G,

ORD 6133
SUP FOR PATIO
HOMES
(PEBBLEBROOK
SOUTH, PHASE III)

PEBBLEBROOK SOUTH, PHASE III (ZAKIAH US LLC AND WYLDEWOOD HOMES, LLC, OWNERS); 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.

Council Member Stevenson said they are already “turning dirt and building structures” on this project, and he asked if this was the proper order for this to take place.

Mr. Shadden said they don’t have permits, but they may be doing site work. They should not be doing any foundations or framing.

Council Member Stevenson asked what the difference was that would require them to obtain an exception. Mr. Shadden said patio homes allow five foot side yards instead of six foot and a reduced front yard down to 20 foot. The rear yard can be as close as 10 foot to the rear property line.

Council Member Teamann confirmed that Magnolia Village (Ordinance 6132) was for standard patio homes only and not duplexes.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6132 and 6133, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6134

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 A PARKING LOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1111 NORTH RICKETTS STREET, BEING LOT 50, BLOCK 1, BIRGE-FAIRVIEW ADDITION (SHERMAN MONTESSORI PRESCHOOL INC., OWNERS; AND ALLISON WEST, REPRESENTATIVE); 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 6134
SUP FOR PARKING
LOT
(1111 N. RICKETTS ST.)

Ordinance 6135

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 MICRO-BLADING, PERMANENT MAKE-UP (TATTOO STUDIO) IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT AT 2121 NORTH F.M. 1417 (HERITAGE PARKWAY), SUITE O, BEING PART OF BLOCK 4, WESTERN HILLS ADDITION, SECTION 5

ORD 6135
SUP FOR TATTOO
STUDIO
(2121 N. FM 1417)

(OWEN CENTRAL, LLC, OWNERS; AMANDA'S NAILS, TENANT; AND KATIE CAMPBELL, APPLICANT); 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.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to adopt Ordinance Nos. 6129, 6130, 6131, 6134, and 6135, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6382 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT LAMBERTH ROAD FROM S.H. 289 TO SHADY OAKS LANE EXTENSION PROJECT; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORISING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF CITY PROJECT LAMBERTH ROAD FROM S.H. 289 TO SHADY OAKS LANE EXTENSION PROJECT; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

RES 6382
LAMBERTH RD.
FROM SH 289 TO
SHADY OAKS LN.
EXTENSION PROJECT

Clint Philpott, Director of Engineering, said soon after the annexation of Carriage Estates, the City began acquiring right-of-way for the future extension of Lamberth Road. All but one property has been acquired. This resolution would authorize the City to begin condemnation proceedings with the final property owner.

Council Member Teamann asked if the staff anticipated that the cost would be the amount budgeted. Mr. Philpott said the property has been appraised and that's why it's being taken to

condemnation. There is a “vast difference” in what the City feels is the value and what the owner feels is the value. Council Member Teamann verified that the other properties have been acquired without condemnation.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No. 6382, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6383 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF THE SHERMAN NORTHWEST SEWER LINE, LIFT STATION, AND FORCE MAIN IMPROVEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF THE SHERMAN NORTHWEST SEWER LINE, LIFT STATION, AND FORCE MAIN IMPROVEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

**RES 6383
NORTHWEST SEWER
LINE, LIFT STATION,
FORCE MAIN
IMPROVEMENTS**

Mark Gibson, Director of Utilities, said this project will provide sewer service to the area west of SH 289, near US Hwy 82, the Preston Club area. It consists of a gravity sewer to a future proposed lift station on the north side of US Hwy 82. The lift station will be able to serve that entire area of the City, and is a future infrastructure project for the west part of Sherman.

The request is for permission to start negotiating for property for the lift station. The gravity sewer mains and the force main will come back to the City’s existing sewer.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6383, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6384 – AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN IMPROVED PEDESTRIAN CURB RAMP LOCALLY FUNDED PROJECT ON-SYSTEM [SH 56 (LAMAR STREET) AND RUSK STREET PED IMPROVEMENT]

**RES 6384
PEDESTRIAN CURB
RAMP PROJECT
(SH 56 TO RUSK ST.)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR AN IMPROVED PEDESTRIAN CURB RAMP LOCALLY FUNDED PROJECT ON-SYSTEM [SH 56 (LAMAR STREET) AND RUSK STREET PED IMPROVEMENT].

