

STATE OF TEXAS

§

June 26, 2023

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Called 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 June 26, 2023.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON.
COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH, MARROQUIN,
TEAMANN.

MEMBERS ABSENT:

NONE.

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 Pam Howeth.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Called City Council Meeting of June 9, 2023, and the Called City Council Meeting (GTUA Bonds) of June 15, 2023. Council Member Teamann moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"AMERICANS WITH DISABILITIES ACT AWARENESS DAY" -- JULY 26, 2023

Mayor Plyler presented a proclamation to April Martin, HireAbility Navigator, Workforce Solutions Texoma. Ms. Martin said one in four people have a disability in the United States and it is the largest minority group. She added that Workforce Solutions Texoma offers a lot of assistance, and urged citizens to contact them.

AMERICANS WITH
DISABILITIES ACT
AWARENESS DAY
(JULY 26, 2023)

CITIZEN'S COMMENTS

INTENT TO ISSUE CERTIFICATES OF OBLIGATION

Harold Rogers, 3112 Redbud Trail, said he has owned and operated a business at 217 W. Pecan Street for 20 years. He said if the Council proceeds with the proposed Municipal Campus, he would have to vacate his business.

PROPOSED
MUNICIPAL CAMPUS

He said the cost was "pretty significant" when they discussed moving the downtown to this campus, at a cost of \$30 million to \$40 million.

He asked the City Council to prioritize the needs of the citizens for infrastructure and park improvements, over this "extremely nice, expensive" Municipal Campus, that will, at a minimum take three businesses that are currently in operation.

INTENT TO ISSUE CERTIFICATES OF OBLIGATION

Vernon Krueger, 1400 Western Hills Dr, addressed the intent to issues Certificates of Obligation, including \$20 million for a new

PROPOSED
MUNICIPAL CAMPUS

City Hall. His law practice is located next door to Mr. Rogers' business, on Pecan Street. He questioned funding this project, when there are multiple needs for roads, water, and other things, that are needed.

He said it would be a tax burden on citizens, and asked the Council to consider what is the best need for most of the citizens. He asked about the number of citizens that actually came to City Hall.

He felt funding that project was unnecessary, and shouldn't be a priority. He asked Council to "not forget" the citizens that have to pay the taxes on these projects. Citizens are already facing a property tax increase, water rate increase, and stormwater runoff, and he felt that was a burden to put on people for something that's not a necessity.

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.

The Council reviewed the Consent Agenda. Council Member Howeth moved to approve the Consent Agenda, as presented. Second by Council Member Dobbs. 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.

The Council reviewed the Consent Agenda. Council Member Dobbs moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Teamann. All present voted AYE.

Mayor Plyler asked that the captions of Ordinances Nos. 6597, 6599, 6607, and 6608 be read together.

Mayor Plyler introduced Ordinance No. 6597 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 14.03.007 (BLALOCK COMMERCIAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT); PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Mayor Plyler introduced Ordinance No. 6599 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 3229 AND THE

CONSENT AGENDA

CONSENT AGENDA

ORD 6597
BLALOCK OVERLAY
DISTRICT & CENTRAL
BUSINESS DISTRICT
CHANGES

ORD 6599
MODIFY BOUNDARIES
OF HERITAGE ROW
HISTORICAL DISTRICT

CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 1 (GENERAL PROVISIONS), ARTICLE 1.10 (HERITAGE ROW HISTORICAL DISTRICT), DIVISION 1 (GENERALLY), SECTION 1.10.003 (BOUNDARIES); MODIFYING THE BOUNDARIES OF THE HERITAGE ROW HISTORICAL DISTRICT TO INCLUDE ALL PROPERTY WITHIN ONE HUNDRED (100) FEET OF EITHER SIDE OF THE RIGHT-OF-WAY OF SOUTH CROCKETT STREET BEGINNING AT THE CENTER OF THE INTERSECTION OF WEST CHERRY STREET AND SOUTH CROCKETT STREET AND ENDING AT THE CENTER OF THE INTERSECTION OF WEST HESTER STREET AND SOUTH CROCKETT STREET, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$500, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Mayor Plyler introduced Ordinance No. 6607 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 1.767 ACRES, BEING BLOCK 9 OF ORIGINAL TOWN PLAT IN THE GRAYSON COUNTY JUSTICE CENTER, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 200 SOUTH CROCKETT STREET, HERETOFORE ZONED MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-1 (RETAIL BUSINESS) DISTRICT, (GRAYSON COUNTY, TEXAS, OWNER; MYRON DORNIC, JACKSON WALKER, LLP, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6607
ZONE CHANGE
(200 S. CROCKETT ST)

Mayor Plyler introduced Ordinance No. 6608 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 A CORRECTIONAL OR DETENTION FACILITY OR JAIL IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT OVERLAY, LOCATED AT 200 SOUTH CROCKETT STREET (GRAYSON COUNTY, TEXAS, OWNER; MYRON DORNIC, JACKSON WALKER, LLP, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6608
SUP FOR CORRECTION
FACILITY
(200 S. CROCKETT ST)

Rob Rae, Director of Development Services, said Ordinance 6597 is a Zoning Ordinance update to address two items that were requested by two different applicants.

