

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 16, 2014
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER DAVID PLYLER**
- A. 3. INVOCATION BY COUNCIL MEMBER DAVID PLYLER**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 2, 2014**

Public Hearing

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5818**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of North U.S. Highway 75 (Ron Harmon Properties, Owners; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors)
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5819**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District at 123 South Ricketts Street, being the South 100 foot of Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition (Bradley & Tawni Hodge, Owners; Nathan Gray, NBS Drafting, Draftsman; and Sartin and Associates, Inc., Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Close Public Hearing and Consider Adoption of Ordinances

- B. 3. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5818 and 5819
- B. 4. CONSENT AGENDA**
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

C. 1. RESOLUTION NO. 5863

Authorizing Submission of a Joint Grant Application with Grayson County for, and the Acceptance of, a Grant Awarded under the 2014 Justice Assistance Grant Program – CFDA #16.738

C. 2. RESOLUTION NO. 5864

Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2014 Justice Assistance Grant Program – CFDA #16.738

C. 3. * RESOLUTION NO. 5865

Accepting the Contract with Lynn Vessels Construction, LLC, as Complete for the S.H. 289 Water Main Construction Project

Requests to Advertise

D. 1. REQUEST TO ADVERTISE

Municipal Building Exterior Restoration

Change Orders

E. 1. * CHANGE ORDER NO. 1

S.H. 289 Water Main; Lynn Vessels Construction, LLC; \$3,746.65 Increase

Other Business

F. 1. * OTHER BUSINESS

Final Plat Approval of Harmon Addition, being 2.969 Acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137; Ron Harmon Properties, Owner; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors (4300 Block of North U.S. Highway 75)

G. CITIZEN REQUESTS

H. MEDIA QUESTIONS

I. COUNCIL COMMENTS

Executive Session

J. 1. EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections."

Section 551.074

Personnel Matters

(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:

(1) Planning and Zoning Commission (2)

The Council reconvenes into General Session

K. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on June 12, 2014 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of June, 2014
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

At the discretion of the City Council, non-agenda items under the headings of “Citizens Requests”, “Media Questions”, and “Council Concerns” may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

Carolyn S. Wacker

Deputy Mayor

Robert G. Softly

Council Members

Ryan Johnson, Council-At-Large, PL #1

Jason Sofey, Council-At-Large, PL #2

Lawrence Davis, Council – District #1

Robert G. Softly, Council – District #2

Tom Watt, Council – District #3

David Plyler, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 06/16/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 2, 2014

Attachments

June 2, 2014

§

June 2, 2014

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 2 2014.

MEMBERS PRESENT:

**MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.
COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, SOFEY,
WATT.**

MEMBERS ABSENT:

NONE.

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Jason Sofey.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of May 19, 2014. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Plyler. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

PUBLIC HEARING

FINAL STATEMENT/ACTION PLAN FOR PROGRAM YEAR
2014 COMMUNITY DEVELOPMENT BLOCK GRANT

Mayor Wacker called for the public hearing on the Final Statement/Action Plan for Program Year 2014 Community Development Block Grant.

The City of Sherman has been allocated \$301,322 in CDBG funds to address various community development needs for low to moderate income citizens during FY 2014.

No citizens appeared before the City Council to discuss the Final Statement/Action Plan for Program Year 2014 Community Development Block Grant.

The Public Hearing was closed.

CONSENT AGENDA

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

Mayor Wacker referenced two Consent Agenda items, a Resolution for the Industrial Tax Abatement Program and a Site Plan approval for GlobiTech. Both show Sherman's pro-active approach to economic development.

**CDBG FINAL
STATEMENT**

CONSENT AGENDA

She congratulated GlobiTech on the announcement of their expansion, which will bring 20 new jobs and an investment of approximately \$18 million.

RESOLUTIONS

RESOLUTION NO. 5857 – AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NATHAN D. MAIER CONSULTING ENGINEERS, INC. FOR THE DESIGN OF THE FALLON DRIVE BRIDGE AND HUNT STREET EROSION REPAIR PROJECTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NATHAN D. MAIER CONSULTING ENGINEERS, INC. FOR THE DESIGN OF THE FALLON DRIVE BRIDGE AND HUNT STREET EROSION REPAIR PROJECTS.

