STATE OF TEXAS §

December 19, 2016

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on December 19, 2016.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JASON SOFEY. COUNCIL MEMBERS BROWN, COUCH, HOWETH, STEELE, TEAMANN.

MEMBERS ABSENT: NONE.

CALL TO ORDER

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 Kevin Couch.

APPROVE MINUTES

APPROVE MINUTES
The Council reviewed the Minutes of the Regular City Council Meeting of December 5, 2016. Council Member Couch moved to approve the Minutes as presented; Second by Council Member Howeth. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5996
ABANDON ROW AROUND AUSTIN COLLEGE

Mayor Plyler introduced Ordinance No. 5996 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE PLATTED RIGHT-OF-WAY BEING EAST DUGAN STREET, A PORTION OF NORTH LUCKETT AVENUE WITHIN THE CHARLES CARTER SURVEY, ABSTRACT NO. 229, A PORTION OF BLEDSOE STREET RUNNING BETWEEN DUGAN STREET AND RICHARDS STREET, AND A PORTION OF PORTER STREET RUNNING BETWEEN BROCKETT STREET AND PACIFIC STREET, RIGHTS-OF-WAY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST OF SAID RIGHTS-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, AUSTIN COLLEGE.

Clint Philpott, City Engineer, explained that the staff has met with Austin College several times to discuss street maintenance and street closures around their institution. The aforementioned streets are surrounded by Austin College property and they have agreed to take over and provide maintenance on these streets.

No citizens appeared before the City Council to discuss Ordinance No. 5996.

ORD 5997
STOP SIGN ON CORNERSTONE DR.

Mayor Plyler introduced Ordinance No. 5997 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON CORNERSTONE DRIVE AT LAMBERTH ROAD WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mr. Philpott said a complaint was received, and based on the increase in traffic on Lamberth Road, the staff did feel that a stop sign was warranted. It was installed on a 90 day trial and no additional calls or complaints have been received. This is the final step in order to make the stop sign permanent.

No citizens appeared before the City Council to discuss Ordinance No. 5997.

ORD 5998
SUP FOR TATTOO STUDIO
(1711 N. FM 1417)

Mayor Plyler introduced Ordinance No. 5998 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 PERMANENT MAKE-UP (TATTOO STUDIO) AT IVY'S LASH & NAIL BAR IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT AT 1711 NORTH F.M. 1417 (HERITAGE PARKWAY), SUITE 500, BEING PART OF BLOCK 1, WESTERN HILLS ADDITION, SECTION 5 (SPAVINAW DEVELOPMENT, LLC, OWNERS; IVY'S LASH & NAIL BAR, TENANT; AND IVY NGUYEN, 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.

Scott Shadden, Director of Development Services, said the State of Texas requires that tattoo parlors be permitted and the City requires a Specific Use Permit. The owner has agreed that the tattoos will be limited to only the facial area and that the SUP will be limited to the current owners and is not transferable.

No citizens appeared before the City Council to discuss Ordinance No. 5998.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>
<u>Ordinance 5996</u>

ORD 5996
ABANDON ROW AROUND AUSTIN COLLEGE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE PLATTED RIGHT-OF-WAY BEING EAST DUGAN STREET, A PORTION OF NORTH LUCKETT AVENUE WITHIN THE CHARLES CARTER SURVEY, ABSTRACT NO. 229, A PORTION OF BLEDSOE STREET RUNNING BETWEEN DUGAN STREET AND RICHARDS STREET, AND A PORTION OF PORTER STREET RUNNING BETWEEN

BROCKETT STREET AND PACIFIC STREET, RIGHTS-OF-WAY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST OF SAID RIGHTS-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, AUSTIN COLLEGE.

ORD 5997
STOP SIGN ON CORNERSTONE DR.

Ordinance 5997
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON CORNERSTONE DRIVE AT LAMBERTH ROAD WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5998
SUP FOR TATTOO STUDIO
(1711 N. FM 1417)

Ordinance 5998
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 PERMANENT MAKE-UP (TATTOO STUDIO) AT IVY'S LASH & NAIL BAR IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT AT 1711 NORTH F.M. 1417 (HERITAGE PARKWAY), SUITE 500, BEING PART OF BLOCK 1, WESTERN HILLS ADDITION, SECTION 5 (SPAVINAW DEVELOPMENT, LLC, OWNERS; IVY'S LASH & NAIL BAR, TENANT; AND IVY NGUYEN, 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.

