

STATE OF TEXAS §
 June 18, 2018
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on June 18, 2018.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.
 COUNCIL MEMBERS HOLLAND, SOFEY, STEELE,
 STEVENSON, 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 given by Council Member Daron Holland.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of June 4, 2018. Council Member Stevenson moved to approve the Minutes as presented; Second by Council Member Teamann. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6125 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AT 1522 NORTH BROUGHTON STREET, BEING 0.558 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 AND ALSO BEING LOT 2, BLOCK 1 OF THE PROPOSED CHEN ADDITION (SHOU-HUNG CHEN AND TAO-MIN CHEN, OWNERS; DREAM TO LIFE DESIGNS, DESIGNER/DRAFTSMAN; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6125
ZONE CHANGE
(1522 N. BROUGHTON)

Scott Shadden, Director of Development Services, said the owners want to construct three duplexes on the lot. The request is in compliance with the City's Master Plan. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6125.

Mayor Plyler introduced Ordinance No. 6126 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE PRESTON

ORD 6126
ZONE CHANGE
(PRESTON CLUB)

CLUB SUBDIVISION, BEING PRESTON CLUB, THE CLASSICS SUBDIVISION, LOTS 1-28, BLOCK 1, LOTS 1-5, BLOCK 2, LOTS 1-4, BLOCK 3, LOTS 1-3, BLOCK 4, LOTS 1-6, BLOCK 5 AND LOTS 1-5, BLOCK 6; PRESTON CLUB, THE CLASSICS, PHASE TWO, LOTS 1-19; PRESTON CLUB, THE CLASSICS, PHASE TWO, REPLAT LOTS 13 & 14, LOTS 13-R AND 14-R; PRESTON CLUB, THE CLASSICS, PHASE THREE, LOTS 1-39, BLOCK 1, LOTS 1-29, BLOCK 2; PRESTON CLUB, THE CLASSICS, PHASE FOUR, LOTS 1-2, BLOCK 1, LOTS 1-37, BLOCK 2, LOTS 1-24, BLOCK 3, LOTS 1-24, BLOCK 4, LOTS 1-2, BLOCK 5 AND LOT 1, BLOCK 6; PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE, LOTS 1-25, BLOCK 11 AND LOTS 1-3, BLOCK 13; PRESTON CLUB, THE LEGENDS PHASE 1, REPLAT LOTS 11, 12 & 13, BLOCK 11, LOTS 11-R AND 13-R; PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE TWO, LOTS 1-12, BLOCK 10; PRESTON CLUB, THE LEGENDS, PHASE 3, LOTS 1-15; NORTHERN CHALLENGE, PHASE 1, LOTS 1-2, BLOCK A, LOTS 1-12, BLOCK B, LOTS 1-5, BLOCK C, LOTS 1-13, BLOCK D AND LOT 1, BLOCK E, PROVIDING FOR A REPEALER.

Mr. Shadden said this area was newly annexed and covers 315 lots. The City's ordinance requires that property be annexed as R-A (Agricultural) because normally the land is undeveloped.

This subdivision was already platted and when people came in for permits they couldn't meet the setback requirements. The request is to change the zoning from R-A to R-1. The Planning and Zoning Commission recommended approval of the zone change.

No citizens appeared before the City Council to discuss Ordinance No. 6126.

Mayor Plyler introduced Ordinance No. 6127 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN AMENITY CENTER INCLUDING COMMUNITY CLUBHOUSE, POOL AND PLAYGROUND IN AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 604 WEST NORTHCREEK DRIVE, BEING LOT 21, BLOCK O, AUSTIN LANDING, PHASE 2A-1 (STONEHOLLOW HOMES LLC, OWNERS; LEO BOWLER, REPRESENTATIVE; AND TPS CUSTOM HOMES, DESIGNER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6127
SUP FOR AMENITY
CENTER, CLUBHOUSE,
POOL & PLAYGROUND

Mr. Shadden said the ordinance requires a Specific Use Permit to locate an amenity center in a residential neighborhood. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

COUNCIL MINUTES – JUNE 18, 2018

No citizens appeared before the City Council to discuss Ordinance No. 6127.

Mayor Plyler introduced Ordinance No. 6128 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A PRESCHOOL IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 600 SOUTH DEWEY AVENUE, BEING LOTS 3-10, BLOCK 4, JC LINNSTEAD ADDITION (CRUTCHFIELD HEIGHTS BAPTIST CHURCH, OWNERS; MASTERKEY MINISTRIES OF GRAYSON COUNTY, TENANT; AND JULIE RICKEY, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6128
SUP FOR
PRESCHOOL
(600 S. DEWEY)

Council Member Sofey entered the Council Meeting at 5:06 p.m.

Mr. Shadden said this item required a Specific Use Permit to locate a pre-school in a church building. There were comments from the neighbors that addressed parking and traffic due to the pre-school. They plan for the pick-up and drop-off to be scheduled different from the times for Crutchfield School.

The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter and with a limit of 48 students.

