

STATE OF TEXAS §
 July 5, 2016
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 5, 2016.

MEMBERS PRESENT: MAYOR DAVID PLYLER.
 COUNCIL MEMBERS COUCH, DAVIS, JOHNSON, SOFEY,
 WATT.

MEMBERS ABSENT: COUNCIL MEMBER 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 Council Member Lawrence Davis.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 6, 2016. Council Member Couch moved to approve the Minutes as presented; Second by Council Member Watt. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PUBLIC HEARING

INTRODUCTION AND FIRST PUBLIC HEARING OF
ORDINANCE NO. 5958

Robby Hefton, City Manager, explained the desire for a 90 day moratorium to provide time for the City staff to complete the overlay process. He stated there has been recent activity in this area with items being brought before the Planning & Zoning Committee, but the overlay process must be completed before any new construction could move forward. The plan is to utilize the Highway 1417 overlay as the model for this overlay, revising somewhat as needed. He also noted the party with a newly approved plat, as well as others, have been made aware of the need for this overlay process and are understanding.

Brandon Shelby, City Attorney, provided background noting the development around highways offers significant economic opportunities for the city and its citizens.

He explained the Texas Local Government Code Section 212.134 governs the procedure for implementing a moratorium. Tonight is the first of two public hearings before the City council. The two readings must be read at least four (4) days apart and everything must be completed within a twelve (12) day time frame from the first reading. A public hearing is also required to be held before the Planning and Zoning (P&Z) Committee and that hearing is scheduled for their July 11th Called meeting. The P&Z

ORD 5958
FIRST PUBLIC
HEARING ON
TEMPORARY
MORATORIUM ON
BUILDING PERMITS
FOR NEW
CONSTRUCTION OR
MODIFICATIONS
WITHIN 500 FEET OF
F.M. 691 AND S.H. 289

COUNCIL MINUTES – JULY 5, 2016

Committee will appoint a subcommittee and then meet again after that to finalize the plans.

No Action Taken.

The Public Hearing was closed.

OTHER BUSINESS

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL TO HOLD THE SECOND PUBLIC HEARING ON ORDINANCE NO. 5958 TO IMPLEMENT A TEMPORARY MORATORIUM ON BUILDING PERMITS FOR NEW CONSTRUCTION OR MODIFICATIONS WITHIN 500 FEET OF F.M. 691 AND S.H. 289 IN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR THE FOLLOWING FINDINGS OF FACT; ENACTMENT; PROVISIONS, INCLUDING PURPOSE; SCOPE; DEFINITION; PROHIBITIONS; WAIVER; APPEALS PROCESS; AND ENFORCEMENT, INCLUDING CRIMINAL FINES NOT TO EXCEED \$2,000.00 AND CIVIL PENALTIES NOT TO EXCEED \$1,000.00 PER VIOLATION; PROVIDING FOR AN EFFECTIVE DATE

MEETING FOR
SECOND PUBLIC
HEARING ON ORD
5958, TEMPORARY
MORATORIUM

Robby Hefton advised the Council a meeting could be scheduled for noon or in the evening to accommodate Council Members schedule.

ACTION TAKEN

Motion was made by Council Member Davis to schedule a special meeting of the City Council to hold the Second Public Hearing on Ordinance No 5958 on Tuesday, July 12, 2016 at 12:00 p.m. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda (Resolutions 6101 and 6102). Deputy Mayor Sofey moved to approve the Consent Agenda, as presented. Second by Council Tom Watt. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6099 – AUTHORIZING THE EXECUTION OF AN UNIMPROVED PROPERTY CONTRACT WITH WEST CANYON CREEK PROPERTIES, LTD. FOR THE PURCHASE OF 26.333 ACRES OF LAND ADJACENT TO CANYON CREEK DRIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF AN UNIMPROVED PROPERTY CONTRACT WITH WEST CANYON CREEK PROPERTIES, LTD. FOR THE PURCHASE OF 26.333 ACRES OF LAND ADJACENT TO CANYON CREEK DRIVE.

RES 6099
PURCHASE OF 26.333
ACRES ADJACENT TO
CANYON CREEK DRIVE

Robby Hefton stated an agreement has been reached with the property owner to purchase this tract of land, with the intention for it to become part of the City's Park inventory, most likely to be used for ball fields. He stated it is a great location and would help meet the need for our current overcrowding of other ball fields.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6099, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6100 – AUTHORIZING THE EXECUTION OF A ROW DEDICATION AGREEMENT WITH WEST CANYON CREEK PROPERTIES, LTD. FOR THE EXTENSION, DEVELOPMENT AND CONSTRUCTION OF CANYON CREEK DRIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A ROW DEDICATION AGREEMENT WITH WEST CANYON CREEK PROPERTIES, LTD. FOR THE EXTENSION, DEVELOPMENT AND CONSTRUCTION OF CANYON CREEK DRIVE.