One is a zoning amendment in the Central Business District, to allow a correctional facility, including adjacent parking. The other

item is in the Blalock Commercial Overlay District, to allow a hotel use in the district, with a Specific Use Permit.

Ordinance 6599 is a request of Grayson County to modify the Heritage Row Historical District boundaries, to change the north boundary from Jones Street to Cherry Street. The City is asking to specify that the boundary is 100 feet from the right-of-way of Crockett Street.

Ordinance 6607 is a rezoning on the Grayson County Justice Center at 200 South Crockett Street. A portion of that tract is currently zoned MF-30, and the County is requesting that it be rezoned to C-1.

Ordinance 6608 is a request by Grayson County to locate a correctional or detention facility, with a Specific Use Permit, in the Central Business District, at 200 South Crockett Street. This item is conditional on the approval of Ordinance 6597.

The Planning and Zoning Commission recommended approval of all four Ordinances. They did add three conditions to the Specific Use Permit in Ordinance 6608. The first is that it be tied to the applicant; it be tied to Grayson County as their primary jail facility; and that it expires in five years, to allow for follow-up on other commitments made by Grayson County.

Mr. Rae said with the SUP, Grayson County has committed to recommending the amendment to zoning for the Central Business District; to providing a deed restriction to keep this block locked in and not allow them to grow at this location; that in the next five to ten years, the County will relocate the Probation Office and the Election Offices; and that within 15 to 20 years, they will relocate the Jail out of the downtown area.

Mr. Rae said he understood that Grayson County did not support the five-year time limit, issued by the Planning and Zoning Commission, and that the deed restriction would not be executed if that timeline was approved by the City Council. The recommendation of the staff is to exclude that item on the Specific Use Permit. He presented a new proposed copy of Ordinance 6608, with the five-year time limit removed.

Bruce Dawsey, Grayson County Judge

Judge Dawsey appeared representing Grayson County, and said the deed restriction originally did include a five-year Specific Use Permit, however they are using a ten-year bond to build the jail expansion.

Therefore, they are asking that the five-year Specific Use Permit be removed. He said they are fine with the deed restrictions stating that it's single source, single owner use. He said they aren't going to build a new jail and sell the old jail to a private company. The only time it will be used as a correctional facility, will be under the County's direction.

Myron Dornic, Jackson Walker, LLP

Mr. Dornic appeared representing Grayson County, and said that Ordinance 6597, was described as allowing parking across the street or diagonally across the street, but it wasn't included in the ordinance. He asked that the approval include that, as well.

No other citizens appeared before the City Council to discuss Ordinance Nos. 6597, 6599, 6607, and 6608.

Mayor Plyler introduced Ordinance No. 6600 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 252.52 ACRES BEING A TRACT OF LAND SITUATED IN THE THOMAS J. SHANNON SURVEY, ABSTRACT NO. 1136, THE R.O. BARRETT SURVEY, ABSTRACT NO. 186, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AND THE SAMUEL M. McGLOTHLEN SURVEY, ABSTRACT NO. 811, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 1901-2501 BLOCKS EAST PECAN GROVE ROAD AND THE 4801-4901 BLOCKS PARK VISTA BOULEVARD, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT AS A PD (PLANNED DEVELOPMENT) OF PECAN GROVE ESTATES ZONING CLASSIFICATION, (KEVIN ELDRIDGE, INVESTMENT CATALYST, LLC, OWNER; AND PELOTON LAND SOLUTIONS, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6600
ZONE CHANGE
PECAN GROVE
ESTATES PLANNED
DEVELOPMENT
(1901-2501 BLOCKS
E. PECAN GROVE RD
& 4801-4901 BLOCKS
PARK VISTA BLVD)

Mr. Rae said this is a large tract that the owner would like to rezone to a Planned Development. The developer is proposing a mix of housing types, including Multi-Family, Single-Family for Rent, and a small portion of Commercial.

The current Planned Development limits the number of units to 360 units for 50-foot lots; 200 units for 40-foot lots; and they couldn't have more than 15 acres of townhomes in the Single-Family portion of the development.

The applicant previously hosted a community meeting for the residents of Pecan Grove Village and Vista Norte, prior to the Planning and Zoning Commission Meeting.

The Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter. Halff and Associates reviewed the plan, and in their concurrence letter, they recommended that all the property located along Park Vista Boulevard would have additional regulations regarding items such as setbacks and lot size. They have a minimum 40-foot front setback.

COUNCIL MINUTES – JUNE 26, 2023

David Kalhoefer, 11000 Frisco Street, Ste 400, Frisco, Texas

Mr. Kalhoefer appeared representing Peloton Land Solutions, and said they received some good feedback from the community meeting and increased their minimum square footage.

He was available to answer any questions, that the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6600.

Mayor Plyler introduced Ordinance No. 6601 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 3.812 ACRES IN THE ALEXANDER RICHARDS SURVEY, ABSTRACT NO. 42, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 5101 BLOCK NORTH TRAVIS STREET, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (HARIBABU KANCHARLA & GAYATRI GOUNI, OWNERS; AND STRAND, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6601
ZONE CHANGE FOR
COMMERCIAL BLDG.
(5101 BLOCK N.
TRAVIS ST)

Mr. Rae said this was a zone change from R-6 to C-N. The Planning and Zoning Commission recommended approval of the zone change, and it is compatible with the City's Comprehensive Plan.