Council Member Couch verified that the SUP is limited to the current owner and would not transfer if someone else leased the facility. Any new owner would need to reapply for the SUP.

ACTION TAKEN.
Motion by Council Member Steele to adopt Ordinance Nos. 5996, 5997 and 5998, as presented. Second by Council Member Howeth.
VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA
The Council reviewed the Consent Agenda. Mayor Plyler said he was abstaining from voting on the Consent Agenda because he has a special business relationship concerning Item F-6, entitled "Replat Approval of Lots 2R and 3 of Sherman Industrial Development Addition, being 73.024 acres in the William Martin Survey, Abstract No. 765 and being all of Lot 3, Sherman Industrial Development Addition, and also being Lot 2F of the Replat of Lots 1 and 2, Sherman Industrial Development Addition in Tract 3 of Blalock Industrial Park; Sherman Economic Development

Corporation and J.P. Hart Lumber Company, LLC, Owners; and Underwood Drafting and Surveying, Surveyor (407 Progress Drive)."

Deputy Mayor Sofey moved to approve the Consent Agenda, as presented. Second by Council Member Couch. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 6166 – CONFIRMING THE EMPLOYMENT OF THE SHERMAN POLICE DEPARTMENT'S POLICE CHIEF

RES 6166
CONFIRMING NEW POLICE CHIEF

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING THE EMPLOYMENT OF THE SHERMAN POLICE DEPARTMENT'S POLICE CHIEF.

Robby Hefton, City Manager, said the City has received notification that Otis Henry, Police Chief, is retiring. He introduced Zach Flores as the new Police Chief, saying the action should be confirmed by vote of the City Council.

There will be an actual swearing-in, pinning, and oath of office ceremony in early January 2017. He added that the City Charter and State law both require that the City Council confirm the City Manager's action appointing Mr. Flores as Police Chief.

Mr. Flores introduced his wife Lindsey and thanked the City Manager and the City Council for their support. He said he looked forward to the opportunity to return to the Police Department and continue the positive things that were implemented by Chief Henry. He also hoped to implement other positive changes in the future that will help the officers. He thanked the City staff and the officers for all the support he has received this past week.

ACTION TAKEN.

Motion by Deputy Mayor Sofey to adopt Resolution No. 6166, as presented. Second by Council Member Teamann.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6167 – AUTHORIZING THE EXECUTION OF A THIRD OPTION TERM ON AN AGREEMENT FOR THE OPTION TO PURCHASE REAL PROPERTY

RES 6167
OPTION TO PURCHASE REAL PROPERTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A THIRD OPTION TERM ON AN AGREEMENT FOR THE OPTION TO PURCHASE REAL PROPERTY.

Mr. Hefton said this is the third option period for land in the southwest part of Sherman. This option period would run from January through the end of March 2017. At the end of this period, there will be only one option period left, through the end of June 2017.

The staff is still evaluating the property, however as Sherman grows westward, the need to obtain land for City purposes is also growing.

He asked the Council to consider extending the purchase option on this property for another three months.

ACTION TAKEN.
Motion by Council Member Couch to adopt Resolution No. 6167, as presented. Second by Council Member Steele.
VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6168
GTUA BONDS
WTP IMPROVEMENTS

RESOLUTION NO. 6168 – RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2017 (CITY OF SHERMAN PROJECT), APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2017 (CITY OF SHERMAN PROJECT), APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

Mark Gibson, Director of Utilities, said when plans for the Water Treatment Plant improvements were initiated, the 2008 recession was in effect and the cost estimates and construction prices for the project were based on those situations.

Since that time, there has been an economic recovery and the contractors are busy, so prices have increased and there is a shortage of construction personnel and materials.