No citizens appeared before the City Council to discuss Ordinance No. 6128.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AT 1522 NORTH BROUGHTON STREET, BEING 0.558 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 AND ALSO BEING LOT 2, BLOCK 1 OF THE PROPOSED CHEN ADDITION (SHOU-HUNG CHEN AND TAO-MIN CHEN, OWNERS; DREAM TO LIFE DESIGNS, DESIGNER/DRAFTSMAN; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6125
ZONE CHANGE
(1522 N. BROUGHTON)

Ordinance 6126

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ORD 6126
ZONE CHANGE
(PRESTON CLUB)

R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE PRESTON CLUB SUBDIVISION, BEING PRESTON CLUB, THE CLASSICS SUBDIVISION, LOTS 1-28, BLOCK 1, LOTS 1-5, BLOCK 2, LOTS 1-4, BLOCK 3, LOTS 1-3, BLOCK 4, LOTS 1-6, BLOCK 5 AND LOTS 1-5, BLOCK 6; PRESTON CLUB, THE CLASSICS, PHASE TWO, LOTS 1-19; PRESTON CLUB, THE CLASSICS, PHASE TWO, REPLAT LOTS 13 & 14, LOTS 13-R AND 14-R; PRESTON CLUB, THE CLASSICS, PHASE THREE, LOTS 1-39, BLOCK 1, LOTS 1-29, BLOCK 2; PRESTON CLUB, THE CLASSICS, PHASE FOUR, LOTS 1-2, BLOCK 1, LOTS 1-37, BLOCK 2, LOTS 1-24, BLOCK 3, LOTS 1-24, BLOCK 4, LOTS 1-2, BLOCK 5 AND LOT 1, BLOCK 6; PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE, LOTS 1-25, BLOCK 11 AND LOTS 1-3, BLOCK 13; PRESTON CLUB, THE LEGENDS PHASE 1, REPLAT LOTS 11, 12 & 13, BLOCK 11, LOTS 11-R AND 13-R; PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE TWO, LOTS 1-12, BLOCK 10; PRESTON CLUB, THE LEGENDS, PHASE 3, LOTS 1-15; NORTHERN CHALLENGE, PHASE 1, LOTS 1-2, BLOCK A, LOTS 1-12, BLOCK B, LOTS 1-5, BLOCK C, LOTS 1-13, BLOCK D AND LOT 1, BLOCK E, PROVIDING FOR A REPEALER.

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ORD 6127
SUP FOR AMENITY
CENTER, CLUBHOUSE,
POOL & PLAYGROUND

Council Member Stevenson asked who would own the facility and would the pool be considered public or private. Mr. Shadden said it would be private and would belong to the developer.

Ordinance 6128

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ORD 6128
SUP FOR
PRESCHOOL
(600 S. DEWEY)

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance Nos. 6125, 6126, 6127, and 6128, as presented. Second by Deputy Mayor Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6380 – APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

**RES 6380
CERTIFICATES OF
OBLIGATION**

A RESOLUTION APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Mary Lawrence, Director of Finance, said this resolution approves the publication of the notice to issue up to \$19.5 million in Certificates of Obligation, consistent with discussions held at the Budget Work Shop.

Projects supported by the bond issue include roads, Legacy Village infrastructure, and Pecan Grove Ballfields. The bonds would be issued for 25 years and the debt service is already included in the FY 2019 Budget.

Ms. Lawrence said it is a competitive bid in the market that would be overseen by the City's financial advisors. Approval of the sale of bonds would come back to the Council as an ordinance, after the debt is issued. The City would receive the proceeds a few weeks later. Ms. Lawrence said it would be the first week in September 2018.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6380, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6381 – 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 1911 EAST COLE AVENUE

**RES 6381
AD VALOREM
PROPERTY TAX
ABATEMENT
(1911 E. COLE AVE)**

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 1911 EAST COLE AVENUE.
CONSENT AGENDA.

OTHER BUSINESS

AMENDED SITE PLAN APPROVAL AND EXCEPTION FOR HERITAGE DEVELOPMENT PARTNERS, LLC, OWNERS; BROCKETTE/DAVIS/DRAKE, INC., CIVIL ENGINEERS/SURVEYOR; AND CURTIS GROUP ARCHITECTS, LTD. ARCHITECT UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410(2)(J) TO ALLOW A MEDICAL OFFICE AND A PREVIOUSLY APPROVED EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (4) TO ALLOW 196 PARKING SPACES IN LIEU OF THE REQUIRED 206 SPACES FOR A MEDICAL OFFICE BUILDING IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT AT 204 MEDICAL DRIVE

SITE PLAN &
EXCEPTION FOR
MEDICAL OFFICE
(204 MEDICAL DR)

Mr. Shadden said the request is for 196 parking spaces at the medical office facility at 204 Medical Drive, in front of the old Johnson & Johnson facility. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

Council Member Stevenson asked if space constraints prohibited the 206 parking spaces. Mr. Shadden said they used “every inch” of space they had.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the amended Site Plan and Exception for Heritage Development Partners, LLC, for a Medical Office at 204 Medical Drive, as presented. Second by Council Member Sofey.