No citizens appeared before the City Council to discuss Ordinance No. 6601.

Mayor Plyler introduced Ordinance No. 6602 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 A HOTEL OR MOTEL IN THE BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT) DISTRICT/BLALOCK COMMERCIAL OVERLAY DISTRICT, LOCATED IN THE 301 BLOCK WEST TRAVIS STREET, CONSISTING OF 3.024 ACRES, BEING A TRACT OF LAND SITUATED IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, LOT 1, BLOCK 1 OF THE PRELIMINARY PLAT, CROSSROADS SPRINGHILL SUITES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (JEFF HARKINSON, OWNER; JIM RILEY, REPRESENTATIVE; AND VOTEX SURVEYING COMPANY, 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 6602
SUP FOR HOTEL
OR MOTEL IN
BLALOCK DISTRICT
(301 BLOCK W.
TRAVIS ST)

COUNCIL MINUTES – JUNE 26, 2023

Mr. Rae said this item is for a Specific Use Permit to allow a hotel in the Blalock Industrial Park and the Blalock Commercial Overlay District, at West Travis Street. This item is contingent on Ordinance 6597 being approved.

The developer is planning on construction of the Springhill Suites, which would include 125 rooms, be 5 stories, and include 80,000 square feet.

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

Tom Kirkland, 613 Willow Springs, Heath, Texas

Mr. Kirkland appeared representing TEKMAK Development Company, the builder of the proposed Marriott Springhill Suites, at Crossroads. He said this would be their fifth Marriott Springhill Suites to build and develop, and would be their tenth Marriott project to develop.

Mr. Kirkland was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6602.

Mayor Plyler asked that the captions of Ordinances Nos. 6603, 6604, and 6606 be read together.

Mayor Plyler introduced Ordinance No. 6603 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 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 introduced Ordinance No. 6604 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 WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 53.1534 ACRES IN THE

ORD 6604
SUP FOR
WAREHOUSING
(4800 TEXOMA PKWY)

JOHN HENDRIX SURVEY, ABSTRACT NO. 50, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELPS 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.

Mayor Plyler introduced Ordinance No. 6606 and called for a public hearing:

ORD 6606
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 SHELPS 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 1.1255 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5 AND 7, BLOCK 1, 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.

Mr. Rae said Ordinance 6606 is a rezoning of the property where Midway Mall is located. The eastern portion of the development is currently zoned C-2, and the western portion is zoned M-1. The applicant would like to rezone the entire tract as C-2, to allow for the other proposed uses. Other uses are addressed in Ordinance 6603 and Ordinance 6604.

Currently, the Midway Mall owner would like to redevelop the eastern site, where retail is located, in a third of the building. They would like to locate a mini-warehouse in the center portion, and regular warehousing on the western portion of the current Midway Mall.

The Planning and Zoning Commission recommended approval of the zone change and the Specific Use Permits.

Ryan DeLong, 4800 Texoma Parkway

Mr. DeLong appeared representing the owners, Star Midway, LLC., and was available to answer any questions Council Members might have.

COUNCIL MINUTES – JUNE 26, 2023

No other citizens appeared before the City Council to discuss Ordinance Nos. 6603, 6604, and 6606.

Mayor Plyler introduced Ordinance No. 6605 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 A MINI-WAREHOUSE IN A C-1 (RETAIL BUSINESS) DISTRICT/FM HIGHWAY 1417 OVERLAY DISTRICT, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 3600 BLOCK STEEPLE CHASE DRIVE, CONSISTING OF 3.002 ACRES, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND BEING LOT 5, BLOCK 1 OF BEARCAT CROSSING ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (JEFF HARKINSON, BEARCAT CROSSING, LTD., OWNER; JEREMY GRAY, REPRESENTATIVE; AND A&W SURVEYORS, 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 6605
SUP FOR MINI-
WAREHOUSE
(3600 BLOCK
STEEPLE CHASE DR)

Mr. Rae said this item was for a Specific Use Permit for a Mini-Warehouse in a C-1 District, located west of Sherman High School. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

Jeff Harkinson, Bearcat Crossing, LTD

Mr. Harkinson is the owner of Bearcat Crossing, LTD, and appeared representing the request. They originally acquired the property from the City of Sherman. He said the depth of the property is too deep to allow for most retail or commercial uses.

They felt the best use was to take the back portion of the property and use it for self-storage.

No other citizens appeared before the City Council to discuss Ordinance No. 6605.

Mayor Plyler asked that the captions of Ordinances Nos. 6609 and 6610 be read together.