He said the staff is now asking for additional funding to begin the project and get the bid underway. There were six bidders at the pre-bid conference, however only two contractors actually bid. Other contractors said they were too busy to bid on the project.

Mr. Gibson said the staff felt that the best option for the City was to take the bids they received and move forward. He did not think they would receive additional bids if the project was rebid.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Resolution

No. 6168, as presented. Second by Council Member Couch.
VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6169
DESIGN OF FM 131
FROM FM 691 SOUTH
TO US 75 PROJECT

<u>RESOLUTION NO. 6169 – AUTHORIZING EXECUTION OF ADVANCE FUNDING AGREEMENT (“AFA”) AMENDMENT #1 BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR PROJECT MANAGEMENT SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 131 (TRAVIS STREET) FROM FM 691 SOUTH TO US 75] FOR TERMINATION OF SAID AFA</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT (“AFA”) AMENDMENT #1 BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR PROJECT MANAGEMENT SERVICES RENDERED BY A LOCAL GOVERNMENT [FM 131 (TRAVIS STREET) FROM FM 691 SOUTH TO US 75] FOR TERMINATION OF SAID AFA.

Mr. Philpott explained that the agreement was originally set up so the City of Sherman could manage the engineering and design of the widening of Travis Street, from US Hwy 75 to FM 691.

Since that time, Grayson County has hired former City Public Works Director Clay Barnett as their County Engineer. As part of that transition, the County agreed to take over the management of this project.

The first step would be for the City to cancel the Advance Funding Agreement with the Texas Department of Transportation and allow Grayson County to take over. He said there will probably be similar projects in the future where the City will receive help from the County.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Resolution No. 6169, as presented. Second by Deputy Mayor Sofey.
VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6170
FM 1417 WIDENING
PROJECT, FROM
WASHINGTON ST.
TO SOUTH OF
US HWY 82

<u>RESOLUTION NO. 6170 – AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 2 TO RESOLUTION NO. 6095 CONTRACT FOR ENGINEERING SERVICES FOR THE WIDENING OF F.M. 1417 (HERITAGE PARKWAY) FROM WASHINGTON STREET TO JUST SOUTH OF U.S. HIGHWAY 82 PROJECT WITH H.W. LOCHNER, INC.</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 2 TO RESOLUTION NO. 6095 CONTRACT FOR ENGINEERING SERVICES FOR THE WIDENING OF F.M. 1417 (HERITAGE PARKWAY) FROM WASHINGTON STREET TO JUST SOUTH OF U.S. HIGHWAY 82 PROJECT WITH H.W. LOCHNER, INC.

Mr. Philpott said this supplemental agreement is an extension of a contract with Lochner Engineering, who is handling the schematic design and right-of-way for the FM 1417 project, from SH 56 to US Hwy 82.

This is the next step in the process and would include right-of-way maps and property acquisition.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6170, as presented. Second by Council Member Couch.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6171
WARRANTY DEED
(232 KESSLER)

<u>RESOLUTION NO. 6171 – AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM ROBERTO MOLINA VELAZQUEZ AND NEOMY DELCAMEN RIVERA FOR THE CONVEYANCE OF PROPERTY LOCATED AT 232 KESSLER BOULEVARD, BEING LOT TWELVE (12) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM ROBERTO MOLINA VELAZQUEZ AND NEOMY DELCARMEN RIVERA FOR THE CONVEYANCE OF PROPERTY LOCATED AT 232 KESSLER BOULEVARD, BEING LOT TWELVE (12) OF PARKVIEW ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 306, PAGE 155 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.
CONSENT AGENDA.