RES 5857
FALLON DR. BRIDGE
& HUNT STREET
EROSION REPAIR
PROJECTS

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 5857, as presented. Second by Council Member Johnson.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5858 – AUTHORIZING THE SUBMISSION OF THE CITY OF SHERMAN'S PHASE II MS4 STORM WATER MANAGEMENT PLAN TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR COVERAGE UNDER GENERAL PERMIT NO. TXR040000

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE SUBMISSION OF THE CITY OF SHERMAN'S PHASE II MS4 STORM WATER MANAGEMENT PLAN TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR COVERAGE UNDER GENERAL PERMIT NO. TXR040000.

RES 5858
STORM WATER
MANAGEMENT PLAN

Clay Barnett, Director of Public Works and Engineering, said the City would continue the process that has been in place for the last five years.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 5858, as presented. Second by Council Member Johnson.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 5859 – AUTHORIZING EXECUTION OF A CONTRACT WITH AMX PREMIUM CLEANING SERVICES, LP, BASED ON A REQUEST FOR PROPOSAL FOR JANITORIAL SERVICES IN CERTAIN CITY-OWNED FACILITIES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH AMX PREMIUM CLEANING SERVICES, LP,

RES 5859
JANITORIAL SERVICES

BASED ON REQUEST FOR PROPOSALS FOR JANITORIAL SERVICES IN CERTAIN CITY-OWNED FACILITIES.
CONSENT AGENDA.

RESOLUTION NO. 5860 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO JEFF AND KARLA WINTERS FOR THE CONSTRUCTION OF AN OUTDOOR KITCHEN WITHIN A UTILITY EASEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO JEFF AND KARLA WINTERS FOR THE CONSTRUCTION OF AN OUTDOOR KITCHEN WITHIN A UTILITY EASEMENT.
CONSENT AGENDA.

RES 5860
ENCROACHMENT
EASEMENT FOR
OUTDOOR KITCHEN

RESOLUTION NO. 5861 – AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2014; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2014; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2014.

CONSENT AGENDA.

RES 5861
CDBG FINAL
STATEMENT/
ACTION PLAN

RESOLUTION NO. 5862 – RENEWING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT /REDEVELOPMENT IN CERTAIN AREAS OF THE CITY.

CONSENT AGENDA.

RES 5862
INDUSTRIAL TAX
ABATEMENT
PROGRAM

OTHER BUSINESS

SITE PLAN APPROVAL FOR GLOBITECH, INC., OWNERS: TERRY KLUESNER, REPRESENTATIVE; CHRIS SCHMITT, TEAGUE, NALL & PERKINS, ENGINEERS; AND POPE ASSOCIATES, INC., ARCHITECTS; UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410(2)(J) FOR A CHILLER AND COOLING TOWER ADDITION, A HYDROGEN FACILITY ADDITION AND PAVING IMPROVEMENTS FOR GLOBITECH, INC. IN THE BLALOCK INDUSTRIAL PARK DISTRICT AT 200

APPROVAL OF
SITE PLAN
GLOBITECH, INC.

WEST FM 1417 (HERITAGE PARKWAY)

The City Council approved the Site Plan for GlobiTech, Inc., for a Chiller and Cooling Tower Addition, a Hydrogen Facility Addition, and Paving Improvements at their facility located at 200 W. FM 1417, in the Blalock Industrial Park District.

The proposed project includes building additions and site paving improvements that are part of an \$18 million major expansion that will add 20 jobs.

CONSENT AGENDA.

CITIZENS REQUESTS

ANIMAL CONTROL CODES

Jane Kelley, 704 E. Sycamore, said she has been dealing with neighbors that have goats. About two years ago, Animal Control quarantined some of the goats because of a dead raccoon. Additional goats have been added and the neighbor now has six goats.

The animals have been coming into her yard and the problem has escalated. She said the City Ordinance states that the goats should be on one acre of land and should be contained 15 feet from the property lines. This is not being done.

The Animal Control Director told her he thought the neighbor had one acre of land. She suggested that the City ordinance be re-evaluated and citizens be re-educated. Even the Police Department has said the neighbor could have ten animals.

Mayor Wacker asked if the goats were pygmy goats or full-size goats. Ms. Kelley said they are full-size goats. Mayor Wacker said Ms. Kelley has been working with City staff and she said the Council could listen to her request and direct the staff to continue working with her, but no action would be taken tonight.

MEDIA QUESTIONS

FALLON DRIVE BRIDGE

Nate Strauch, Herald Democrat Reporter, confirmed that the Fallon Drive Bridge was located between U.S. Hwy 75 and Texoma Parkway.