Mayor Plyler introduced Ordinance No. 6609 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 17.284 ACRES BEING LOT 1, BLOCK 1, SHERMAN GATEWAY ADDITION, BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 301-401 BLOCKS EAST SHEPHERD ROAD AND THE 7001-7201 BLOCK SOUTH HIGHWAY 75, HERETOFORE ZONED MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI-

ORD 6609
ZONE CHANGE
(301-401 BLOCKS
E. SHEPHERD RD &
7001-7201 BLOCK S.
HWY 75)

FAMILY RESIDENTIAL) DISTRICT/75 & 82 OVERLAY DISTRICT ZONING CLASSIFICATION, (MERRILL KALISER AND DOSTI PARTNERS, OWNERS; AND BOHLER, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mayor Plyler introduced Ordinance No. 6610 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 39.775 ACRES, BEING LOT 6, BLOCK 1, SHERMAN GATEWAY ADDITION, BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 301-401 BLOCKS EAST SHEPHERD ROAD AND 7001-7201 BLOCK SOUTH HIGHWAY 75, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE M-1 (LIGHT MANUFACTURING) DISTRICT/75 & 82 OVERLAY DISTRICT ZONING CLASSIFICATION, (MERRILL KALISER AND DOSTI PARTNERS, OWNERS; AND BOHLER, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6610
ZONE CHANGE
(301-401 BLOCKS
E. SHEPHERD RD &
7001-7201 BLOCK S.
HWY 75)

Mr. Rae said these items are part of the Sherman Gateway Project. They originally requested zoning for these two classifications, but changed their site plan. The boundary line between the two developments has changed, so the alignment of the roadway has changed. This is a minor shift of the two zoned properties.

The Planning and Zoning Commission recommended approval of the zone changes.

Stephen Selu, Fuller Engineering

Mr. Selu appeared representing the project, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance Nos. 6609 and 6610.

Mayor Plyler introduced Ordinance No. 6611 and called for a public hearing: (Under Appeal from P&Z)

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 8.934 ACRES IN THE G.W. McGLOTHLIN SURVEY, ABSTRACT NO. 827, AND BEING PARTS OF LOT 2, 3 AND 4 IN BLOCK 3 OF THE HILL-SMITH ESTATES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2000 BLOCK NORTH DUKE DRIVE AND NORTH DUCHESS DRIVE, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-2F (DUPLEX RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (BRIDGESTON CONSTRUCTION, OWNERS;

ORD 6611
ZONE CHANGE
(2000 BLOCK N.
DUKE DR & N.
DUCHESS DR)
APPEAL FROM
P&Z COMMISSION

AND FINCHER LAND SURVEYING, PLLC, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this was a proposed rezoning from R-6 to R-2F, which is a duplex zoning district. It was denied by the Planning and Zoning Commission, with a four-to-two vote. The applicant has requested to appeal the decision to the City Council.

If the City Council decides to overturn the Planning and Zoning decision, it will require a two-thirds vote, or six of the seven Council Members.

David Vilbig, 517 W. Woodard, Denison

Mr. Vilbig serves as engineer on the project, and represented the appeal. He explained that this is a “challenging site” with two oil wells, which has had limited development in the past. One of the oil lines will be abandoned and the other will be relocated.

The owner, developer, and builder, are all the same person, and feels that the best use for the property is for duplexes.

No other citizens appeared before the City Council to discuss Ordinance No. 6611.

The Public Hearing was closed.

Ordinance 6597

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 14.03.007 (BLALOCK COMMERCIAL OVERLAY DISTRICT), 14.03.009 (CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT); PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6597
BLALOCK OVERLAY
DISTRICT & CENTRAL
BUSINESS DISTRICT
CHANGES

Ordinance 6599

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 3229 AND THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 1 (GENERAL PROVISIONS), ARTICLE 1.10 (HERITAGE ROW HISTORICAL DISTRICT), DIVISION 1 (GENERALLY), SECTION 1.10.003 (BOUNDARIES); MODIFYING THE BOUNDARIES OF THE HERITAGE ROW HISTORICAL DISTRICT TO INCLUDE ALL PROPERTY WITHIN ONE HUNDRED (100) FEET OF EITHER SIDE OF THE RIGHT-OF-WAY OF SOUTH CROCKETT STREET BEGINNING AT THE CENTER OF THE INTERSECTION OF WEST CHERRY STREET AND SOUTH CROCKETT STREET AND ENDING AT THE CENTER OF THE INTERSECTION OF WEST HESTER STREET AND SOUTH CROCKETT STREET, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$500, SAVINGS/REPEALING CLAUSE,

ORD 6599
MODIFY BOUNDARIES
OF HERITAGE ROW
HISTORICAL DISTRICT

SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Ordinance 6607

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 1.767 ACRES, BEING BLOCK 9 OF ORIGINAL TOWN PLAT IN THE GRAYSON COUNTY JUSTICE CENTER, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 200 SOUTH CROCKETT STREET, HERETOFORE ZONED MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-1 (RETAIL BUSINESS) DISTRICT, (GRAYSON COUNTY, TEXAS, OWNER; MYRON DORNIC, JACKSON WALKER, LLP, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6607
ZONE CHANGE
(200 S. CROCKETT ST)

Ordinance 6608

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 CORRECTIONAL OR DETENTION FACILITY OR JAIL IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT OVERLAY, LOCATED AT 200 SOUTH CROCKETT STREET (GRAYSON COUNTY, TEXAS, OWNER; MYRON DORNIC, JACKSON WALKER, LLP, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6608
SUP FOR CORRECTION
FACILITY
(200 S. CROCKETT ST)

Mr. Dornic clarified the ordinance wording about the Jail being the primary facility.

Ryan Pittman, City Attorney, asked Mr. Dornic to clarify a change that he suggested, and asked if the County was supportive of the language and would sign the deed restriction, if the Council approved the change that was "handed to" him, including the conditions.

Mr. Dornic said he thought it should be "or", instead of both things happening, it would be either one. He clarified that the answer was "yes."

