

July 6, 2021

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

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

ONE YEAR ANNIVERSARY OF BUSINESSES

Those in attendance that were recognized were Lori Cannon, GoSendMe; Brian McBride, Critical Access Billing Services; and Jesse Heiman, Sherman Evening Lions Club. Other businesses recognized were Modular Power Solution, Interim Healthcare of Sherman, Cedar Hollow Rehabilitation Center, Cinderella Housekeeping, and Cadence Studios.

Mr. Brown thanked the businesses for making Sherman their home and for providing jobs for our citizens. He also recognized the leadership that the Mayor and City Council provided to the City. Framed certificates were presented to each business as they were recognized.

CITIZEN'S COMMENTS

CONSENT AGENDA

(TABLED AT JUNE 7, 2021 COUNCIL MEETING)

RESOLUTION NO. 6743 – AWARDING A BID TO HARKINSON MANAGEMENT, LLC, FOR THE PURCHASE AND SALE OF 15.260 ± ACRES OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST TRAVIS STREET AND FM 1417; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO HARKINSON MANAGEMENT, LLC, FOR THE PURCHASE AND SALE OF 15.260± ACRES OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST TRAVIS STREET AND FM 1417; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

ACTION TAKEN.

Motion by Council Member Melton to remove Resolution No. 6743 from table for consideration in its regular order of business. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO REMOVE FROM TABLE.

Robby Hefton, City Manager, said this resolution relates to the sale of approximately 15 acres of land located by the new High School, at the northeast corner of West Travis Street and FM 1417.

The staff has been working with Ryan Pittman, Attorney, who has been working with the purchaser and his attorneys, to develop the form used for this sale.

He said there will also be some closing costs related to this transaction, which will be split. Typical “seller” expenses will be handled by the seller, and typical “buyer” expenses will be handled by the buyer. The most significant will be the title policy, which is estimated to be about \$17,000. The City’s portion will be about half of that, making the City’s total closing costs between \$10,000 and \$15,000.

He said since the City was able to list this property and bid it out themselves, they saved about \$200,000 in real estate commission fees. The sale of the land was for \$3.655 million.

Council Member Melton thanked Mr. Pittman for his hard work in negotiating the contract. She said she was the one that had been uncomfortable with the contract.

**RES 6743
SALE OF CITY
PROPERTY –
NORTHEAST CORNER
OF WEST TRAVIS ST.
& FM 1417**

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6743, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6750 – AUTHORIZING EXECUTION OF A LAW ENFORCEMENT OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE CITY OF GUNTER, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A LAW ENFORCEMENT OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE CITY OF GUNTER, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

**RES 6750
LAW ENFORCEMENT
OFFICER INTERLOCAL
AGREEMENT WITH
CITY OF GUNTER**

Zach Flores, Police Chief, said this interlocal agreement will allow Gunter police officers to come into Sherman and assist with traffic control on the Hwy 75 project. These types of agreements have been in effect for just over a year.

Due to the large number of officers required for the major lane changes that are happening frequently, as well as notifications and delays, it can be difficult to fill with only Sherman officers. Officers from other towns in Grayson County have stepped up to help out with coverage, as needed.

Council Member Stevenson asked if they would be in their patrol unit or in a Sherman patrol unit. Chief Flores said they have an option. Sherman gets reimbursed and can “pass through” if they use their vehicles. However, there are two, older stripped-down vehicles that they can use. Whoever’s vehicle they use is who the reimbursement will go too. Council Member Stevenson said he would leave it to Chief Flores, but he “preferred ours.”

Council Member Teamann verified that the agreement is for officers, “as needed,” and that they would use Sherman officers first. Chief Flores said, when the request is made, Sherman officers would have a chance to take the assignment first, then to other departments that have agreements with the City.

He said, sometimes it takes a large number of officers to fill their needs, so these agreements will help alleviate that. They also have a responsibility to Zachary Construction Company, to give them protection on the highway.

Council Member Melton asked if tickets are being written, because she has heard a lot of complaints about speeding through the construction zone.

Chief Flores said the agreement with Zachary is that the officers that are set up there, will not leave their location to enforce anything. There are, however, other officers there to enforce the

laws, especially the motorcycle officer. Chief Flores said he didn't want his officers out there with the barriers, but they are enforcing before and after the highway opens up, which is a safer place for the officers and those they stop. Council Member Teamann added that the officers are radioing ahead about speeding vehicles.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6750, as presented. Second by Council Member Howeth. VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann. VOTING NAY: None. MOTION CARRIED.

REQUEST TO ADVERTISE

SETTING SUNS DRAINAGE IMPROVEMENTS PHASE II

The City Council approved the request to advertise for bids for the Setting Suns Drainage Improvements Phase II Project. The area was annexed into the City in 1986. Over time, the residents in the neighborhood have experienced flooding to their property.

The drainage project will help alleviate the flooding to the neighborhood. This is Phase II of the project. Phase I was completed in June 2018.

CONSENT AGENDA.