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS**

CIVIL SERVICE COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Watt to confirm the City Manager's reappointment of Jim Lough and Keith Carlisle to the Civil Service Commission for a term from June 7, 2014 to June 7, 2017. Second by Council Member Sofey.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

ANIMAL CONTROL
CODES

FALLON DRIVE
BRIDGE

CIVIL SERVICE
COMMISSION

COUNCIL COMMENTS

HOT SUMMER NIGHTS

Council Member Johnson reminded everyone that Hot Summer Nights kicks off on Thursday night.

HOT SUMMER NIGHTS

ANNOUNCEMENTS

Mayor Wacker announced the following:

ANNOUNCEMENTS

- The Sherman Public Library has many fun events, including Monday Madness, that begins on June 9, 2014 at 2:00 p.m. Other events are listed on the City's website.
- Shakespeare in the Grove at Pecan Grove Park had a successful weekend and will continue next weekend.
- The Sherman Community Players' upcoming show is "Chicago."
- The Loy Lake Bridge over U.S. Hwy 75 will be closed to traffic while crews reconstruct the approaches on Loy Lake Road and widen the bridge. The closures will begin on Monday, June 16, 2014 and will last for approximately eight to ten weeks. There will also be a construction update on Friday, June 6, 2014, between 2:00 p.m. and 4:00 p.m. in front of Office Depot. The Texas Department of Transportation staff, the contractor, and City staff will be available to answer questions at the meeting.

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
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION

SECTION 551.072 DELIBERATION REGARDING
REAL PROPERTY
DELIBERATE REGARDING THE
PURCHASE, EXCHANGE, LEASE
OR VALUE OF REAL PROPERTY

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:13 p.m.

COUNCIL MINUTES – JUNE 2, 2014

On Motion duly made and carried, the Executive Session recessed at 5:39 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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:41 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 06/16/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5818

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of North U.S. Highway 75 (Ron Harmon Properties, Owners; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors)

Issue:

To consider the request from Ron Harmon Properties (Owners), Brad Andrus (Prospective Buyer) and Helvey & Associates, Inc. (Surveyors) for a zone change and conceptual site plan approval from an R-1 (One Family Residential) District to a C-1 (Retail Business) District concerning the property in the 4300 block of North U.S. Highway 75

Background:

The property is located in the 4300 of North U.S. Highway 75, between Fallon and Graham Drive near the Sherman Town Center. The prospective buyer would like to change the zoning on the property to a C-1 (Retail Business) District and construct an express car wash on one of the lots; the site plan is conceptual and will require final site plan approval before development.

Origination:

Ron Harmon Properties (Owners)
Brad Andrus (Prospective Buyer)
Helvey & Associates, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the May 20, 2014 regular meeting, the Planning and Zoning Commission voted 7/0 to approve the zone change.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5818

Location Map

Zoning Map

Zoning Photo

Surveys

Conceptual Site Plan

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5818

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 4300 BLOCK OF NORTH U.S. HIGHWAY 75 (RON HARMON PROPERTIES, OWNERS; BRAD ANDRUS, PROSPECTIVE BUYER; AND HELVEY & ASSOCIATES, INC., SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District in the 4300 block of North U.S. Highway 75, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the T. J. Shannon, Sr. Survey, Abstract No. 1137, being the 1.642 acre tract of land conveyed by Warranty Deed from Mary Faith Essin to Ron Harmon Properties, Ltd., on June 30, 2005, recorded in Volume 3888, Page 939, Official Public Records, Grayson County, Texas, being the 1.327 acre tract of land conveyed by Warranty Deed from Jean W. Gravley, Steve Chitwood and Jenna Chitwood to Ron Harmon Properties, Ltd. on June 30, 2005, recorded in Volume 3889, Page 15, said Official Public Records, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike found in the center of Loy Lake Road, a "North-South" public road, at the Northwest corner of said Ron Harmon Properties 2.969 ac. and the Southwest corner of said Ron Harmon Properties, Ltd. 1.327 ac.;

THENCE North 08 deg. 37 min. 33 sec. East, with the West line of said Ron Harmon Properties 1.327 ac., with the center of said Loy Lake Road, a distance of 205.05 ft. to a point at the Southwest corner of the 6.6367 ac. tract of land conveyed to Samuel Joseph Nechamkin and Gary J. Hoge in Volume 4019, Page 888, said Official Public Records, at the Northwest corner of both said Ron Harmon Properties 1.327 ac. and the herein described tract;