Deputy Mayor Stevenson asked how the change in language needed to be said in the motion. Mr. Pittman referenced a document handed to him from Mr. Dornic, in Section 9, Page 2 of 4, of the alternate version of Ordinance 6608, distributed by Mr. Rae at the meeting, there are two changes that Grayson County is requesting, and he is okay with, based on Mr. Dornic's representations.

In the last line of that paragraph, Section 2, Item 9, it should read, “the owner and operator of the facility, or the facility is not the primary jail.” He said he thought that was the intent, it was just a clarification in the language. If in agreement, he said the motion would need to note that change.

Mr. Pittman also verified that the “5th anniversary” language was removed from that version of the ordinance.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6597, 6599, and 6607, as presented.

Mr. Pittman called for a point of privilege. He said Mr. Dornic raised a question about Item E-1, concerning the parking issue, in Ordinance 6597. He said that language is in that proposed ordinance, and does address the parking for the correctional facility.

RESTATEMENT OF MOTION.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6597, 6599, and 6607, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance No. 6608, with the changes in Section 2, Item 9, to read “Notwithstanding anything to the contrary herein, the Specific Use Permit granted in this Ordinance shall automatically expire, terminate and be rescinded in the event that a person or entity other than Grayson County is the owner and operator of the Facility or the Facility is not the Primary Jail.” Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6600

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 252.52 ACRES BEING A TRACT OF LAND SITUATED IN THE THOMAS J. SHANNON SURVEY, ABSTRACT NO. 1136, THE R.O. BARRETT SURVEY, ABSTRACT NO. 186, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AND THE SAMUEL M. McGLOTHLEN SURVEY, ABSTRACT NO. 811, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 1901-2501 BLOCKS EAST PECAN GROVE ROAD AND THE 4801-4901 BLOCKS PARK VISTA BOULEVARD, HERETOFORE ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND C-2 (GENERAL

ORD 6600
ZONE CHANGE
PECAN GROVE
ESTATES PLANNED
DEVELOPMENT
(1901-2501 BLOCKS
E. PECAN GROVE RD
& 4801-4901 BLOCKS
PARK VISTA BLVD)

COMMERCIAL) DISTRICT; REZONING AND PLACING THE TRACT AS A PD (PLANNED DEVELOPMENT) OF PECAN GROVE ESTATES ZONING CLASSIFICATION (KEVIN ELDRIDGE, INVESTMENT CATALYST, LLC, OWNER; AND PELOTON LAND SOLUTIONS, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Ordinance 6601

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 3.812 ACRES IN THE ALEXANDER RICHARDS SURVEY, ABSTRACT NO. 42, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 5101 BLOCK NORTH TRAVIS STREET, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT ZONING CLASSIFICATION, (HARIBABU KANCHARLA & GAYATRI GOUNI, OWNERS; AND STRAND, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6601
ZONE CHANGE FOR
COMMERCIAL BLDG.
(5101 BLOCK N.
TRAVIS ST)

Council Member Teamann said site plans were not included on several of the ordinances. He asked if Council was going to have those in their packet in the future.

Mr. Rae said if the site plan is with the Specific Use Permit, they do want them to be tied together, and it will be included. But if it is a permitted use, the site plan would go to the Planning and Zoning Commission, but not to the City Council.

Deputy Mayor Stevenson asked for clarification on the Neighborhood Commercial Zoning District. Mr. Rae said it was a new zoning district that was created as part of the Zoning Ordinance update. It's a little more restrictive on the uses that are allowed, and more focused on smaller scale retail and neighborhood commercial. The setback requirements are a little less, because the commercial uses aren't intense.

Council Member Holland asked for a definition of "blind zoning." Mr. Rae said the applicant has to have a plan for what they're wanting to propose.

Ordinance 6602

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 A HOTEL OR MOTEL IN THE BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT) DISTRICT/BLALOCK COMMERCIAL OVERLAY DISTRICT, LOCATED IN THE 301 BLOCK WEST TRAVIS STREET, CONSISTING OF 3.024 ACRES, BEING A TRACT OF LAND SITUATED IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO.

ORD 6602
SUP FOR HOTEL
OR MOTEL IN
BLALOCK DISTRICT
(301 BLOCK W.
TRAVIS ST)

667, LOT 1, BLOCK 1 OF THE PRELIMINARY PLAT, CROSSROADS SPRINGHILL SUITES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (JEFF HARKINSON, OWNER; JIM RILEY, REPRESENTATIVE; AND VOTEX SURVEYING COMPANY, 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.

Council Member Howeth asked how soon they planned to break ground on the hotel, and how long to build it. Mr. Kirkland said it takes six or seven months in design, and generally 12 to 18 months.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6600, 6601, and 6602, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6603

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 SHELPS 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)
(TABLED)

Ordinance 6604

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 SHELPS 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,

ORD 6604
SUP FOR
WAREHOUSING
(4800 TEXOMA PKWY)
(TABLED)

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 6606

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 1.1255 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5 AND 7, BLOCK 1, 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 6606
ZONE CHANGE
(4800 TEXOMA PKWY)
(TABLED)

Council Member Teamann said the project in these ordinances was confusing and he didn't see a good layout of what would be involved. He said it was hard to understand without a development plan.