RES 6172
DEED WITHOUT WARRANTY TO AUSTIN COLLEGE FOR VARIOUS RIGHTS-OF-WAY

<u>RESOLUTION NO. 6172 – AUTHORIZING EXECUTION OF A DEED WITHOUT WARRANTY TO AUSTIN COLLEGE FOR VARIOUS RIGHTS-OF-WAY AND ALLEYS PREVIOUSLY CONVEYED TO AUSTIN COLLEGE, SAID RIGHTS-OF-WAY TO BE MAINTAINED AS UTILITY EASEMENTS, AND COMBINING CONVEYANCES FROM PREVIOUS DOCUMENTS FROM THE CITY OF SHERMAN INTO ONE DEED WITHOUT WARRANTY FOR CLARIFICATION OF OWNERSHIP</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEED WITHOUT WARRANTY TO AUSTIN COLLEGE FOR VARIOUS RIGHTS-OF-WAY AND ALLEYS PREVIOUSLY CONVEYED

TO AUSTIN COLLEGE, SAID RIGHTS-OF-WAY TO BE MAINTAINED AS UTILITY EASEMENTS, AND COMBINING CONVEYANCES FROM PREVIOUS DOCUMENTS FROM THE CITY OF SHERMAN INTO ONE DEED WITHOUT WARRANTY FOR CLARIFICATION OF OWNERSHIP.
CONSENT AGENDA.

REQ TO ADVERTISE FINISH, ROUGH & ROW MOWING

REQUEST TO ADVERTISE
ANNUAL SERVICES FOR FINISH, ROUGH AND RIGHT-OF-WAY MOWING
The City Council approved the request to advertise for the annual mowing of City boulevards, islands, street right-of-ways, and other City properties.
CONSENT AGENDA.

CHANGE ORDER WWTP HEADWORKS LIFT STATION

CHANGE ORDER NO. 4R2
APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO EXECUTE CHANGE ORDER NO. 4R2 FOR CONSTRUCTION OF THE SHERMAN WASTEWATER TREATMENT PLANT HEADWORKS LIFT STATION REPLACEMENT AND ELECTRICAL UPGRADE
The City Council approved the Greater Texoma Utility Authority's intention to execute Change Order No. 4r2 for construction of the Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade.

The change order encompasses seven changes to the project. Two changes involved altering the project's monorail hoist system; two changes involved altering wet well plugs to increase worker safety; and three changes involved rerouting and relocating a proposed water line and proposed force main around or under existing underground piping on the site.

The change order results in an increase in the project price of $26,174, yielding a revised contract amount of $4,603,513.94.
CONSENT AGENDA.

OTHER BUSINESS

DOWNTOWN OCCUPANCY INCENTIVE GRANT

CONSIDER THE APPLICATION OF LUKE BAIO TO ENROLL HIS BUSINESS, DON'S BBQ SHERMAN, LLC, INTO THE SHERMAN DOWNTOWN OCCUPANCY INCENTIVE GRANT PROGRAM
Nate Strauch, Communications Manager, said this is the third application for the Downtown Occupancy Incentive Grant. He said Don's BBQ Sherman, LLC has satisfied the requirements for the grant. He introduced owners Luke Baio and Gary Morrison.

Mr. Baio said the new restaurant is associated with Don's BBQ in Whitesboro, which has been in operation since 1976. He has been close friends with the Stone family for about 15 years and worked at their BBQ restaurant for over five years.

He became General Manager of Don's BBQ and wanted to expand the operation because of the quality of the food and the success of the original location.

Mr. Morrison is his partner and father-in-law, and has operated his own landscape business for 13 years, but has been interested in the restaurant industry.

He said they are excited to be joining the thriving downtown area in Sherman and said their Texas style BBQ and family style atmosphere will be "part of a draw" that brings people to downtown Sherman.

Council Member Couch asked how the restaurant would "flow." Mr. Baio said their restaurant will be "fast casual." Customers would come through the line and they will be served the food. They can then seat themselves or take the food to go. He said it would be fast and convenient.

Council Member Couch asked if they planned to offer delivery service to the downtown area. Mr. Baio said that was in their two or three year plan.

Mr. Hefton asked when the restaurant would be open. Mr. Baio said it was supposed to be open November 1, 2016, however he expected it to open mid to late January 2017. Mr. Hefton confirmed that they should be open during the first quarter of 2017 for sure.

Council Member Couch confirmed that the location would be 219 North Travis in the old Blue Door Café location. They are currently working to remodel the site.

Mayor Plyler said this item will also be discussed in Executive Session.

WATER TOWER VIDEO

WATER TOWER VIDEO

Mr. Strauch introduced a short video of the new elevated water tower being raised into place. He said it took about three hours to raise the tank.