THENCE South 85 deg. 03 min. 37 sec. East, with the South line of said Nechamkin and Hoge 6.6367 ac. and the North line of said Ron Harmon Properties 1.327 ac., a distance of 320.00 ft. to a 1/2 inch capped rebar set in the West right-of-way line of U. S. Hwy. 75, at the Southeast corner of said Nechamkin and Hoge 6.6367 ac., at the Northeast corner of both said Ron Harmon Properties 1.327 ac. and the herein described tract;

THENCE South 28 deg. 51 min. 47 sec. West, with the West right-of-way line of said highway and the East line of said Ron Harmon Properties 1.327 ac., a distance of 226.16 ft. to a 1/2 inch capped rebar set at the Southeast corner of said Ron Harmon Properties 1.327 ac. and the Northeast corner of said Ron Harmon Properties 1.642 ac.;

THENCE South 28 deg. 42 min. 21 sec. West, continuing with the West right-of-way line of U. S. Hwy. 75, a distance of 505.91 ft. to a concrete monument found at the Southeast corner of said Ron Harmon Properties 1.642 ac., an ell corner of said Hwy. 75 right-of-way;

THENCE North 87 deg. 35 min. 03 sec. West, with a North right-of-way line of U. S. Hwy. 75, passing a concrete monument found in the East line of Loy Lake Road at 43.6 ft., and continuing for a total distance of 69.50 ft. to a 1/2 inch rebar set at the Southwest corner of said Ron Harmon Properties 1.642 ac., an ell corner of said Hwy. 75 right-of-way, said rebar being about 35 ft. East of the asphalt paving of Loy Lake Road;

THENCE North 10 deg. 47 min. 20 sec. East, with an East right-of-way line of U. S. Hwy. 75 and the West line of said Ron Harmon Properties 1.642 ac., passing a Northeast corner of said Hwy. right-of-way at about 26 ft., and continuing for a total distance of 101.15 ft. to an angle point, which bears North 13 deg. West, 1.36 ft. from a 1/2 inch rebar found, said point being about 9 ft. East of said asphalt paving;

THENCE North 08 deg. 17 min. 36 sec. East, continuing with the West line said Ron Harmon Properties 1.642 ac., crossing the East edge of said asphalt paving at about 50 ft., and continuing, angling across said paving and intersecting the center of thereof at about 200 ft., and continuing with now with said center of paving, for a total distance of 368.18 ft. to the **PLACE OF BEGINNING and containing 2.969 ACRES of land.....** ■

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2014.

ADOPTED on this the _____ day of _____, 2014.

EFFECTIVE DATE on this the _____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