Mr. Philpott said a budget has been allotted for the past several years for sidewalk improvements in the downtown area. The proposed improvements would be at Rusk and Lamar Streets. The project would be a pedestrian/crosswalk improvement similar to the one at the Grayson County Courthouse.

Because the project is located on SH 56, and a pedestrian pole will be moved, the Texas Department of Transportation is requiring the City to execute an Advance Funding Agreement. Approval of the proposed resolution will allow the City to move forward with the bidding process and hopefully complete construction in the Fall of 2018.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6384, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6385 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO YOUNG ENTERPRISES, LP FOR THE INSTALLATION OF TWO (2) 9-SQUARE FOOT SUBDIVISION SIGNS WITHIN A 10' UTILITY EASEMENT ON THE NORTHEAST CORNER OF LOT 20, BLOCK C AND THE NORTHWEST CORNER OF LOT 19, BLOCK B OF MAGNOLIA VILLAGE IN THE CITY OF SHERMAN, TEXAS

**RES 6385
ENCROACHMENT
EASEMENT FOR SIGNS
(MAGNOLIA VILLAGE)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO YOUNG ENTERPRISES, LP FOR THE INSTALLATION OF TWO (2) 9-SQUARE FOOT SUBDIVISION SIGNS WITHIN A 10' UTILITY EASEMENT ON THE NORTHEAST CORNER OF LOT 20, BLOCK C AND THE NORTHWEST CORNER OF LOT 19, BLOCK B OF MAGNOLIA VILLAGE IN THE CITY OF SHERMAN, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6386 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO CUPID INVESTMENTS, INC. FOR THE INSTALLATION OF A SANITARY SEWER SERVICE LATERAL LINE WITHIN THE PLATTED PUBLIC RIGHT-OF-WAY RUNNING EAST AND WEST ALONG BLOCK 1 OF THE EPSTEIN AT HAZELWOOD ADDITION FOR SANITARY SEWER SERVICES AT 1000 EAST EPSTEIN STREET AND 1004 EAST EPSTEIN STREET IN THE CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO CUPID INVESTMENTS, INC. FOR THE INSTALLATION OF A SANITARY SEWER SERVICE LATERAL LINE WITHIN THE PLATTED PUBLIC RIGHT-OF-WAY RUNNING EAST AND WEST ALONG BLOCK 1 OF THE EPSTEIN AT HAZELWOOD ADDITION FOR SANITARY SEWER SERVICES AT 1000 EAST EPSTEIN STREET AND 1004 EAST EPSTEIN STREET IN THE CITY OF SHERMAN, TEXAS.
CONSENT AGENDA.

RES 6386
ENCROACHMENT
EASEMENT FOR
SANITARY SEWER
LATERAL LINE
(1000 & 1004 E.
EPSTEIN)

RESOLUTION NO. 6387 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PATTILLO, BROWN AND HILL, LLP TO PERFORM THE FISCAL YEAR 2018 AUDIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PATTILLO, BROWN & HILL, LLP TO PERFORM THE FISCAL YEAR 2018 AUDIT.
CONSENT AGENDA.

RES 6387
ANNUAL AUDIT

RESOLUTION NO. 6388 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH SEAN VANDERVEER D/B/A VANDERVEER GROUP, LLC UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 124 NORTH WALNUT STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH SEAN VANDERVEER D/B/A VANDERVEER GROUP, LLC UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 124 NORTH WALNUT STREET.

RES 6388
CBD HISTORIC BLDG
RESTORATION GRANT
(124 N. WALNUT)

Nate Strauch, Community and Support Services Manager, said this is the third application the City has received this year, for the Central Business District Historic Building Restoration and Improvement Grant. There is about \$15,000 left in the fund for this year, which is the amount of this request, which is for the old Roberts, Sanford and Taylor building.

Sean Vanderveer, representative for Vanderveer Group, LLC, said the building has been vacant for over three decades, and is in continued disrepair. The facility has eight rooms and the current project would be to convert three of those rooms into an event center.

They also own the parking lot across the street, which would provide strategic parking for the facility.

Council Member Stevenson asked how many square feet the facility would have. Mr. Vanderveer said the event center will be 10,500 square feet. The entire building has a little over 26,000 square feet. He said they would like to do retail, restaurant, and residential, in the remainder of the facility.