Council Member Howeth also wanted to see more detail on how the project would be done. She recommended tabling the ordinances until they could get additional information.

All Council Members felt they needed additional background before a decision was made.

Mr. Pittman clarified that another public hearing would not be required, unless they wanted to allow other citizens to speak on the issue. They would not need to go through another notice process.

ACTION TAKEN.

Motion by Council Member Howeth to table Ordinance Nos. 6603, 6604, and 6606, until additional information is provided, at the next Council Meeting. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO TABLE.

Ordinance 6605

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-1 (RETAIL BUSINESS) DISTRICT/FM HIGHWAY 1417 OVERLAY DISTRICT, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 3600 BLOCK STEEPLE CHASE DRIVE, CONSISTING OF 3.002 ACRES, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND BEING LOT 5, BLOCK 1 OF BEARCAT CROSSING ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (JEFF HARKINSON, BEARCAT CROSSING, LTD., OWNER; JEREMY GRAY, REPRESENTATIVE; AND A&W SURVEYORS, 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 6605
SUP FOR MINI-
WAREHOUSE
(3600 BLOCK
STEEPLE CHASE DR)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance No. 6605, as presented. Second by Council Member Holland.

Council Member Howeth said she wanted the development of that area to be successful, however she wasn't sure a mini-warehouse would "fit" with that area. Sherman High School is located there and a stadium will be built there.

Deputy Mayor Stevenson asked what would happen to the frontage road between the mini-warehouse and FM 1417.

Mr. Harkinson said they would like to see that area develop as a mini-Crossroads. They would like some quick-serve restaurants and some sit-down restaurants; however, the traffic counts aren't there yet. A day care center will be located on the eastern portion of the lot, fronting on West Travis Street.

Mr. Harkinson said the site is too deep for most pad-type uses. Uses would be providing services to the growing residential area around the site. The mini-warehouse is a small component, only three acres, and would be a good use. It should be complimentary too, and not overwhelm the entire project. There will also be water detention near the day care, and more traditional retail. He said there is no viable, alternative use for that back portion.

Council Member Dobbs agreed that the use doesn't seem compatible to the area, but he did understand the problem with the depth of the property.

Council Member Teamann verified that the entrance to the restaurant parking was off of Steeple Chase. They have worked with the Fire Department on ingress and egress to the restaurant.

There will also be a masonry wall on the perimeter facing all streets, including the portion facing the High School. Mayor Plyler verified that when the new stadium is built, people will see masonry

walls from the stadium. Mayor Plyler asked about including the requirement that all walls be masonry. Mr. Harkinson asked that it state “all perimeter walls.” Mr. Rae said he understood the back of the building would be the back wall.

Mr. Harkinson said the School District’s fence is not on the property line. So, there is a “gap” that appears to be part of Mr. Harkinson’s property, but is not.

Mr. Rae said there is already a requirement that all the buildings be masonry, because it is in the FM 1417 Overlay District.

MOTION AMENDED.

Motion by Deputy Mayor Stevenson to amend his motion to require any exterior, perimeter walls to be masonry, as presented.

Council Member Howeth said this masonry wall will be close to Sherman High School, and she asked if there could be a requirement that the masonry wall that faces Sherman High School say “Bearcats” or “Bearcat Supporters” and be maroon. Mayor Plyler asked Mr. Harkinson if he would be willing to make the colors on the masonry wall complimentary to Sherman High School. Mr. Harkinson agreed, saying the project is named “Bearcat Crossing.”

MOTION AMENDED.

Motion by Deputy Mayor Stevenson to adopt Ordinance No. 6605, with the requirement that exterior perimeter walls be masonry, and complimentary colors to Sherman High School. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6609

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 17.284 ACRES BEING LOT 1, BLOCK 1, SHERMAN GATEWAY ADDITION, BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 301-401 BLOCKS EAST SHEPHERD ROAD AND THE 7001-7201 BLOCK SOUTH HIGHWAY 75, HERETOFORE ZONED MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT/75 & 82 OVERLAY DISTRICT ZONING CLASSIFICATION, (MERRILL KALISER AND DOSTI PARTNERS, OWNERS; AND BOHLER, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6609
ZONE CHANGE
(301-401 BLOCKS
E. SHEPHERD RD &
7001-7201 BLOCK S.
HWY 75)

Ordinance 6610

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 39.775 ACRES, BEING LOT 6, BLOCK 1, SHERMAN GATEWAY ADDITION, BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 301-401 BLOCKS EAST SHEPHERD ROAD AND 7001-7201 BLOCK SOUTH HIGHWAY 75, HERETOFORE ZONED M-1 (LIGHT MANUFACTURING) DISTRICT AND MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE M-1 (LIGHT MANUFACTURING) DISTRICT/75 & 82 OVERLAY DISTRICT ZONING CLASSIFICATION, (MERRILL KALISER AND DOSTI PARTNERS, OWNERS; AND BOHLER, SURVEYOR); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6610
ZONE CHANGE
(301-401 BLOCKS
E. SHEPHERD RD &
7001-7201 BLOCK S.
HWY 75)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6609 and 6610, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6611 (UNDER APPEAL FROM P&Z)