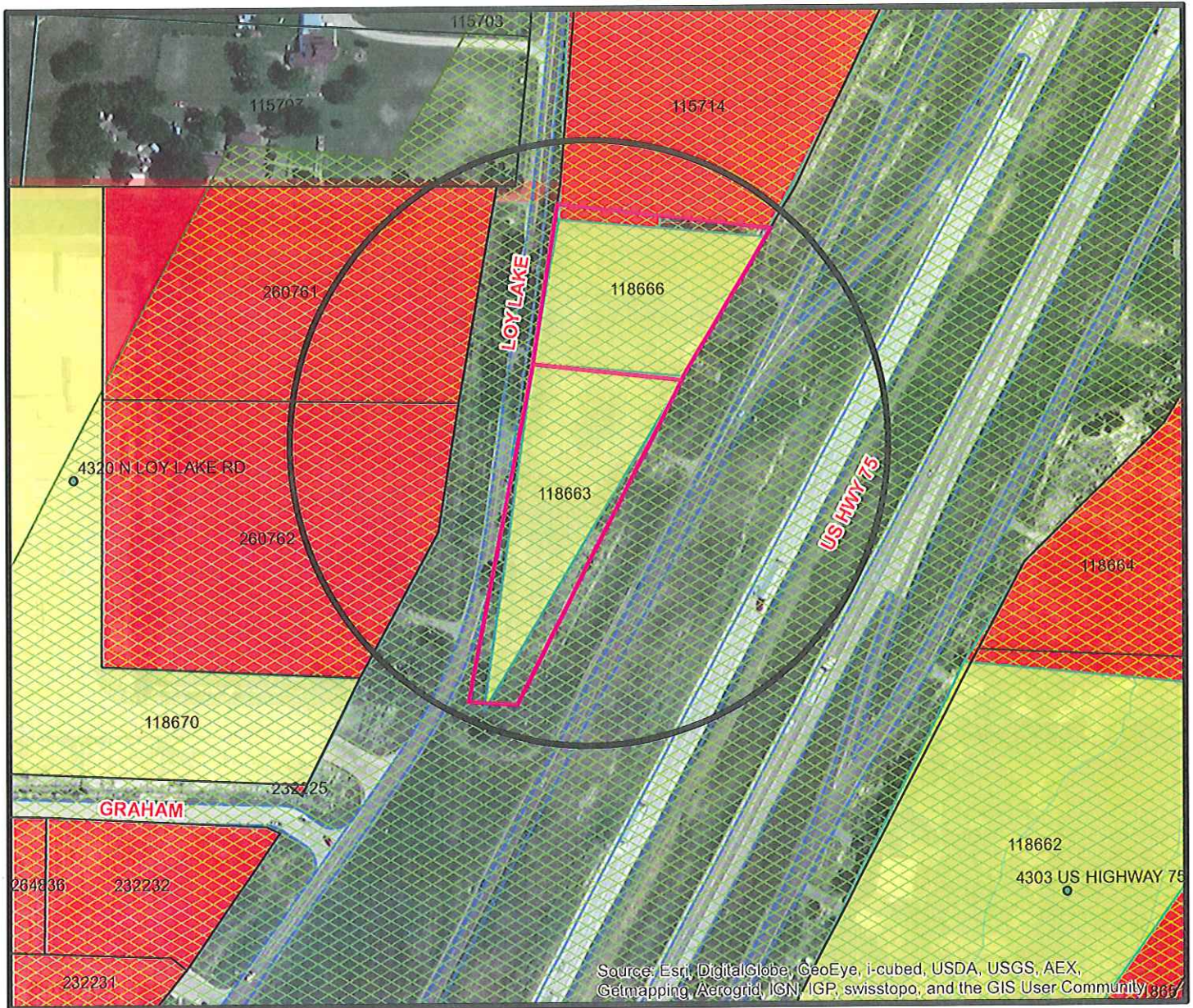
4300 Blk. N. U.S. Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



1 inch = 206 feet



4300 Blk. N. U.S. Highway 75

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

FM 1417

Sam Rayburn Freeway

US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

Arts and Cultural District

College Park District

Downtown Business District

Downtown Overlay District

Historic Preservation District

ZONING PARCELS

Zoning Classification

Unknown

BIP Blalock Industrial Park

C-1 Retail Business District

C-2 General Commercial District

CO Office District

Lakes

M-1 Light Manufacturing District

M-1.5 Medium Manufacturing District

M-2 Heavy Manufacturing District

MH Manufacturing Housing District

R-1 One Family Residential District

R-2 Multi-Family Residential District

R-A Single Family Agricultural District

SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 206 feet

4300 N. Highway 75



Whitesides & Offit Survey
Abstract No. 1389

W. Brown & B. Ricketts Survey
Abstract No. 1553

point in
cl of road
N09°E 1.9'
from a
rr.spike fnd.

1/2" rebar
* found at Patricia Elter McCluskey &
Cathryn Elter Gillentine
6.640 ac.
Vol. 2124, Pg. 361

S85°03'37"E
320.00' wire fence &
treerow

Charles T. Gravley
and others
1.327 ac.
Vol. 2023, Pg. 544
(Surveyed by
Helvey Surveying
September 20, 2004)

1/2" rebar
found
East of
bois d'arc
cor.post.

U. S. Hwy. 75
a divided 4 lane hwy.
with service roads
approx. 500 ft. wide r-o-w

P.O.B.
Railroad
Spike
found in
center of
road

pass
0.4' South
of 1/2" rebar
fnd. at 34.2'
S84°33'38"E
241.48'
pass
through
4" bois d'arc
"lone" post
at 34.4'

1.642 Ac.
Total

of which about
0.35 ac. lie within
the limits of
Loy Lake Road
and being
all of the
Mary Faith Essin
1.642 ac.
Vol. 2076,
Pg. 823

T. J. Shannon, Sr. Survey
Abstract No. 1137
Grayson County, Texas

Scale:
1" = 100'

Mary Faith Essin
6.815 ac.
Vol. 2076, Pg. 826

Loy Lake Road
a public road
asphalt paving

Hwy.
right-of-way

1/2" rebar
set,
spike nail
found
S9°E 1.5'
pass
0.3' West of
1/2" rebar
found
at 25.9'
conc.
monu.
at 25.9'

Owner: Mary Faith Essin

This Survey was prepared without the benefit of a Title Search.