Council Member Teamann asked what the timeline was on this project. Mr. Vanderveer said realistically, February, but he would like to see it in December, so they would have the entire calendar year.

Deputy Mayor Howeth confirmed that the parking lot they own is across the street, between the old “watch shop” and the old Charcoal House, and includes 48 parking spaces. Eventually they will also make improvements to the parking lot.

Mr. Hefton confirmed that the cost estimate for this project does not include the parking lot, and the estimate for the roof is probably low.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6388, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

SITE PLAN APPROVAL AND EXCEPTION FOR SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND GLOBITECH, INC., OWNERS; AND JUSTIN WALTON, TEAGUE, NALL AND PERKINS, ENGINEERS/REPRESENTATIVE UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTIONS 410 (2)(J) AND (2)(G)(L) FOR GLOBITECH FAB 3 EXPANSION AND TO ALLOW A RETAINING WALL, SECURITY FENCE AND PLANT SCREENING TO HAVE A 38' SETBACK ALONG A PORTION OF HOWE DRIVE IN THE BLALOCK INDUSTRIAL PARK AT 200 WEST F.M. 1417 (HERITAGE PARKWAY)

APPROVE SITE PLAN
& EXCEPTION
GLOBITECH
(200 W. FM 1417)

Mr. Shadden said since the request is located in the Blalock Industrial Park, it must be approved by the Planning and Zoning Commission and the City Council. The site plan and exception are for GlobiTech’s planned expansion.

The building sets within the setback, however the fire lane encroaches into the 55.7 foot setback. Because of the terrain, they are having to build the retaining wall on their side. They will construct a berm and landscaping to make it look nice.

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

ACTION TAKEN.

Motion by Council Member Teamann to approve the Site Plan and Exception for Sherman Economic Development Corporation and GlobiTech, Inc., for the GlobiTech Fab 3 Expansion and to allow a retaining wall, security fence and plant screening to have a 38' setback along a portion of Howe Drive, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Mayor Plyler noted that, for transparency, he did not vote on this agenda item.

REPLAT APPROVAL OF NORTHGATE TECHNOLOGY PARK ADDITION, LOT 1R, BLOCK 1, BEING 26.801 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329 AND ALL OF LOT 1, BLOCK 1 IN THE NORTHGATE TECHNOLOGY PARK AND IN TRACT 2 OF THE BLALOCK INDUSTRIAL PARK; SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND GLOBITECH, INC., OWNERS; AND TEAGUE, NALL AND PERKINS, ENGINEERS/SURVEYOR [200 WEST F.M. 1417 (HERITAGE PARKWAY)]

The City Council approved the Replat of Northgate Technology Park Addition, Lot 1R, Block 1, and all of Lot 1, Block 1 in Northgate Technology Park and in Tract 2 of the Blalock Industrial Park.

The 26.801 acre tract is located at 200 West FM 1417. The owners, GlobiTech, Inc., would like to replat the property into one lot for industrial development.

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

REPLAT APPROVAL OF LOTS 2 AND 3, BLOCK 1, DR. SWAMY ADDITION, BEING 2.761 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875, ALSO BEING LOTS 2 AND 3, BLOCK 1, DR. SWAMY ADDITION; ONE GANESHA LTD., OWNERS; DEAN GILBERT, DEVELOPER; AND HELVEY-WAGNER SURVEYING, SURVEYOR (6100 BLOCK OF NORTH U.S. HIGHWAY 75)

The City Council approved the Replat of Lots 2 and 3, Block 1, of Dr. Swamy Addition. The 2.761 acre tract is located in the 6100 block of North US Hwy 75. The owners would like to replat the lots, moving lot lines for commercial development.

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

REPLAT APPROVAL OF HUGHES TURTLE CREEK WEST ADDITION, A REPLAT OF A PART OF LOT 7, BLOCK C, TURTLE CREEK WEST ADDITION AND A PART OF LOTS 1

APPROVE REPLAT
NORTHGATE
TECHNOLOGY PARK
ADDITION
(200 W. FM 1417)

APPROVE REPLAT
DR. SWAMY ADDITION
(6100 BLOCK OF
N. HWY 75)

APPROVE REPLAT
HUGHES TURTLE
CREEK WEST

AND 2, BLOCK 1, TOM L. SULLIVAN'S REPLAT OF A PART OF THE REPLAT – VALLEY VIEW ADDITION, BEING 0.819 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 AND BEING A PART OF LOT 7, BLOCK C, TURTLE CREEK WEST ADDITION AND PART OF LOTS 1 AND 2, BLOCK 1, TOM C. SULLIVAN'S REPLAT AND A PART OF THE REPLAT OF VALLEY VIEW ADDITION, LOTS 1 AND 2; STEVEN AND LISA HUGHES, OWNERS; AND HELVEY-WAGNER SURVEYING, SURVEYOR (2208 POST OAK DRIVE)

ADDITION
(2208 POST OAK DR.)

