

SURVEY, ABSTRACT NO. 1234, THE DANIEL BICKENBACH SURVEY, ABSTRACT NO. 128 AND BLOCK 1, PRESTON CLUB, THE CLASSICS, PHASE THREE, BLOCKS 2, 3 AND 4, PRESTON CLUB, THE CLASSICS, PHASE FOUR AND ALL OF BLOCKS 1 AND 5, PRESTON CLUB, THE CLASSICS, PHASE FOUR (WUI DEVELOPMENT, LLC, CHRISTOPHER REHMET AND CLAIRE TATE AND ROBERT TATE, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

Scott Shadden, Director of Development Services, said the request is for C-1 zoning for proposed retail and a conceptual site plan. The Planning and Zoning Commission recommended approval of the request, subject to the Staff Review Letter. The final site plans will require additional approval from the Planning and Zoning Commission.

Clay Barnett, Representative, was available to answer questions from the City Council.

Jim Harmon, 2014 Preston Club

Mr. Harmon asked for information on how the property would be developed. He expressed concern about the mixed use of residential and commercial. He asked what the C-1 zoning would entail.

Mr. Shadden said C-1 includes retail business like in the downtown area or the Town Center area.

Mr. Harmon said it appears the north part of the property will be developed first. He confirmed that the proposed C-1 zoning would apply to the entire tract. He said it appears they plan to put retail development abutting up to the Roberts Run residential development.

Mr. Harmon asked if the commercial development could be limited to the SH 289 area and not located next to the residential development.

Mayor Plyler explained that if the Council grants the C-1 zoning, it will be for the entire property. There are regulations, such as screening and distances, that they will have to comply with. He said these questions would be more appropriate when the City receives a site plan for review. Currently the only issue before the City Council is for zoning and the request is for the entire tract to be zoned C-1.

Mr. Harmon asked if construction would start at SH 289 and come toward the development. Mayor Plyler said that question would also be answered during consideration of the site plan.

No other citizens appeared before the City Council to discuss Ordinance No. 6219.

Mayor Plyler introduced Ordinance No. 6220 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 CONCRETE RECYCLING FACILITY IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT AT 1022 NORTHEAST F.M. 1417, BEING 19.980 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61 (SAMMY DOLEZALEK, OWNER; BROWN LEWISVILLE RAILROAD FAMILY TRUST, LP, PROSPECTIVE BUYER; TREY BROWN AND DRUE BYNUM, REPRESENTATIVES; BIG CITY CRUSHED CONCRETE, PROPOSED TENANT; DAVID FITE SURVEYING, SURVEYOR; AND GSO ARCHITECTS, ARCHITECT); 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 6220
SUP FOR CONCRETE
RECYCLING
(1022 NW FM 1417)

Mr. Shadden said the request is to allow a concrete recycling facility in an M-1 zoning district on FM 1417 East, adjacent to the railroad. Notices were mailed to two property owners that were within 200 feet of the proposed site. The operation would be regulated by the Texas Commission on Environmental Quality.

The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

George Ward, 11847 N. FM 1417

Mr. Ward said he lives near the proposed site for the concrete recycling plant. He said he has COPD and uses oxygen. If the concrete plant locates on the site, he is not sure he would be able to sit on his front porch because of his breathing problems.

Mr. Ward expressed concern about the dust, chemicals, and the by-products from the plant, and its location near the Grayson Christian School, which serves over 100 children. He said the citizens would have no recourse if it was determined later that the plant causes problems.

Mr. Ward said a better location would be on FM 697, near the City's Animal Shelter. He said there are many other places for the location of the plant that would not be near residences or schools.

Roy Webster, Pastor, Grayson Bible Baptist Church and Grayson Christian School, 4400 East SH 82

Mr. Webster distributed a packet of information, including a petition signed by 778 people that opposed the location of Big City Crushed Concrete at 1022 Northeast FM 1417.

He said the company has said that the crushing device will produce little dust, and it will be controlled with water to keep the dust down.