RES 6100
RIGHT OF WAY
DEDICATION
AGREEMENT

Robby Hefton noted this relates to the previous agenda item. This is the land for the road that we propose to extend Westward from Shady Oaks Lane and extend it Westward all the way to the existing Lamberth Road, which will in the future likely be Friendship Road. This would provide the right of way for Canyon Creek West and along Lamberth Road for expansion.

ACTION TAKEN.

Motion by Council Member Johnson to approve Resolution No. 6100, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6101 – AUTHORIZING THE EXECUTION OF A DEED FOR THE RESALE OF A PROPERTY WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A DEED FOR THE RESALE OF A PROPERTY WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES.

RES 6101
DEED FOR RESALE OF
PROPERTY SEIZED
FOR DELINQUENT
TAXES

CONSENT AGENDA.

RESOLUTION NO. 6102 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN

RES 6102
CONTRACT WITH LYNN

VESSELS CONSTRUCTION, LLC FOR THE SHERMAN
WATER TREATMENT PLANT EAST SLUDGE BASIN
CLEANOUT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS AWARDED A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTIONS, LLC FOR THE SHERMAN WATER TREATMENT PLANT EAST SLUDGE BASIN CLEANOUT.

VESSELS
CONSTRUCTION FOR
SLUDGE BASIN
CLEANOUT

CONSENT AGENDA.

REQUEST TO ADVERTISE
CONSTRUCTION OF TRAVIS STREET WITHIN SHERMAN
CROSSROADS

Robby Hefton explained this project was discussed at the recent Budget Workshop. This would allow the City to advertise for construction and extension of Travis Street Road.

REQ TO ADVERTISE
CONSTRUCTION OF
TRAVIS STREET
WITHIN SHERMAN
CROSSROADS

ACTION TAKEN.

Motion by Deputy Mayor Sofey to approve the request to advertise for the construction of Travis Street within Sherman Crossroads, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Johnson, Sofey, Watt.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS
CONSIDER CALLING A SPECIAL MEETING OF THE CITY
COUNCIL TO PARTICIPATE IN DISCUSSIONS AT THE
PARKS AND RECREATION MASTER PLAN COMMUNITY
INPUT SESSION ON TUESDAY, JULY 19, 2016

PARKS AND
RECREATION MASTER
PLAN COMMUNITY
INPUT SESSION

Steve Ayers, Director of Community and Support Services, discussed the process of developing a Parks Master Plan, noting this has not been done since 2010. The City has contracted with Duncan, Sims and Stoffels and they have been working on this for several months. Two Public Hearings are required and the second meeting will be held Tuesday, July 19, 2016 at 6:30 p.m. in the Municipal Ballroom. Mr. Ayers noted this meeting is open to the public and input is welcomed.

ACTION TAKEN

Motion by Council Member Couch to approve the scheduling for the Master Plan Community Input Session on July 19, 2016. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Johnson, Sofey, Watt.

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

Kevin Nelson addressed the City Council on behalf of the Texoma Soccer Association and introduced Board Members Kendra Sikes and Scott Payne. He noted there were 934 children that participated this last season and they are expecting over 1,000 this season, with two seasons held each year. Mr. Nelson stated players are from all of outlying cities, but primarily from Sherman. He invited Mayor Plyler down to accept a token of Appreciation, a photo collage, for the City's support. Mayor Plyler thanked the Texoma Soccer Association and encouraged their representatives to attend the upcoming Parks & Recreation Master Plan Input Meeting.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

Council Member Johnson praised the Lights on the Lake event this past weekend and thanked the staff for working so hard to make this a great event for the community.

Council Member Watt also complimented the Lights on the Lake event, noting the "top notch" entertainment. He also specifically recognized the Street Department for their effort with the event.

Deputy Mayor Sofey stated attendance was great at the Lights on the Lake event and stated the police and fireman did a great job. He noted for such a large group of people, everything went really well. He also expressed his condolences on the death of Greg Ashby, husband of City Clerk, Linda Ashby.

Council Member Lawrence Davis complimented the City staff for a great event at Pecan Grove Park and complimented the citizens for cleaning up after themselves.

Council Member Couch expressed his excitement about the 26 acres being purchased adjacent to Canyon Creek Drive and noted this property will be an asset for Sherman to offer parks and fields to all the County.

MAYOR ANNOUNCEMENT

Mayor Plyler announced the Christmas in July event being hosted by the Downtown Sherman Preservation and Revitalization Committee will be held this Saturday, July 9th from 9:00 a.m. to 1:00 p.m. and encouraged everyone to be part of that.

He also reminded everyone there is another great Hot Summer Nights concert planned this Thursday on the Municipal Lawn, with the King David Band performing.

CITIZENS REQUESTS

Texoma Soccer
Association

MEDIA QUESTIONS

COUNCIL COMMENTS

**MAYOR
ANNOUNCEMENT**

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 551.074

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

SECTION 551.087

**DELIBERATE 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 5:25 p.m.

On Motion duly made and carried, the Executive Session recessed at 5:38 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 5:39 p.m.

ADJOURNMENT

MAYOR

CITY CLERK