The City Council approved the Replat of Hughes Turtle Creek West Addition. The 0.819 acre tract is located at 2208 Post Oak Drive. The owners would like to replat two lots into one lot.

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

REPLAT APPROVAL OF LOTS 16-27, BLOCK 5, ALL OF BLOCKS 6 AND 7, AND LOTS 1-6, BLOCK 8 AND THE UNOPEN PORTION OF COPLEY STREET AND ALL OF RAY STREET AND LILA STREET, COPLEY ADDITION, BEING 10.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963; MITCHELL ENTERPRISES, INC., OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (700 BLOCK OF COPLEY STREET)

APPROVE REPLAT
COPLEY ADDITION
(700 BLOCK OF
COPLEY ST.)

The City Council approved the Replat of Lots 16-27, Block 5, all of Blocks 6 and 7, and Lots 1-6, Block 8, and the unopen portion of Copley Street and all of Ray Street and Lila Street. The 10.704 acre tract is located in the 700 block of Copley Street.

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

FINAL PLAT APPROVAL OF KAZ ADDITION, PHASE 2 IN THE CITY OF SHERMAN'S EXTRA-TERRITORIAL JURISDICTION (ETJ), BEING 2.013 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61; KAZEMAND ZOHREH GANJLI, OWNERS; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (10739 STATE HIGHWAY 56)

APPROVE FINAL PLAT
KAZ ADDITION,
PHASE 2
(10739 SH 56)

The City Council approved the Final Plat of the KAZ Addition, Phase 2, located at 10739 SH 56, in the City's extra territorial jurisdiction. The owners would like to plat the property into two lots.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF HANCOCK RANCH SUBDIVISION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 36.79 ACRES IN THE W.D. WOOLEY SURVEY, ABSTRACT NO. 1335 AND THE WINFRED BAILEY SURVEY, ABSTRACT NO. 66; MIKE CROSS AND ROBERT SCOGGINS, OWNERS; PLAIN AND SIMPLE

APPROVE FINAL PLAT
HANCOCK RANCH
SUBDIVISION

INVESTMENTS, LLC, PROSPECTIVE BUYER; RELATED SOLUTIONS, LLC, DEVELOPER; AND HELVEY-WAGNER SURVEYING, SURVEYOR (1400-1600 BLOCKS OF F.M. 697)

The City Council approved the Final Plat of the Hancock Ranch Subdivision, located in the 1400 to 1600 blocks of FM 697, in the City's extra territorial jurisdiction. The owners would like to plat the property into 14 lots.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Thanked the staff for their hard work on the recent Koe Wetzel concert for Hot Summer Nights. This Thursday the Spazmatics, an 80's cover band, will perform. On July 26, Asia will end the summer musical series with their performance.
- Parks and Recreation will host a water balloon fight on July 28, 2018, at 5:00 p.m., at The Splash. It's BYOB, (Bring Your Own Balloons)

ANNOUNCEMENTS

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

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

EXECUTIVE SESSION

SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

SECTION 551.071 -- CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

SECTION 551.074 -- PERSONNEL MATTERS:
DELIBERATE THE APPOINTMENT,
EMPLOYMENT, EVALUATION,
REASSIGNMENT, DUTIES,
DISCIPLINE, OR DISMISSAL OF A
PUBLIC OFFICER OR EMPLOYEE

SECTION 551.087 -- DELIBERATION REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM A
BUSINESS PROSPECT AND
DELIBERATE ANY OFFERS OR
INCENTIVES TO THE BUSINESS
PROSPECT

On Motion duly made and carried, the Open Meeting recessed
and reconvened in Executive Session at 5:32 p.m.

On Motion duly made and carried, the Executive Session
recessed at 6:08 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
6:10 p.m.

ADJOURNMENT

MAYOR

CITY CLERK