He expressed concern about the dust created when the trucks haul the concrete in, put it in and out of the crusher, and when it is hauled out. He also expressed concern about what is actually in the dust.

The silica in the dust can cause cancerous situations with repeated exposure. He acknowledged that the Occupational Safety and Health Administration does regulate the amount of silica allowed. He expressed concern about the silica settling on the church/school property and causing health issues in future years.

Mr. Webster also expressed concern about limiting the heavy truck traffic within the school zones.

Mr. Webster referenced a similar situation in Fort Worth in June 2017, where citizen opposition overturned a request for a concrete crushing plant. He urged the City Council to make a wise, informed decision for the children.

Jeff Spencer, 2107 Joni Circle

Mr. Spencer appeared representing Clay Precision and RJ Spencer Investments, and they have 136 acres surrounding the property proposed for the concrete recycling plant. They originally purchased the property for investment purposes, hoping Sherman would grow toward the east.

He said the City installed water lines along Skaggs Road, and there is a proposal for a new street from Tuck to Skaggs Road. He felt that should encourage someone to start a housing addition on the backside of Skaggs Road.

He felt that a 20 foot mound of rock would not be good for future development. He also expressed concern about the additional truck traffic going to and from the concrete plant and its proximity to Sherman High School.

Mr. Spencer asked the Council to deny the request because there are many other places where the concrete plant could locate, without being inside the City limits. He said they don't want it there.

Drue Bynum, Representative for Big City Crushed Concrete

Mr. Bynum appeared representing Big City Crushed Concrete, and said they are requesting a Specific Use Permit for 20 acres on FM 1417 East. Waste concrete and asphalt is generated nearby by individuals, private construction contractors, municipalities, counties, and the state. Historically this waste stream ends up in the landfill, which is costly, or in ditches, creeks, or on the side of the road.

Big City Crushed Concrete has been in business over 30 years and operates six sites. The company accepts the by-product, free of charge, from anyone. Eventually the product is crushed, the metal rebar is removed, and it is stockpiled into reusable aggregate that is a Texas Department of Transportation approved road base material. No additives are used, other than water.

The product is then used by individuals, private construction contractors, municipalities, counties, and the state. He explained that the entire process is regulated by the Texas Commission on Environmental Quality, and the process is monitored.

The process is also safe and environmentally friendly when the State standards are adhered to. Many of the issues discussed at this meeting occur when the State standards are not followed. Issues discussed include dust, noise, and contaminated water.

Mr. Bynum said the process is “relatively” dust free because during the process it is suppressed with a mist of water and dust is not created.

He added that TCEQ does not require retention ponds for this type of facility, however Big City Crushed Concrete plans to construct two retention ponds on site to recycle stormwater for reuse.

As for noise, Mr. Bynum said the crusher used in the process runs on electricity, usually generated from sound proof generators, or supplied from overhead electrical lines. He reiterated that it is not a loud process. Any noise that is created is subdued by the berm, the trees, and the stockpiling of materials.

The City of Sherman has been using their services for over six years, and they have been working “in their backyard,” and most people never knew it. The current facility is being used for other things and there are ingress issues from Ida Road.

He said they felt that the proposed location would be more efficient because it doesn’t require full-time employees to oversee the logistics, and would be ideal for the project. The land is in accordance with TCEQ standards, as it is not less than a quarter mile from a home or school, has good ingress and egress, ample water, and is located in a commercial/ industrial area.

The site plans call for a concrete entrance off of FM 1417, and a concrete/asphalt road back 500 feet, well out of the Overlay District. The concrete street will be swept and vacuumed several times a day to reduce dust from the trucks. He said they can’t alleviate all the dust, but will mitigate it.

The complete site is 20 acres, but only a portion of it will be utilized. Currently Big City Crushed Concrete only crushes about 30 days per year. It is a seasonal business and volume dictates the need for crushing.

Regardless of volume, crushing will only be done during daylight hours. Trucks might offload materials at night if coordinated properly and with the right people.

