

STATE OF TEXAS §
 June 21, 2021
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 June 21, 2021.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:01 p.m. The Pledge of Allegiance and Invocation were given by Council Member Pam Howeth.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 7, 2021. Council Member Melton moved to approve the Minutes, as presented; Second by Council Member Howeth; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZEN'S COMMENTS

CONSENT AGENDA

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

CONSENT AGENDA

Mayor Plyler introduced Ordinance No. 6393 and called for a public hearing:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE REFUNDING BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); APPROVING THE ISSUANCE THEREOF; AND APPROVING THE REFUNDING OF CERTAIN OUTSTANDING BONDS OF THE AUTHORITY.

**ORD 6393
REFUNDING OF
GTUA REVENUE
BONDS**

Mary Lawrence, Director of Finance, said they were notified a couple of months ago, about a refunding opportunity on some of the Greater Texoma Utility Authority Revenue Bonds.

Garry Kimball, Managing Director, Specialized Public Finance, said they locked in rates two weeks ago that cut the existing interest rate more than half, on over \$7.3 million in GTUA debt. These bonds required the City's utility system to make a contract payment to GTUA for water/wastewater facilities that were previously constructed.

The bonds were originally issued in 2011, 2012, and 2013, and were all within 90 days of their August 1, 2021, call date. He said this “cleans up” all the available refunding candidates that the City has with GTUA.

They were able to bring the interest rate down from 3.66% to 1.33%. They originally issued approximately \$6.3 million in bonds, and the refunding will reduce the outstanding payment on those bonds by \$975,719, and the City will realize that savings over a 17 year period. The savings will be \$74,845 annually. He said anything over 3% present value savings, is considered “in the money.” This savings is 11.9% of the face amount of the refinanced bonds, or almost “four times in the money.”

No other citizens appeared before the City Council to discuss Ordinance No. 6393.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6393

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE REFUNDING BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); APPROVING THE ISSUANCE THEREOF; AND APPROVING THE REFUNDING OF CERTAIN OUTSTANDING BONDS OF THE AUTHORITY.

ORD 6393
REFUNDING OF
GTUA REVENUE
BONDS

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance No. 6393, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6746 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF MOORE STREET FROM WEST TRAVIS STREET TO HERITAGE PARKWAY

RES 6746
MOORE ST. FROM
WEST TRAVIS TO
HERITAGE PKWY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF MOORE STREET FROM WEST TRAVIS STREET TO HERITAGE PARKWAY.

Wayne Lee, Director of Engineering, said this resolution awarded a construction contract to Lynn Vessels Construction, for Moore Street, from West Travis Street to Heritage Parkway. The project also includes a retention/detention pond.

Less than two years ago, the estimate for this project was \$2.5 million and the bid came in at \$2.7 million. Because of some recent cost increases, the price for the project increased over the

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estimate. The staff did some “value engineering” with the developer and the engineer, made changes to the street grade to reduce earth work, and removed some items from the base bid and made them add alternates. These items included sidewalks, water lines, and sewer line crossings. As an add alternate, they could be included if the bid is under the \$2.5 million estimate.

He said approximately \$2.6 million of the project is being funded with Capital Improvement Program bond funds, and \$119,000 is being funded with money received from the Sherman Independent School District, into the detention fund.

Mr. Lee said Resolution 6747 is also related to this project and is the contract with Oncor Electric Delivery Company for the relocation of utility poles for this project.

Council Member Steele asked what the estimated cost was on the two phases of this project, going north. Mr. Lee said the estimate for that section is about \$5 million.

Council Member Steele referred to this project as Phase 1, and said Phase 2 and 3, are going to the north. Robby Hefton, City Manager, said this is the only phase that has been engineered. He said construction costs have increased greatly over the last few months.

Council Member Howeth questioned whether the City would receive change orders on this project to add the items that were removed, back into the contract.

Mr. Hefton said there were several bids on this project, one of which was H.P. Zachary, the company that is already in Sherman doing the highway construction. They are already in Sherman and have their equipment here, and mobilized, and their bid was “noticeably higher” than Lynn Vessels’ bid. Mr. Hefton said he felt Mr. Vessels bid projects at very competitive rates for the City.

Council Member Melton said she felt that they would be bringing the items back that had to be left out to get the project under budget.

Council Member Teamann said this was the first bid that was put out, but all the development is happening on the other side of Travis Street. He asked if it would be more effective to start on the other side, and could they get a better project if they took a phased approach and had it “phased out” for the entire project.

Mr. Hefton said the City received great prices on all the bids, and continues to develop Moore Street with all the construction in the area. He felt the City should also be doing the engineering and right-of-way for the portion north of The Grove and continuing to Center Street. He said the City is working south to north, and received great bids on this portion, and should move forward.