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 8.934 ACRES IN THE G.W. McGLOTHLIN SURVEY, ABSTRACT NO. 827, AND BEING PARTS OF LOT 2, 3 AND 4 IN BLOCK 3 OF THE HILL-SMITH ESTATES, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 2000 BLOCK NORTH DUKE DRIVE AND NORTH DUCHESS DRIVE, HERETOFORE ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-2F (DUPLEX RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (BRIDGESTON CONSTRUCTION, OWNERS; AND FINCHER LAND SURVEYING, PLLC, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6611
ZONE CHANGE
(2000 BLOCK N.
DUKE DR & N.
DUCHESS DR)
APPEAL FROM
P&Z COMMISSION

Deputy Mayor Stevenson asked why this request was denied by the Planning and Zoning Commission, and what their specific issues were. Mr. Rae said there was no reason given for the denial. There was an original motion made to approve the request, and four people dissented, so the motion failed. A second motion was to deny, and the denial was upheld. There was no feedback on the reason during open session.

Council Member Teamann said other properties in the area have a very similar use, and this property will likely not be developed for any other use.

Council Member Dobbs felt new development would increase the aesthetics of the surrounding property, and it is compatible with the City's Comprehensive Master Plan.

Mr. Rae said there was no neighborhood opposition to the request.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Ordinance No. 6611, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7091 - APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

**RES 7091
CERTIFICATES OF
OBLIGATION**

A RESOLUTION OF THE CITY OF SHERMAN, TEXAS, APPROVING AND AUTHORIZING PUBLICATION AND POSTING OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Mary Lawrence, Director of Finance, said this was the first step in issuing what was started about a year ago during the budget process, for the 2023 Certificates of Obligation. The sale will be on August 21, 2023, and the City will receive the proceeds on September 21, 2023. The projects included are from the budget workshop.

Mr. Hefton said the Council talked about the list of specific projects at the budget workshop, but the actual resolution is broader, and gives the City the ability to fund any of these lists or types of projects with this money. It is the approval to issue bonds that total \$77.75 million, and as long as all the money is used only on project types that are specified, it is alright.

He explained that the City has the ability to move money around now, if this bond gets approved, to anything on the list. The list is broader, and contains categories like street improvements, that can be used for any number of streets.

Council Member Teamann said citizens spoke earlier on this agenda item, as it relates to City Hall, and he said they are uncertain as to where that project stands. The Council is waiting for a report from the consultants about the needs for the project. The \$7.5 million that was allocated for the City Hall project, gives no authority to move forward with planning, expenses, or land acquisition for that project. They are waiting on additional information before deciding if, and when, that project might move forward.

Mr. Hefton said there are questions that the Council had about the project, and a study from the consultants about the needs for the proposed project, which will be presented to the Council at a later date. After that, there would be a number of actions the Council would have to take before any money could be spent. There's also

another action to approve the bond sale itself, and he listed other actions that would be involved in approval of the project.

Mr. Hefton said approval for this resolution would allow action to issue the bonds, some of which could be used for anything discussed in the budget workshop, including the land purchase, but it doesn't authorize the City staff to actually do any of those things.

He said they do have a meeting scheduled with Gensler, to get some of the information that was requested by the Council. Cost should probably be less than \$100,000, and might include "a little design" to help narrow down costs for the Council. It would include the scope of the project.

For clarification, Deputy Mayor Stevenson said the City is not bonding \$60 million to build a new City Hall. It is being included in a list of projects that they may undertake, but they are "a long, long way" from that point.

Council Member Teamann added that, if the Council decides to move forward with street repairs, instead of building a new City Hall, the money would be available for those uses.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7091, as presented. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7092 - AUTHORIZING EXECUTION OF THE FIRST AMENDMENT OF THE 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 APPROXIMATE 150.434-ACRE RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF THE FIRST AMENDMENT OF THE 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 APPROXIMATE 150.434-ACRE RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS.

Mr. Hefton said this amends the Master Development Agreement with Sherman Hickory Hill, as the City plans to move forward on the utility infrastructure. The original agreement allowed either the City or the developer to construct this infrastructure, but it has now been clarified that the City will install the water and sewer. It also provides that the developer will participate in the escrow of funds

**RES 7092
HICKORY HILL
FIRST AMENDMENT
TO MASTER
DEVELOPMENT
AGREEMENT**

within 20 days of the City starting. It provides for reimbursement and the method of reimbursement of the escrow account, and cleans up the language in the agreement to allow the City to start on the infrastructure part of the project.

He also clarified that there are other parts of the agreement that they are still working through, such as the roads, which may also require future modification.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7092, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7093 - APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO APPROVE AMENDMENT NO. 2 WITH GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN PROJECT

RES 7093
36" WEST SHERMAN
WATER MAIN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO APPROVE AMENDMENT NO. 2 WITH GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN CONSTRUCTION MANAGER AT RISK (CMAR).

Tom Pruitt, Utility Engineer, explained that originally, before the major industrial growth, the City discharged concentrate waste from the Water Treatment Plant, into the City mains and through the Wastewater Treatment Plant. With the increased flows that are being predicted for the Wastewater Treatment Plant, that plan will no longer be possible.

In 2021, the City hired engineers to work on a Concentrate Discharge Permit and determine the best alternative. The Discharge Permit was submitted to TCEQ, and they approved it in November 2022. The permit had restrictive limits that would be hard to meet, and TCEQ agreed that if the City provided an Aquatic Use Study, and if it was not detrimental to the wildlife, the City could proceed with lower reduced discharge limits.