Keith McLaughlin, 2101 Skaggs Road

Mr. McLaughlin said he was opposed to the request and did not “trust the company.” He said there is a pond behind his house and any water that escapes from the retention pond will go into his pond. He also expressed concern about the “big pile of rock” that he will see from his house. He felt the land should be used for agricultural purposes, not for crushing rocks.

Mr. Ward said two of his brothers died from pulmonary fibrosis and worked for companies that “put out” chemicals that were approved by the EPA, and that met all their standards. He said he was not opposed to the plant, but was opposed to the location of the plant.

Ronald Aycock, 220 E. Houston

Mr. Aycock asked Brandon Shelby, City Attorney, about the posted agenda for items such as the concrete plant, saying isn’t the posting supposed to be correct. Mr. Shelby said the City follows the Texas Open Meetings Act, and has their own Zoning Ordinance for zoning rules.

Mr. Aycock said the address listed on the agenda was 1022 FM 1417, however the Grayson Appraisal District listed it as 1102 FM 1417. He questioned whether or not the addresses should be the same. Mr. Shelby said the Appraisal District is a different entity and the City adheres to their records. A citizen in the audience said 1102 FM 1417 is the address for Clay Precision.

Mr. Aycock asked Mary Lawrence, Director of Finance, how much it was costing the City to carry off and dump. Ms. Lawrence said the City pays Big City Crushed Concrete to crush the City’s concrete, but they do not pay them to haul it.

He asked what the company was being paid to crush the City’s concrete. Ms. Lawrence said she did not have that amount with her, but would provide an answer to Mr. Aycock. The City is paying them to crush the concrete.

Mr. Aycock said the concrete was being stock piled on the City’s property near the Animal Shelter for this company, and he asked Robby Hefton, City Manager, how long the City had been stock piling concrete for Big City Crushed Concrete.

Mr. Hefton said the City owns the material located on property near the Animal Shelter. He said he was not sure whether or not that property was owned by the City.

Citizen from the Audience

A citizen from the audience asked where Big City Crushed Concrete would be getting their water. Mr. Bynum said water to the plant would be supplied by Pink Hill Water Supply.

They will also use water from their retention pond and a large tank truck. He said they will work out a schedule with Pink Hill to fill the water truck during hours that are convenient to their other customers.

Both Mr. Ward and Mr. Webster said there are water pressure problems with Pink Hill Water Supply.

No other citizens appeared before the City Council to discuss Ordinance No. 6220.

Mayor Plyler introduced Ordinance No. 6221 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 TATTOO AND ART STUDIO IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT AT 119 EAST WALL STREET, BEING PART OF LOTS 7, 8 AND 9, BLOCK D, T.J. SHANNON SUPPLEMENT (JOHN AND SHAREN ARRIAZOLA, OWNERS; ELECTRIC AGE TATTOO COMPANY, PROPOSED TENANT; AND JOHN C. STONE, APPLICANT); 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 6221
SUP FOR TATTOO
& ART STUDIO
(119 E. WALL ST)

Mr. Shadden said the request is for a Specific Use Permit to allow a tattoo parlor on Wall Street.

The Planning and Zoning Commission recommended approval, subject to the Staff Review Letter.

Jayce Cogburn and John Stone appeared to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6221.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6218

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN APPROXIMATELY 217.7 ACRE TRACT OF LAND LOCATED WEST OF F.M. 1417, SOUTH

ORD 6218
ANNEXATION --
MUNSON PROPERTY

OF O.B. GRONER ROAD AND EAST OF BRADLEY ROAD, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6218, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6219

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 C-1 (RETAIL BUSINESS) DISTRICT IN THE 2000-2900 BLOCKS OF NORTH STATE HIGHWAY 289, BEING 111.721 ACRES IN THE J.K. MILLER SURVEY, ABSTRACT NO. 819, J.M. THOMAS SURVEY, ABSTRACT NO. 1234, THE DANIEL BICKENBACH SURVEY, ABSTRACT NO. 128 AND BLOCK 1, PRESTON CLUB, THE CLASSICS, PHASE THREE, BLOCKS 2, 3 AND 4, PRESTON CLUB, THE CLASSICS, PHASE FOUR AND ALL OF BLOCKS 1 AND 5, PRESTON CLUB, THE CLASSICS, PHASE FOUR (WUI DEVELOPMENT, LLC, CHRISTOPHER REHMET AND CLAIRE TATE AND ROBERT TATE, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6219
ZONE CHANGE TO
RETAIL BUSINESS
(2000-2900 BLOCKS
OF N. SH 289)

ACTION TAKEN.