The public utility lines shown above are approximate locations only and do not reflect the actual locations of any such utilities; the undersigned Surveyor and the Survey Co. listed below are not liable for the location and/or existence of any such utility lines and any Easements public or private that are or maybe upon, over, across and/or adjacent to the subject property shown hereon.

[Handwritten Signature]

Whitesides & Offit Survey
Abstract No. 1389

W. Brown & B. Ricketts Survey
Abstract No. 1553

P.O.B.

point in
cl road
N09°E 1.9'
from a
rr. spike fnd.

pass
1/2" rebar
found at
SW base of
bois d'arc
cor. post
at 38.5'

Patricia Etter McCluskey &
Catheryn Etter Gillentine
6.640 ac.
Vol. 2124, Pg. 361

S85°03'37"E
320.00' wire fence &
treerow

approximate location of
Survey line

1/2" rebar
found
1' East of
4" bois d'arc
cor. post.

1.327 Ac. Total

0.171 ac. in
r-o-w of
Loy Lake Road
and being all of the
Charles T. Gravley
and others
1.327 ac.
Vol. 2023, Pg. 544

pass
0.4' South
of 1/2" rebar
fnd. at 34.2'
N84°33'38"W
pass
through
4" bois d'arc
"lone" post
at 34.4'

241.48'

1/2" rebar
found

underground telephone
cable from 7' to 10'
inside Hwy. r-o-w

S28°51'47"W
226.16'

gravel Drv.

conc. headwall

culvert

under Hwy.

U. S. Hwy. 75
a divided 4 lane hwy.
with service roads
approx. 530 ft. wide r-o-w

Scale:
1" = 100'

Mary Faith Essin
6.815 ac.
Vol. 2076, Pg. 826

Mary Faith Essin
1.642 ac.
Vol. 2076, Pg. 823

T. J. Shannon, Sr. Surveyor
Abstract No. 1137
Grayson County, Texas

Owner: Jene W. Gravley

This Survey was prepared without the benefit of a Title Search.

The public utility lines shown above are approximate locations only and do not reflect the actual locations of any such utilities; and the undersigned Surveyor and the Survey Co. listed below are not liable for the location or existence of any such utility lines and/or Easements public or private that are or maybe upon, across and/or adjacent to the subject property shown hereon.



NOTES:

1. THIS PROPERTY WILL REQUIRE CITY OF SHERMAN APPROVAL PRIOR TO SITE DEVELOPMENT.
2. THE PROPERTY BOUNDARIES AS SHOWN ARE NOT BASED ON A BOUNDARY SURVEY AND ARE SHOWN FOR CONCEPTUAL PLANNING ONLY.
3. NO FIELD WORK WAS CONDUCTED FOR THE PREPARATION OF THIS LAYOUT.

SITE INFORMATION

PARKING REQUIRED:
8 SPACES / LANE: 24 SPACES
PARKING REQUIRED = 24 SPACES
PARKING PROVIDED = 24 SPACES
HANDICAP PARKING REQUIRED = 1 SPACES
HANDICAP PARKING PROVIDED = 1 SPACES

Mary Faith Essin
6.815 ac.
Vol. 2076, Pg. 826

Charles T. Grayley
and others
1.327 ac.
Vol. 2023, Pg. 544

US HWY 75
a divided 4 lane hwy.
with service roads
approx. 530 ft. wide r-o-w

T. J. Shannon, Sr. Survey
Abstract No. 1137
Grayson County, Texas

PRELIMINARY PLANS

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
STEVEN R. HOMEYER, PE # 86942
DATE: 04/28/2014

SHERMAN CARWASH
LOY LAKE ROAD
1.642 ACRES
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

CONCEPT PLAN

DRAWN: SRH
DATE: 02/14/14
HEI #: 14-107

SHEET NO:
C1



HOMEYER
ENGINEERING, INC.
T&PE FIRM REGISTRATION NO. F-84440
P.O. BOX 294527 • LEWISVILLE, TEXAS 75029
972-906-9985 PHONE • 972-906-9987 FAX
WWW.HEI.US.COM



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 7.

Meeting Date: 05/20/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Sam Thorpe, Commissioner

Brad Morgan, Commissioner

Ronnie Dutton, Commissioner

Ron Barton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Ryan Michael Kreck, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

4300 BLOCK N. U.S. HIGHWAY 75

The request of Ron Harmon Properties (Owner), Brad Andrus (Prospective Buyer) and Helvey and Associates (Surveyor) concerning the property located in the 4300 Block N. U.S. Highway 75, being 2.969 acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137, as follows:

Planning and Zoning Commission

Zone change and conceptual site plan approval for an express car wash under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District to a C-1 (Retail Business) District.