REPLAT APPROVAL OF LOTS 1R AND 3R, BLOCK 1 OF THE REPLAT OF LOT 2, BLOCK 1, HELEN PERKINS ADDITION, BEING 5.39 ACRES IN THE RUEBEN HENDRIX SURVEY, ABSTRACT NO. 504 AND BEING ALL OF LOTS 1R AND 3R, BLOCK 1 OF THE REPLAT OF LOT 2, BLOCK 1, HELEN PERKINS ADDITION, A PART OF THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; ALCOHOLIC SERVICES OF TEXOMA, INC., OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (2407 TEXOMA PARKWAY AND 1515 BAKER DRIVE)

APPROVE REPLAT HELEN PERKINS ADDITION (2407 TEXOMA PKWY & 1515 BAKER DR.)

The City Council approved the Replat of Lots 1R and 3R, Block 1 of the Relpat of Lot 2, Block 1, of the Helen Perkins Addition, being 5.39 acres in the Rueben Hendrix Survey,

Abstract No. 504, and being all of Lots 1R and 3R, Block 1 of the Replat of Lot 2, Block 1, of the Helen Perkins Addition, a part of the J.B. McAnair Survey, Abstract No. 763.

The property, being 5.39 acres, is located at 2407 Texoma Parkway and 1515 Baker Drive, and is owned by Alcoholic Services of Texoma, Inc. The owners would like to replat two of the lots into three lots for commercial development.

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

REPLAT APPROVAL OF SKYLINE BUSINESS PARK ADDITION, BLOCK 1, LOT 2R1 AND LOT 2R2, SKYLINE BUSINESS PARK ADDITION, REPLAT OF LOT 1, BLOCK 1, BEING ALL OF LOT 2, BLOCK 1, SKYLINE BUSINESS PARK ADDITION, REPLAT OF LOT 1, BLOCK 1; RINGTAIL TUTOR, LLC, OWNERS; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR [2013 AND 2017 NORTH F.M. 1417 (HERITAGE PARKWAY)]

APPROVE REPLAT SKYLINE BUSINESS PARK ADDITION (2013 & 2017 N. FM 1417)

The City Council approved the Replat of Skyline Business Park Addition, Block 1, Lot 2R1 and Lot 2R2, Skyline Business Park Addition, Replat of Lot 1, Block 1, being all of Lot 2, Block 1, Skyline Business Park Addition, Replat of Lot 1, Block 1.

The property is located at 2013 and 2017 North FM 1417, between Skyline Drive and Lamberth Road. Canyon Creek Pet Hospital and Prime Lending are the tenants. The owners would like to replat one lot into two lots for commercial development.

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

FINAL PLAT APPROVAL OF PROGRESS PARK ONE, NORTHGATE DRIVE, PHASE 3, BEING 18.2762 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, IN TRACT 4.1 OF BLALOCK INDUSTRIAL PARK; SHERMAN ECONOMIC DEVELOPMENT CORPORATION, OWNERS; AND BROCKETTE/DAVIS/DRAKE, INC., SURVEYOR (3100-3200 BLOCKS OF NORTHGATE DRIVE)

APPROVE FINAL PLAT PROGRESS PARK ONE (3100-3200 BLOCKS NORTHGATE DR.)

The City Council approved the Final Plat of Progress Park One, Northgate Drive, Phase 3, in the Elizabeth Jones Survey, Abstract No. 625, in Tract 4.1 of Blalock Industrial Park.

The property, being 18.2762 acres, is located in the 3100 to 3200 blocks of Northgate Drive in Progress Park of Blalock Industrial Park, off West FM 1417, and is owned by the Sherman Economic Development Corporation. The owners would like to plat part of an existing tract and dedicate a

portion of right-of-way for the extension of Northgate Drive. The extension of Northgate Drive is a project related to the Travis Street extension westward from US 75 to FM 1417.

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

APPROVE FINAL PLAT GARDENS AT O'HANLON RANCH (2100-2400 BLOCKS OF SHADY OAKS LN., 2300 BLOCK OF NORWOOD, & 2600-2800 BLOCKS OF W. LAMBERTH RD.)