Motion by Council Member Holland to approve Ordinance No. 6219, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6220

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 CONCRETE RECYCLING FACILITY IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT AT 1022 NORTHEAST F.M. 1417, BEING 19.980 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61 (SAMMY DOLEZALEK, OWNER; BROWN LEWISVILLE RAILROAD FAMILY TRUST, LP, PROSPECTIVE BUYER; TREY BROWN AND DRUE BYNUM, REPRESENTATIVES; BIG CITY CRUSHED CONCRETE, PROPOSED TENANT; DAVID FITE SURVEYING, SURVEYOR; AND GSO ARCHITECTS, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN

ORD 6220
SUP FOR CONCRETE
RECYCLING
(1022 NE FM 1417)

CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ACTION TAKEN.

Motion by Council Member Melton to deny Ordinance No.

6220. Second by Council Member Stevenson.

VOTING AYE: Holland, Melton, Stevenson.

VOTING NAY: Steele, Howeth.

Council Member Howeth and Council Member Holland had questions they would like to ask. Council Members discussed what type of vote would allow them to ask questions and discuss the issue.

Mr. Shelby said the Council could recess into Executive Session to discuss procedurally, whether or not the Mayor can vote to create a tie.

Council Members entered Executive Session at 5:51 p.m.

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

COUNCIL MINUTES – JUNE 17, 2019

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:51 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:02 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

Ordinance 6220

Restatement of Motion.

ACTION TAKEN.

Motion by Council Member Melton to deny Ordinance No. 6220. Second by Council Member Stevenson.

VOTING AYE: Holland, Melton, Stevenson.

VOTING NAY: Steele, Howeth.

MOTION CARRIED TO DENY ORDINANCE 6220.

Ordinance 6221

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 TATTOO AND ART STUDIO IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT AT 119 EAST WALL STREET, BEING PART OF LOTS 7, 8 AND 9, BLOCK D, T.J. SHANNON SUPPLEMENT (JOHN AND SHAREN ARRIAZOLA, OWNERS; ELECTRIC AGE TATTOO COMPANY, PROPOSED TENANT; AND JOHN C. STONE, APPLICANT); 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.

ACTION TAKEN.

Motion by Council Member Howeth to approve Ordinance No. 6221, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Steele, Stevenson.

VOTING NAY: Melton.

MOTION CARRIED.

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 6489 – AWARDING A PROPOSAL TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON A REQUEST FOR PROPOSAL FOR THE CONSTRUCTION OF THE WEST TRAVIS STREET PHASE II & III PROJECT

OPEN MEETING

ORD 6220

SUP FOR CONCRETE RECYCLING
(1022 NW FM 1417)
(MOTION CARRIED TO DENY)

ORD 6221

SUP FOR TATTOO & ART STUDIO
(119 E. WALL ST)

CONSENT AGENDA

RES 6489

WEST TRAVIS ST.
PHASE II & III

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A PROPOSAL TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON A REQUEST FOR PROPOSAL FOR THE CONSTRUCTION OF THE WEST TRAVIS STREET PHASE II & III PROJECT.

Clint Philpott, Director of Engineering, said this resolution awards a contract to Lynn Vessels Construction for the final two phases of West Travis Street. The City received three proposals, which were scored on price, qualifications, safety, and construction time. Lynn Vessels was the highest ranked and the lowest bidder. The contract came in under budget, and is expected to be complete by August 2020.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6489, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6490 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH WYLDEWOOD HOMES FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN HERITAGE FARMS ESTATES, A 26.106-ACRE DEVELOPMENT OFF OF QUAIL RUN ROAD, WEST OF F.M. 1417 (HERITAGE PARKWAY) IN THE CITY OF SHERMAN

RES 6490
DEVELOPMENT
AGREEMENT
WYLDEWOOD
HOMES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH WYLDEWOOD HOMES FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN HERITAGE FARMS ESTATES, A 26.106-ACRE DEVELOPMENT OFF OF QUAIL RUN ROAD, WEST OF F.M. 1417 (HERITAGE PARKWAY) IN THE CITY OF SHERMAN.