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Council Member Steele asked if there was any project between Travis Street and FM 1417. Mr. Hefton said nothing has come to the City on that portion. He said the phased project is similar to what was done on West Travis Street. Mr. Lee said it will also help relieve some of the traffic at Heritage Parkway and Travis Street.

Mayor Plyler confirmed that the items removed included sidewalks, water lines, and three to four sewer line crossings. Mr. Lee said these could be included as “add alternates.” Mr. Hefton said the Council could add in any of the items that were removed, if they wanted too. However, today the staff is requesting the base amount for the street and drainage.

He said the add alternates were also priced very well, and they might try to add some on and get as close to the original estimate as they could.

Mayor Plyler asked if the City might save some money by moving forward with some of the cross-street items, since they have a good price, and they might have to bore the street later. Mr. Hefton said the water lines and sidewalks will be behind the curb and would not cause a street bore. He recommended leaving out anything where they would have to bore the street, and said those amount to about \$592,000.

Council Member Steele confirmed that this is the last of the SISD funding contribution. He said the City had made a significant investment, and he felt it only increased the value of this tract of land. Council Member Melton felt there were other streets that needed to be done first.

Mayor Plyler said he was concerned that the City had done the engineering on this road, and the Master Plan supports this road.

Council Member Howeth confirmed that this road would help people leaving Sherman High School, without everyone having to use West Travis Street.

Council Member Teamann felt there was probably more traffic coming from Pebblebrook on Moore Street now. Council Member Steele felt that, when the apartments, the duplexes, and the single-family residences are completed in that area, there would be additional traffic problems. He didn’t feel there was “much going on” to the south, that would warrant a \$2.7 million project.

Mayor Plyler asked if the road to the south would relieve some of the pressure on the congested area. He asked what was “pushing” this road and what brought it to the forefront of the plan.

Mr. Lee said there was a development agreement for this road, and said it will provide for some relief, and ease for traffic to get to and from the High School. Mr. Hefton added that, when the conversation started, two or three years ago, there was nothing going on north of the High School. He said The Grove is there

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now because of the location of the High School. He said development in that area, didn't start until the City and the School District invested in that area.

Council Member Teamann asked about the north phase of Moore Street, which is on the Capital Improvement Plan. Mr. Lee said they are just now engaging an engineer for that portion of the project. Mr. Hefton said there is \$2.2 million in the upcoming budget for construction of that project, for Moore Street, from Park Avenue to past The Grove. Engineering should be completed in the next few months.

Council Member Stevenson asked if the City moved forward with this, would it spur development in that area. Mr. Hefton said it would, that water, roads, sewer, and drainage are the barriers to development.

Council Member Stevenson asked if the concern was spending money now, when it could be spent somewhere else. He asked if there was another project "lined up" like this.

Council Member Steele felt like it was "backwards" and the City was doing their part while the developer was doing his part. He agreed that the road would need to be installed.

Kevin Winkler, Public Works Manager, said there is a "stacking effect" from vehicles leaving Sherman High School in the afternoon. He said, when they get ready to build the north section, if they don't have the south section, it will be hard to turn north. He felt the south part of the road would help relieve traffic, and the stacking effect.

Council Member Stevenson asked if this was a limiting factor in the development of the corner that the City owns beside the High School. Mr. Hefton didn't feel it was "the limiting factor," but said transportation, water, sewer, and drainage are always "a" factor.

Council Member Howeth felt that the Council was at a junction to either not do anything, or move forward with this project, and hope that it will alleviate the traffic.

Council Member Teamann asked if there were other projects that were "shovel ready?" Mr. Hefton said there were not.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6746, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Steele, Stevenson, Teamann.
VOTING NAY: Melton.
MOTION CARRIED.

RESOLUTION NO. 6747 – AUTHORIZING EXECUTION OF A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG MOORE STREET AT WEST TRAVIS STREET IN THE CITY OF SHERMAN

**RES 6747
RELOCATION OF
OVERHEAD ELECTRIC
SUPPLY ALONG
MOORE ST. AT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF OVERHEAD ELECTRIC SUPPLY ALONG MOORE STREET AT WEST TRAVIS STREET, IN THE CITY OF SHERMAN.

WEST TRAVIS ST.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6747, as presented. Second by Council Member Teamann.

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

VOTING NAY: Melton.

MOTION CARRIED.

RESOLUTION NO. 6748 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR WASTEWATER VULNERABILITY ASSESSMENTS

RES 6748
WWTP
VULNERABILITY
ASSESSMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR WASTEWATER VULNERABILITY ASSESSMENTS.
CONSENT AGENDA.