Background:

The property is located in the 4300 N. U.S. Highway 75 between Fallon and Graham Drive near the Sherman Town Center. The prospective buyer would like to change the zoning on the property to a C-1 (Retail Business) District and construct an express car wash on one of the lots; the site plan is conceptual and will require final site plan approval before development.

Adjacent Zoning:

C-1 (Retail Business) District and C-2 (General Commercial) District

Origination:

Ron Harmon Properties (Owner)
Brad Andrus (Prospective Buyer)
and Helvey and Associates (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

5

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Surveys

Conceptual Site Plan

Conceptual Elevations

Staff Review Letter

STAFF REVIEW LETTER

May 15, 2014

Ron Harmon Properties
9194 FM 1377
Blue Ridge, TX 75424

Brad Andrus
PO Box 2531
Denton, TX 76202

Helvey & Associates
222 W. Main
Denison, Texas 75020

Dear Applicants,

The request for approval of a zone change and conceptual site plan approval for an express car wash from an R-1 (One Family Residential) District to a C-1 (Retail Business) District for the property located in the 4300 block of North U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 20, 2014 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking is permitted on paved surfaces only; concrete or asphalt.
4. Review the zoning and development ordinance for additional requirements.
5. This site plan is conceptual in nature; a more detailed site plan will require approval from the Planning and Zoning Commission.

Engineering:

6. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department.
7. The Lot 1 drive approach radius shall be removed from Lot 2.
8. Escrow to be paid for Loy Lake Road at the time of development.
Privately owned and maintained detention in accordance with City criteria is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 2.

Meeting Date: 06/16/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5819

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District at 123 South Ricketts Street, being the South 100 foot of Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition (Bradley & Tawni Hodge, Owners; Nathan Gray, NBS Drafting, Draftsman; and Sartin and Associates, Inc., Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Bradley and Tawni Hodge (Owners), Nathan Gray, NBS Drafting (Draftsman), and Sartin and Associates, Inc. (Surveyor) concerning the property located at 123 South Ricketts Street, being the south 100 feet of Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition, to allow The House of Eli, a transitional living home in an R-1 (One Family Residential) District

Background:

The property is located at 123 South Ricketts Street; the northeast corner of Ricketts and Lamar Streets. The owners would like to remodel the existing home for The House of Eli, Inc., a transitional living home. The House of Eli exists to provide a yearlong intensive training in all aspects of healthy living; which includes graduation from high school, specific job skills training, and constant exposure to religious teachings. The 18-20 year old boys would be candidates to fill one of the nine slots in the house if they demonstrated the capacity to learn, a spiritual hunger, and desperation about their future. This would be accomplished in a highly structured "home-like" environment with a well qualified and experienced staff. At the end of the year, the boys would be given help transitioning to a more independent living situation.

Remodeling the house entails: adding a 15' x 16.2' addition to the side of the house and adding two parking spaces for a total of five; the house will have four bedrooms.

Origination:

Bradley & Tawni Hodge (Owners)
Nathan Gray, NBS Drafting (Draftsman)
Sartin and Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 20, 2014 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5819

Location Map

Zoning Map

Zoning Photo

Narrative

Survey

Site Plan

Elevations

P&Z Communication

Staff Review Letter

Letter from Ted Williams

ORDINANCE NO. 5819

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 THE HOUSE OF ELI, A TRANSITIONAL LIVING HOME IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 123 SOUTH RICKETTS STREET, BEING THE SOUTH 100 FOOT OF LOTS 10 & 11, BLOCK 2, G.Y. GRAY'S 2ND ADDITION (BRADLEY & TAWNI HODGE, OWNERS; NATHAN GRAY, NBS DRAFTING, DRAFTSMAN; AND SARTIN AND ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Bradley & Tawni Hodge (Owners), Nathan Gray, NBS Drafting (Draftsman) and Sartin and Associates, Inc. (Surveyor) are granted a Specific Use Permit to allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District at 123 South Ricketts Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING the south 100 foot of Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the R-1 (One Family Residential) District and the Residential Tree and Landscaping Ordinance must be followed.
2. The building must be in compliance with all current City of Sherman building and fire codes prior to occupancy to assure a safe environment.
3. Fire lanes shall be coordinated with the Fire Marshal, (903.892.7267)
4. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20' and parking is required for one space per bedroom.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. The Ricketts Street approach and sidewalk are contingent upon and shall conform to City of Sherman standards.
8. No drive approach will be permitted on Lamar Street.