Mr. Philpott said this is a 26 acre development agreement with Wyldewood Homes for 93 residential lots. They have left the front 300 foot strip along FM 1417 to be zoned as commercial. The development agreement includes streets, drainage, water, and sewer.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6490, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6491 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CLIENT SERVICES AGREEMENT WITH LOCKTON-DUNNING SERIES OF LOCKTON COMPANIES, LLC AS BENEFITS BROKER FOR THE CITY OF SHERMAN

RES 6491
EMPLOYEE BENEFITS
PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDED A BID TO AND AUTHORIZING EXECUTION OF A CLIENT SERVICES AGREEMENT WITH LOCKTON-DUNNING SERIES OF LOCKTON COMPANIES, LLC AS BENEFITS BROKER FOR THE CITY OF SHERMAN.

Ms. Lawrence said the City submitted a request for proposals for a benefits broker for the self-insurance fund plan, and received eight responses. The responses were scored and the top four companies were interviewed. The staff is recommending that the contract be awarded to Lockton-Dunning.

Council Member Melton asked what the benefits broker did since the City is self-insured. Ms. Lawrence said they have a professional expertise that the City does not have. They help the City bid out their stop loss to limit exposure, help bid out for a third party administrator, negotiate contracts with facilities, and provide specialized services to help administer the health plan.

Council Member Melton confirmed that this company has not been used by the City prior to this time.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6491, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

CHANGE ORDER NO. 1

APPROVING A CHANGE ORDER OF \$186,010.00 FOR CONSTRUCTION OF THE PECAN GROVE WEST ATHLETIC COMPLEX WALKING TRAIL

Steve Ayers, Assistant City Manager, said the Pecan Grove West Athletic Complex Project is currently about 75% complete. Completion of the project is expected in November 2019.

**CHANGE ORDER
PECAN GROVE
WEST ATHLETIC
COMPLEX WALKING
TRAIL**

There has been no change order to date on this project but the City has initiated this change order. Future plans for this park include a walking trail, however the staff feels they can save thousands of dollars by installing the trail now, prior to landscaping and irrigation.

This will result in a \$17,000 change in the contract amount. A contingency of approximately \$160,000 was originally built into the project, but not used. Total cost of the change order is \$186,010.

Council Member Melton verified that this money would be in the same fiscal year, and said she appreciated the City saving money.

ACTION TAKEN.

Motion by Council Member Melton to approve Change Order No. 1, for \$186,010 for construction of the Pecan Grove West Athletic Complex Walking Trail, as presented.

Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

REPLAT APPROVAL OF LOTS 7-10, COLLEGE PARK ADDITION, BEING LOTS 7-10, BLOCK 10, COLLEGE PARK ADDITION, CONTAINING 1.143 ACRES; AUSTIN COLLEGE, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (700 BLOCK OF NORTH GRAND AVENUE)

The City Council approved the Replat of Lots 7 through 10, Block 10, College Park Addition, located in the 700 block of North Grand Avenue.

APPROVE REPLAT
COLLEGE PARK
ADDITION
(700 BLOCK OF
N. GRAND)

The 1.143 acre tract of land is zoned an R-1 (One Family Residential) District, and is located in the College Park Overlay District. Austin College owns the property and would like to replat it into one lot for development of student housing.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA.

REPLAT APPROVAL OF LOTS 1-16, BLOCK 9, MILDRED HEIGHTS REPLAT, BEING ALL OF BLOCK 9, MILDRED HEIGHTS ADDITION, CONTAINING 2.853 ACRES; AUSTIN COLLEGE, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1200 BLOCK OF NORTH HURT AND NORTH BLEDSOE STREETS)

The City Council approved the Replat of Lots 1 through 16, Block 9, Mildred Heights Replat, being all of Block 9, of the Mildred Heights Addition, located in the 1200 block of North Hurt and North Bledsoe Streets.