<u>FINAL PLAT APPROVAL OF THE GARDENS AT O'HANLON RANCH, BEING 7.529 ACRES IN THE ELIJAH HARTZOG SURVEY, ABSTRACT NO. 540 AND THE FIELDING BACON SURVEY, ABSTRACT NO. 120; LAMBERTH CROSSING JOINT VENTURE, OWNERS; CROSS ENGINEERING CONSULTANTS, INC., CIVIL ENGINEER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (2100-2400 BLOCKS OF SHADY OAKS LANE, 2300 BLOCKS OF NORWOOD STREET, AND 2600-2800 BLOCKS OF WEST LAMBERTH ROAD)</u>

The City Council approved the Final Plat of The Gardens at O'Hanlon Ranch, in the Elijah Hartzog Survey, Abstract No. 540 and the Fielding Bacon Survey, Abstract No. 120.

The property, being 7.529 acres, is located in the 2100 to 2400 blocks of Shady Oaks Lane, the 2300 block of Norwood Street, and the 2600 to 2800 blocks of West Lamberth Road, and is owned by Lamberth Crossing Joint Venture.

A Specific Use Permit to allow patio homes in a C-O (Office) District was approved at the September 6, 2016 City Council Meeting for this property. The owners would like to plat the property into 19 lots for residential patio homes and two lots for commercial office development.

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

APPROVE REPLAT SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (407 PROGRESS DR.)

<u>REPLAT APPROVAL OF LOTS 2R AND 3 OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, BEING 73.024 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 3, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND ALSO BEING LOT 2R OF THE REPLAT OF LOTS 1 AND 2, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION IN TRACT 3 OF BLALOCK INDUSTRIAL PARK; SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND J.P. HART LUMBER COMPANY, LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (407 PROGRESS DRIVE)</u>

The City Council approved the Replat of Lots 2R and 3 of Sherman Industrial Development Addition in the William Martin Survey, Abstract No. 765 and being all of Lot 3, Sherman Industrial Development Addition, and also being Lot 2R of the Replat of Lots 1 and 2, Sherman Industrial Development Addition in Tract 3 of Blalock Industrial Park.

The property, being 73.024 acres, is located at 407 Progress Drive, on the northwest corner of Howe Drive and Progress Drive in the Blalock Industrial Park, and is owned by Sherman Economic Development Corporation and J.P. Hart Lumber Company, LLC. The owners would like to replat the property into three lots for industrial development.

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

APPROVE REPLAT J.H. CARRAWAY'S SUBDIVISION (701 E. LAMBERTH RD.)

REPLAT APPROVAL OF J.H. CARRAWAY'S SUBDIVISION, BLOCK 2, LOT 1R, BEING A PART OF LOT 1, BLOCK 2, J.H. CARRAWAY'S SUBDIVISION, BEING 0.242 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING PART OF LOT 1, BLOCK 2, DR. J.H. CARRAWAY'S SUBDIVISION; JOHN MABARY, OWNER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (701 EAST LAMBERTH ROAD)

The City Council approved the Replat of J.H. Carraway's Subdivision, Block 2, Lot 1R, being a part of Lot 1, Block 2, J.H. Carraway's Subdivision, in the J.B. McAnair Survey, Abstract No. 763, also being part of Lot 1, Block 2, Dr. J.H. Carraway's Subdivision.

The property, being 0.242 acres, is located at 701 East Lamberth Road, on the northeast corner of Lamberth Road and Masters Street, and is owned by John Mabary. The owner would like to replat the property into one lot for commercial development of an office building.

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

APPROVE FINAL PLAT METHODIST CHURCH ADDITION (401 N. ELM, 215 W. MULBERRY & 400 N. CROCKETT)

FINAL PLAT APPROVAL OF THE METHODIST CHURCH ADDITION, BEING 4.602 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; FIRST UNITED METHODIST CHURCH OF SHERMAN, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (401 NORTH ELM STREET, 215 WEST MULBERRY STREET, AND 400 NORTH CROCKETT STREET)

The City Council approved the Final Plat of the Methodist Church Addition, in the J.B. McAnair Survey, Abstract No. 763.