REQUEST TO ADVERTISE FOR THE ANNUAL SUPPLY OF TIRES FOR ON-ROAD AND OFF-ROAD FLEET EQUIPMENT

The City Council approved the request to advertise for the annual supply of tires for on-road and off-road fleet equipment. Each year the City contracts to establish a price agreement for the purchase of tires for a variety of the City's fleet. This agreement includes tire replacement needs for on and off-road fleet, including cars, trucks, trailers, and construction equipment.

CONSENT AGENDA.

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

Kent Sharp, President of the Sherman Economic Development Corporation, presented their quarterly progress report.

SEDCO passed a resolution authorizing funding for Eaton B-Line, Inc., for a project totaling \$672,000, which will expand their product offering. The incentive will be up to 5% for the capital expenditures, and another 5% for anything that is bought locally.

Another resolution was approved for a partnership between SEDCO, Workforce Solutions Texoma, and the Denison Development Alliance, for the AMP and the IMT programs to train students to work in local industry. A State grant was available for communities that have a workforce training program. The State will match dollars for local incentives to hire outreach coordinators for the programs.

REQUEST TO ADV
SETTING SUNS
DRAINAGE
IMPROVEMENTS,
PHASE II

ANNUAL SUPPLY
OF TIRES

SEDCO QUARTERLY
PROGRESS REPORT

COUNCIL MINUTES – JULY 6, 2021

There were also two resolutions to authorize SEDCO to hire architects and general contractors to develop complete plans and drawings for speculative buildings. They will “price out” 78,750 square foot buildings, with expansion capabilities to take them to a little over 100,000 square feet.

SEDCO will own a complete set of plans and will get a first take on pricing in today’s market. It is anticipated that pricing is probably currently elevated, but the Board would have the option to wait 12 to 18 months for prices to level off. However, they would own the plans and be ready when construction is wanted.

For the next quarter, Mr. Sharp said SEDCO will continue to market new jobs and investment in the City, and will continue to work closely with existing companies, to understand their capital budget for the next couple of years.

They also plan to host the third quarter meetings with the plant manager and human resource managers, and the annual joint meeting with the City Council.

Also, this is SEDCO’s 25th Anniversary and the staff has worked hard to compile a video commemorating the event.

Mr. Sharp said SEDCO is currently working on nine active projects with an estimated \$1.3 billion in investments, approximately 2,196 new jobs, and 182 retained jobs. He said there are a lot of projects in the works and it is an exciting time to be in Sherman.

They also completed two in-person site visits and one virtual prospect meeting. He has also had a preliminary meeting with the owner’s representative, architects, and engineers for Modular Power Solutions’ new expansion project.

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR 12:00 P.M. ON TUESDAY, SEPTEMBER 14, 2021, TO REVIEW AND APPROVE SEDCO’S ANNUAL BUDGET AND WORK PLAN
ACTION TAKEN.

**JOINT MEETING
WITH SEDCO
(SEPT. 14, 2021)**

Motion by Council Member Howeth to schedule a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors, for September 14, 2021, at 12:00 p.m., as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

RECOGNITION OF LOCAL BUSINESSES

Council Member Teamann thanked Mr. Brown and Terrence Steele, Assistant City Manager, for their work to organize the recognition of local businesses that have been in Sherman or a member of the Chamber of Commerce for a year. He also thanked the businesses for choosing to do business in Sherman.

**RECOGNITION OF
LOCAL BUSINESSES**

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Friends of the Sherman Public Library will host a book sale on July 10, 2021, from 9:00 a.m. until 2:00 p.m., at 1000 North East Street. Friends can shop early on July 9, 2021, starting at 5:00 p.m.
- He thanked the City staff who helped with Lights on the Lake, on July 2, 2021 for the Rick Springfield Concert and the Fireworks Show. Hundreds of man-hours were invested at the park to make the event successful.
- This week, Gary P. Nunn will perform at Hot Summer Nights, at Kidd-Key Park. Then next week, Jefferson Starship will perform.
- The Sherman Celtic Festival will be held September 25 and 26, 2021, at Pecan Grove Park. He encouraged everyone to get their tickets.

ANNOUNCEMENTS

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

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

EXECUTIVE SESSION

TEX. GOV'T CODE § 551.071 --

SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

- (A) RECEIVE LEGAL ADVICE REGARDING WASTEWATER TREATMENT AGREEMENT NOVEMBER 2, 2009
- (B) RECEIVE LEGAL ADVICE REGARDING DISCLOSURE STATEMENT REQUIREMENTS UNDER CHAPTER 176 OF THE LOCAL GOVERNMENT CODE

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

COUNCIL MINUTES – JULY 6, 2021

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

TEX. GOV'T CODE § 551.076 –

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

TEX. GOV'T CODE § 551.087 –

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

- (A) PRESENTATION FROM IVY GROUP ON THE SHERMAN HOSPITAL PROJECT**
- (B) ECONOMIC DEVELOPMENT PROSPECT**

TEX. 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 5:25 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

COUNCIL MINUTES – JULY 6, 2021

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:10 p.m.

ADJOURNMENT

MAYOR

CITY CLERK