RESOLUTION NO. 6749 – APPOINTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PATTILLO, BROWN & HILL, L.L.P. TO PERFORM THE FISCAL YEAR 2021 AUDIT

RES 6749
ANNUAL 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, L.L.P. TO PERFORM THE FISCAL YEAR 2021 AUDIT.
CONSENT AGENDA.

**CHANGE ORDER NO. 2
LAMBERTH ROAD DRAINAGE IMPROVEMENTS PROJECT;
LYNN VESSELS CONSTRUCTION, LLC; \$87,993.52 INCREASE**

CHANGE ORDER NO. 2
LAMBERTH ROAD
DRAINAGE
IMPROVEMENTS

Mr. Lee said there is a sewer line going southeast from the intersection of Travis Street and Lamberth Road that requires cleaning from the Public Works crews, sometimes twice per day, to make sure it's flowing.

The line needs to be replaced, and it seemed more efficient to add it into the Lamberth Road Drainage Improvement Project as a change order. Lynn Vessels Construction was already going to have to relocate some of the sewer line at the creek line anyway. This additional portion runs up to Travis Street.

City staff did give him permission to start replacing this line on an emergency basis. The manhole is in the center of the intersection, and is a really deep line.

Council Member Teamann said the change order is from a project originally dated in 2019. He asked how long the project has been complete. Mr. Lee said the project hasn't started yet. Mr. Hefton said it has taken two years to get the utilities moved for the

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project. Mr. Lee said one tract for the utilities was in the middle, and had to go to eminent domain to acquire rights.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Change Order No. 2 for the Lamberth Road Drainage Improvements Project, as presented. Second by Council Member Howeth.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CHANGE ORDER NO. 3
WEST TRAVIS STREET PHASE II & III PROJECT; LYNN VESSELS
CONSTRUCTION, LLC; \$97,997.61 INCREASE

CHANGE ORDER NO. 3
WEST TRAVIS STREET
PHASE II & III

Mr. Lee said the West Travis Street Phase II and III Project, was originally estimated to be a \$7.8 million project. The actual low bid came in at \$4.8 million.

Since that time, there has been two change orders. One was driven by the gas company because they required some retaining walls be installed on their easement. The City also decided to install sod instead of seed, to stabilize the site.

The second change order was the addition of Steeplechase Drive, because the pricing was so good. This change order also reconciled the final as-built numbers, related to West Travis Street.

This change order adds 1.8% to the \$5.5 million project, and is still 29% under the original estimate for West Travis Street, Phase II and III, and the City got another street extension out of it.

Council Member Teamann confirmed that they ended up pouring more concrete on this phase than they originally expected.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Change Order No. 3 for the West Travis Street Phase II & III Project, as presented. Second by Council Member Howeth.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

HICKORY STREET DETOUR

Council Member Melton said she used the Hickory Street detour because Lamberth Road and Travis Street were closed, and it should be added to the list of streets needing repair because it is dangerous.

HICKORY STREET
DETOUR

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Council Member Teamann added that the detour needs to be changed to not use Hickory Street. They both said it was in very bad shape.

JUNETEENTH PROCLAMATION

Deputy Mayor Holland said he read a proclamation for the Mayor, for the Juneteenth celebration at Pecan Grove Park recently, and it was a really nice event. He said there were also festivities in honor of Juneteenth on East Street too.

JUNETEENTH PROCLAMATION

UPDATE ON CHARLES BROWN, SR.

Council Member Teamann updated the Council on former Council Member Charles Brown, Sr., who has been in the hospital for a couple of weeks. He said he is fully recovering and said the family appreciates all the prayers.

UPDATE ON CHARLES BROWN, SR.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Friends of the Sherman Public Library will host a Book Sale on July 10, 2010, from 9:00 a.m. until 2 p.m., at 1000 North East Street.
- Sherman is nearly half-way through Hot Summer Nights, but there are still six great shows coming up. This week Deana Carter will be here, with Jen Phillips opening. Next week the event will move to Pecan Grove Park, for Lights on the Lake, an awesome evening with Rick Springfield.
- Coffee with the Mayor will be held on July 2, 2021, at 8:00 a.m., at the Sherman Museum.

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

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

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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) RED RIVER GROUND WATER CONSERVATION DISTRICT (1)

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

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 5:44 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:06 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 Member Steele did not return to the Council Meeting after Executive Session.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

RED RIVER GROUND WATER CONSERVATION DISTRICT (1)

SHERMAN HOUSING

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Motion by Council Member Melton to reappoint David Gattis to the Red River Ground Water Conservation District for a term from August 31, 2021 to August 31, 2025, as presented.

Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

AUTHORITY BOARD

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:08 p.m.

ADJOURNMENT

MAYOR

CITY CLERK