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

VOTING NAY: None.

MOTION CARRIED.

SITE PLAN APPROVAL AND VARIANCE FOR SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND GLOBITECH, INC., OWNERS, AND JUSTIN WALTON, TEAGUE, NALL AND PERKINS, ENGINEERS/REPRESENTATIVE UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTIONS 410 (2)(J) AND (2)(G)(2) TO ALLOW A GLOBITECH POWER GENERATION FACILITY AND CHAIN LINK FENCE WITH A 13' REAR SETBACK IN LIEU OF THE REQUIRED 55.7' IN THE BLALOCK INDUSTRIAL PARK AT 200 WEST F.M. 1417 (HERITAGE PARKWAY)

SITE PLAN &
VARIANCE FOR
GLOBITECH
POWER GENERATION
FACILITY
(200 W. FM 1417)

Mr. Shadden said this is a power generation facility that will be located behind GlobiTech. The request is for a shorter setback for the facility. The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

Council Member Steele verified that this is not for the building itself, but for a separate facility.

Deputy Mayor Howeth asked if granting the exception would set a precedent. Mr. Shadden said it can, but this is a unique request because they want to maintain the drainage and the tree lines. He added that they are purchasing the land from the Sherman Economic Development Corporation.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve the Site Plan and Variance for Sherman Economic Development Corporation and GlobiTech, Inc. for a Power Generation Facility and Chain Link Fence at 200 West F.M. 1417, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF THE POTTSBORO ISD EDUCATION FOUNDATION TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE FIRST ANNUAL “MOONLIGHTING FOR THE CARDS 5K & FUN RUN” ON SATURDAY, SEPTEMBER 29, 2018

**CLOSE STREETS FOR
POTTSBORO ISD
5K & FUN RUN
(SEPT. 23, 2018)**

Nate Strauch, Community and Support Services Manager, said the only reason this item is not on the Consent Agenda is because the event is “changing hands” this year. Previously this event benefited the Crisis Center, but they transferred the event to the Pottsboro ISD Education Foundation.

The organizers have been told that, since this is an organization outside of Sherman, they will be required to pay for their own security or police officers.

Council Member Steele questioned why the Pottsboro ISD Education Foundation would hold an event in Sherman.

ACTION TAKEN.

Motion by Council Member Steele to approve the request of the Pottsboro ISD Education Foundation to temporarily close certain streets for the First Annual “Moonlighting for the Cards 5K & Fun Run”, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

CONSIDER CANCELLATION OF THE MONDAY, JULY 2, 2018 REGULAR CITY COUNCIL MEETING

**CANCEL CITY
COUNCIL MTG.
(JULY 2, 2018)**

ACTION TAKEN.

Motion by Council Member Sofey to cancel the Monday, July 2, 2018 Regular City Council Meeting, as presented. Second by Council Member Teamann.

COUNCIL MINUTES – JUNE 18, 2018

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

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

HOT SUMMER NIGHTS

Council Member Steele said there was a large crowd at the last Hot Summer Nights event. He said he heard it was the largest crowd ever, at the event.

HOT SUMMER NIGHTS

MASTERKEY MINISTRIES

Council Member Steele recognized several people in the audience that were representatives of Masterkey Ministries. He said they fulfill a very good need in the community. He thanked them for their service.

MASTERKEY MINISTRIES

COUNCIL BUDGET WORK SHOP

Council Member Teamann said he appreciated all the work that went into the recent Budget Work Shop, and all the staff members that represented their departments. He said "a lot of thought" went into the budgets.

COUNCIL BUDGET WORKSHOP

COUNCIL BUDGET WORK SHOP

Council Member Holland added that the Budget Work Shop was a lot of work, but was well presented.

COUNCIL BUDGET WORKSHOP

JUNETEENTH ACTIVITIES

Council Member Holland thanked the staff for the work that was put into the Juneteenth activities.

JUNETEENTH ACTIVITIES

ANNOUNCEMENTS

Mayor Plyler announced the following:

ANNOUNCEMENTS

- He thanked everyone that attended Hot Summer Nights last Thursday, saying it was the largest crowd ever. The next two weeks will be fun with Memphis Soul and then Havana Energy. The event is held on Thursdays at 7:00 p.m.
- Coffee With the Mayor will be July 6, 2018, at Old Iron Post. Drone footage from the recent Budget Work Shop will be shown. The event starts at 8:00 a.m.
- The Sherman Community Players are presenting "Grease" through June 24, 2018. He encouraged everyone to support the local theater.

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

EXECUTIVE SESSION

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.

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

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

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:22 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:15 p.m. and reconvened in Open Meeting.

OPEN MEETING

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

COUNCIL MINUTES – JUNE 18, 2018

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:15 p.m.

ADJOURNMENT

MAYOR

CITY CLERK