The property, being 4.602 acres, is located at 401 North Elm Street, 215 West Mulberry Street, and 400 North Crockett Street. First United Methodist Church is the tenant. The owner would like to replat the property into two lots.

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

APPROVE FINAL PLAT PARKHAVEN ESTATES (600-800 BLOCKS OF BAKER PARK DR.)

FINAL PLAT APPROVAL OF PARKHAVEN ESTATES, PHASE 1, BEING 5.392 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; KRITT CONCRETE, LLC, OWNERS; CROSS ENGINEERING CONSULTANTS, INC., CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (600-800 BLOCKS OF BAKER PARK DRIVE)

The City Council approved the Final Plat of Parkhaven Estates, Phase 1, in the Elizabeth Jones Survey, Abstract No. 625.

The property, being 5.392 acres, is located in the 600 to 800 blocks of Baker Park Drive, between Calgary Drive and Center Street, and is owned by Kritt Concrete, LLC. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into 23 lots for residential development.

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

APPROVE FINAL PLAT ELLISON ADDITION (230 & 300 E. SYCAMORE ST.)

FINAL PLAT APPROVAL OF ELLISON ADDITION, BEING 3.289 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; COOL WATER DEVELOPMENT, LLP AND DARYL ELLISON, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (230 AND 300 EAST SYCAMORE STREET)

The City Council approved the Final Plat of Ellison Addition in the J.B. McAnair Survey, Abstract No. 763.

The property, being 3.289 acres, is located at 230 and 300 East Sycamore Street, and is owned by Cool Water Development, LLP and Daryl Ellison. The property is zoned a C-2 (General Commercial) District and M-1 (Light Manufacturing) District, and the owners would like to plat the property into two lots for commercial and industrial development.

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

CANCEL JANUARY 3, 2017 CALLED CITY COUNCIL MEETING

CONSIDER CANCELATION OF THE JANUARY 3, 2017 CALLED CITY COUNCIL MEETING

Council Members considered cancelling the January 3, 2017 Called City Council Meeting.

ACTION TAKEN.

> **Motion by Deputy Mayor Sofey to cancel the January 3, 2017 Called City Council Meeting, as presented. Second by Council Member Steele.**

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CITIZEN'S REQUESTS

CITIZENS REQUESTS
There were no citizen's requests.

MEDIA QUESTIONS

MEDIA QUESTIONS
There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
KEEP SHERMAN BEAUTIFUL COMMISSION (3)

KEEP SHERMAN BEAUTIFUL COMMISSION

ACTION TAKEN.
Motion by Council Member Couch to reappoint Zac Grantham and Amanda Phillips to the Keep Sherman Beautiful Commission, for a term from January 1, 2017 to January 1, 2019, as presented. Second by Council Member Teamann.
VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS
NEW ELEVATED WATER TOWER

NEW ELEVATED WATER TOWER

Council Member Teamann said it was exciting to see the new water tower being constructed and thanked Mr. Strauch for presenting the video.

NEW POLICE CHIEF

NEW POLICE CHIEF
Council Member Teamann congratulated Zach Flores on being named Police Chief and said he was excited about his leadership over the department and knew he would bring great things to the department.

DON'S BBQ

DON'S BBQ
Council Member Teamann said Don's BBQ should do very well in Sherman and he appreciated that they wanted to do business in the community. He said it was exciting to see businesses opening up in the downtown area.

CONGRATULATIONS TO FIRE DEPT. CAPTAIN

CONGRATULATIONS TO FIRE DEPARTMENT CAPTAIN
Council Member Teamann recognized Fire Department Captain Billy Bob Hartsfield, who recently graduated with a Bachelor's Degree.

GROWTH & QUALITY OF LIFE

GROWTH AND QUALITY OF LIFE
Council Member Couch said tonight's meeting summed up was "all encompassing growth." Business, infrastructure, quality of life, and new jobs from J.P. Hart Lumber Company, water treatment expansion, the new water tower, and the Travis Street extension to FM 1417 are all indications of Sherman's priority on growth.