APPROVE REPLAT
MILDRED HEIGHTS
ADDITION
(1200 BLOCK OF
N. HURT & N.
BLEDSOE)

The 2.853 acre tract of land is zoned R-1 (One Family Residential) District, and is located in the College Park Overlay District. Austin College owns the property and would like to replat it into one lot for development of student housing.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA.

FINAL PLAT APPROVAL OF GRAHAM ADDITION, BEING 2.788 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; BRYAN AND MARGARET GRAHAM, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (2300-2400 BLOCKS OF NORTH HICKORY STREET AND 229 WEST PELTON STREET)

APPROVE FINAL PLAT
GRAHAM ADDITION
(2300-2400 BLOCKS
OF N. HICKORY &
229 W. PELTON)

The City Council approved the Final Plat of Graham Addition, located in the 2300 to 2400 blocks of North Hickory Street and 229 West Pelton Street.

The 2.788 acre tract of land is zoned R-1 (One Family Residential) District. The owners would like to plat the property into three lots for residential development.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

CITIZENS REQUESTS

LACK OF PARLIAMENTARY PROCEDURE

Jim Gundlach, 2213 Loy Street, said he was the owner of the duplex that includes 2217 Loy Street. He said this was the first Sherman City Council Meeting he has attended, but based on his experience, there was a severe lack of parliamentary procedure. He felt there was a lack of decorum during previous discussions.

LACK OF
PARLIAMENTARY
PROCEDURE

PECAN GROVE WEST ATHLETIC PARK CHANGE ORDER

Mr. Gundlach expressed concern about the “miscalculation” on the change order for the walking trail at Pecan Grove West Athletic Park. He said it was a \$186,000 miscalculation.

PECAN GROVE WEST
ATHLETIC PARK
CHANGE ORDER

Mayor Plyler said there is always a contingency on projects for items that are unforeseen, and this one had a contingency of \$160,000, of which none was used. The change order only added \$17,000 to that contingency amount. Mayor Plyler said the Council had to approve the full amount of the change order to the contractor.

Mr. Shelby said the original contract was for a certain scope of work, and the contingency on that work was about \$165,000. The City is adding to the scope of work for the original contract by \$186,000. But it only adds about \$17,000 to the original contract.

Mr. Hefton said the City considers change orders as they come, and this will be one change order for \$186,000. There will be another change order for a deduction of about \$160,000, the net of which will be the \$17,000 increase to the contract.

Mr. Ayers added that this wasn’t a miscalculation. The staff found an opportunity to save some money by doing a piece of the project now rather than later. Since the project had performed so well and there hadn’t been any change orders, it was a great opportunity to save some money.

Mr. Hefton said it was intentional not to have that part of the project included in this phase.

CITIZENS NOT ALLOWED TO SPEAK ON PARTICULAR ITEM
Mr. Gundlach said he didn't understand why citizens couldn't speak about a particular item on the agenda, that is being discussed.

CITIZENS NOT
ALLOWED TO SPEAK
ON ITEM

Mr. Shelby explained that certain items are on the agenda for Citizen's Requests and for the Public Hearing section. Citizens can speak during those designated times.

MEDIA QUESTIONS
There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS
There were no Council comments.

COUNCIL COMMENTS

ANNOUNCEMENTS
Mayor Plyler announced the following:

- There was a great crowd attending the recent Juneteenth Celebration. He thanked the organizers of the event.
- Attendance for the first two Hot Summer Nights events have exceeded expectations. Joe Diffie will be performing at the next Hot Summer Nights.
- Tickets are still available for the Sherman Community Players presentation of West Side Story, held in Kidd-Key Auditorium.

ANNOUNCEMENTS

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 6:18 p.m.

ADJOURNMENT

MAYOR

CITY CLERK