Then the City experienced major industrial expansion and growth, and in order to get the Water Treatment Plan Concentrate Lift Station Discharge System under construction as quickly as possible, and limit conflicts between both projects, Garney Companies have been requested to provide pre-construction phase services.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7093, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7094 - AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., DBA PARKHILL FOR GROUNDWATER ANALYSIS AND DEVELOPMENT - PHASE I: HYDROLOGIC CONDITIONS ASSESSMENT AND MODEL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER INC., DBA PARKHILL FOR GROUNDWATER ANALYSIS AND DEVELOPMENT PHASE 1: HYDROLOGIC CONDITIONS ASSESSMENT AND MODEL.

Mr. Pruitt explained the City would like to hire Parkhill for engineering services to research and determine groundwater capacities and availability in the area, to determine where the City could drill for additional groundwater, and how much water could be obtained through these additional wells.

The City currently has 23 wells for groundwater, and those wells could also help determine other locations for drilling. If approved, Mr. Pruitt said they would expect results in 4.5 months.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7094, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RES 7094
GROUNDWATER
ANALYSIS &
DEVELOPMENT
PHASE 1-HYDROLOGIC
CONDITIONS
ASSESSMENT &
MODEL

RESOLUTION NO. 7095 - AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1425 EAST ODNEAL STREET WITHIN CITY OF SHERMAN'S REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1425 EAST ODNEAL STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).

CONSENT AGENDA.

RES 7095
RESIDENTIAL TAX
ABATEMENT
(1425 E. ODNEAL ST)

RESOLUTION NO. 7096 - AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1429 EAST ODNEAL STREET WITHIN CITY OF SHERMAN'S REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1429

RES 7096
RESIDENTIAL TAX
ABATEMENT
(1429 E. ODNEAL ST)

EAST ODNEAL STREET WITHIN CITY OF SHERMAN
REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

OTHER BUSINESS

REPLAT FOR SHERMAN TOWN CENTER 3, CONSISTING OF
20.196 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT 273
AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137, BEING
ALL OF LOT 1A, BLOCK 1 OF SHERMAN TOWN CENTER SECTION
TWO, AND CURRENTLY ZONED MF-30 (MULTI-FAMILY
RESIDENTIAL) DISTRICT; A-S 71 SHERMAN-PHASE III, LP AND
PANINA, INC., OWNERS; KIMLEY-HORN AND ASSOCIATES, INC.,
SURVEYOR (601-701 BLOCK GRAHAM DRIVE)

APPROVE REPLAT
SHERMAN TOWN
CENTER 3
(601-701 BLOCK
GRAHAM DR)

The City Council approved the Replat for Sherman Town Center 3, a 20.196 acre tract, located in the 601 to 701 block of Graham Drive. The property is currently zoned MF-30 (Multi-Family Residential) District.

The property owner would like to plat the property into one lot for a multi-family development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA, SUBJECT TO THE STAFF REVIEW LETTER.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS
AND COMMISSIONS:

PARKS AND RECREATION ADVISORY BOARD (1)

ACTION TAKEN.

Motion by Council Member Teamann to reappoint Ronald Rose, to the Parks and Recreation Advisory Board, for a term from May 4, 2023 to May 4, 2025. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

PARKS & RECREATION
ADVISORY BOARD

COUNCIL COMMENTS

HOT SUMMER NIGHTS

Council Member Marroquin said it was a "great job" on Hot Summer Nights last week.

HOT SUMMER NIGHTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- More than 10,000 people have attended Hot Summer Nights so far, and this week the rock band Hinder will perform on Thursday, June 29, 2023, at 7:00 p.m., at Kidd-Key Park.
- Lights on the Lake will be held July 3, 2023, with gates open to the public at 4:00 p.m., at Pecan Grove West. Cheap Trick will provide a great concert, followed by fireworks over the water.
- Grayson County CASA will hold their 30th Anniversary Celebration on July 8, 2023, at 9:00 a.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.

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 South Gate Apartments located at 915 S. Travis Street, Sherman, Texas

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) Civil Service Commission (1)
- (B) Sherman Housing Authority (2)

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) Hospital Project
- (B) Downtown Retail Incentive Program

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 6:22 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:34 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

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS:

CIVIL SERVICE COMMISSION (1)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to confirm the City Manager's reappointment of Keith Carlisle, to the Civil Service Commission, for a term from June 7, 2023 to June 7, 2026. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CIVIL SERVICE
COMMISSION

SHERMAN HOUSING AUTHORITY (2)

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to reappoint Kent Sharp to Sherman Housing Authority, for a term from June 1, 2023 to June 1, 2025, and to appoint Kyle Royal for a term from June 27, 2023 to June 1, 2025. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

SHERMAN HOUSING
AUTHORITY

RELATED TO EXECUTIVE SESSION ITEM §551.087 - HOSPITAL PROJECT

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to authorize the City Manager to sign the Hospital Project Non-Binding Term Sheet, as discussed in Executive Session. Second by Council Member Howeth.

HOSPITAL PROJECT

COUNCIL MINUTES – JUNE 26, 2023

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
7:36 p.m.

ADJOURNMENT



MAYOR



CITY CLERK