He added that he appreciated the other City Council Members and the City staff for their priorities. He said it is a "great time to live in Sherman, Texas."

<u>MERRY CHRISTMAS</u> — MERRY CHRISTMAS

Council Member Steele wished everyone a merry and safe Christmas.

<u>CITY GROWTH</u> — CITY GROWTH

Deputy Mayor Sofey said there are things going on in all aspects of the City and it is very exciting.

<u>THANKS TO POLICE CHIEF OTIS HENRY</u> — THANKS TO POLICE CHIEF OTIS HENRY

Deputy Mayor Sofey thanked Police Chief Otis Henry for his more than 30 years of service to the City of Sherman. The City is also excited with the opportunities presented by the new Police Chief Zach Flores.

<u>MERRY CHRISTMAS</u> — MERRY CHRISTMAS

Deputy Mayor Sofey wished everyone a Merry Christmas.

<u>KEY MEMORIAL CHURCH BUILDING</u> — KEY MEMORIAL CHURCH BUILDING

Council Member Howeth said this past weekend, Gail Utter sponsored a neighborhood Christmas party at Key Memorial Church.

Ms. Utter is looking for ideas on how to use this particular facility. She said if anyone has any ideas how the old church building could be used they should contact Ms. Utter or any City Council Member.

<u>MERRY CHRISTMAS</u> — MERRY CHRISTMAS

Council Member Howeth wished everyone a Merry Christmas.

<u>NEW POLICE CHIEF</u> — NEW POLICE CHIEF

Council Member Brown said he likes what he sees and is excited about the new Police Chief. He encouraged an "open door policy."

<u>CITY GROWTH</u> — CITY GROWTH

Council Member Brown said he was excited about the new water tower and a new BBQ restaurant in Downtown Sherman. He said he liked what was going on in Sherman. He has been a resident for 32 years and he is seeing growth. The City Council is working to make everything better.

<u>MERRY CHRISTMAS</u> — MERRY CHRISTMAS

Council Member Brown wished everyone a Merry Christmas and a prosperous New Year. He asked everyone to "remember the reason for the season."

<u>ANNOUNCEMENTS</u> — ANNOUNCEMENTS

Mayor Plyler announced the following:

- **City offices will be closed Friday, December 23 and Monday, December 26, and on Monday, January 2, 2017.**

- **Trash service will not be affected by the holidays and will continue as normal.**

- **The 2016 Nutcracker Ballet will be held at Kidd-Key Auditorium on December 21 and 22, at 7:00 p.m. Tickets will be sold at the box office each night, starting at 5:00 p.m.**

- **Sherman Parks and Recreation will be hosting the Second Annual Ball Drop 250 Co-Ed Softball Tournament on January 14, 2017. The deadline to register is January 11, 2017.**

- **The Sherman Chamber of Commerce Annual Awards Luncheon will be held on February 3, 2017, at Austin College.**

- **Mayor Plyler wished everyone a very Merry Christmas and a Happy New Year.**

EXECUTIVE SESSION

<u>EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)</u>
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 551.074	**PERSONNEL MATTERS: CONSIDER THE APPOINTMENT, EMPLOYMENT, EVALUATION, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE**
SECTION 551.087	**DELIBERATE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:30 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:26 p.m. and reconvened in Open Meeting.

OPEN MEETING

<u>OPEN MEETING</u>
Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

DOWNTOWN OCCUPANCY INCENTIVE GRANT

<u>CONSIDER THE APPLICATION OF LUKE BAIO TO ENROLL HIS BUSINESS, DON'S BBQ SHERMAN, LLC, INTO THE SHERMAN DOWNTOWN OCCUPANCY INCENTIVE GRANT PROGRAM</u>
ACTION TAKEN.

> **Motion by Council Member Couch to approve the application of Luke Baio to enroll Don's BBQ Sherman, LLC, into the Sherman Downtown Occupancy Incentive Grant Program, as presented. Second by Council Member Brown.**

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

<u>ADJOURNMENT</u>
On Motion duly made and carried, the meeting adjourned at 6:27 p.m.

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MAYOR

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CITY CLERK