Planning & Zoning Commission:

9. Review one (1) year from the time the Certificate of Occupancy Permit is issued.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2014.

ADOPTED on this the _____ day of _____, 2014.

EFFECTIVE DATE on this the _____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

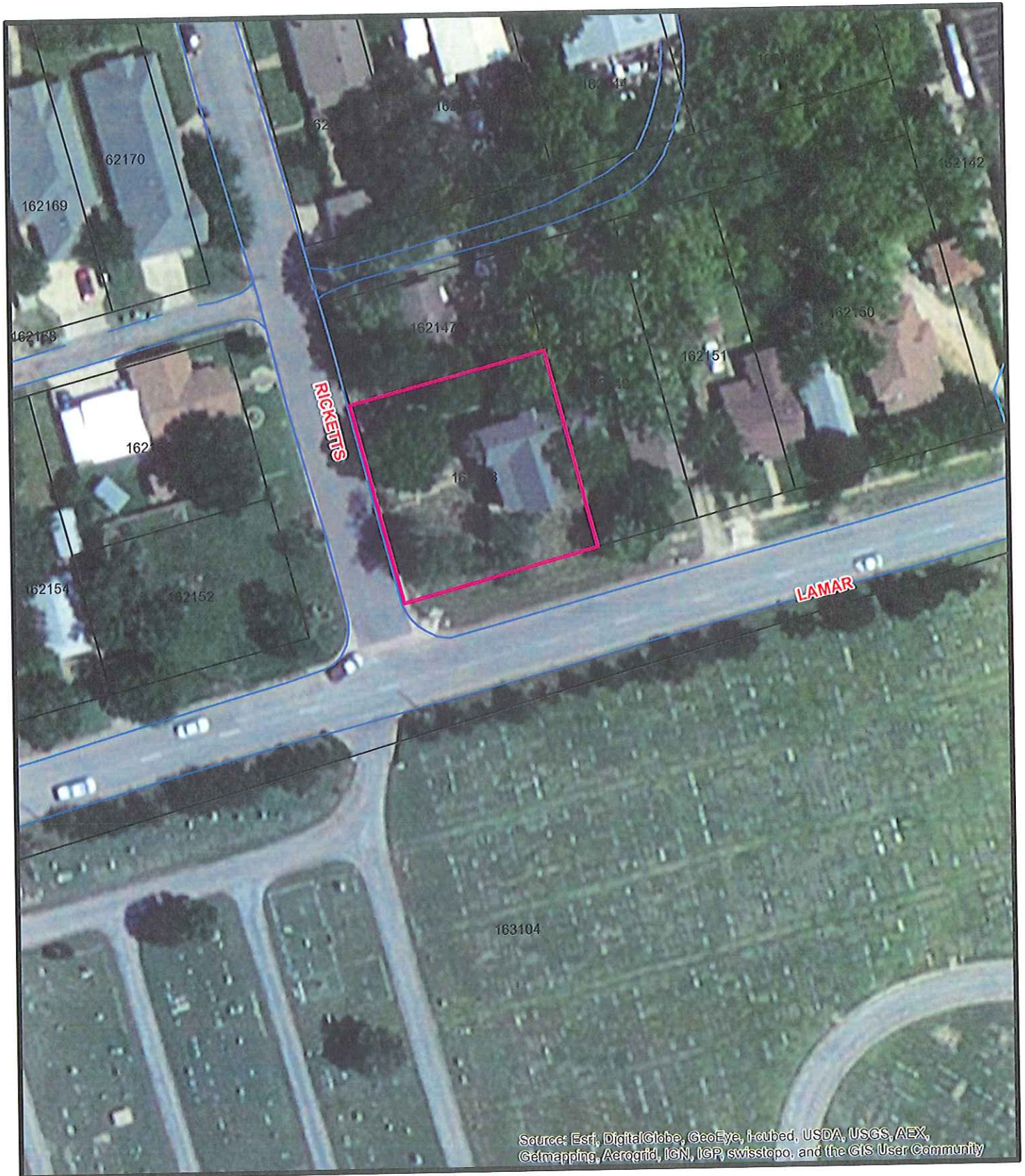
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



123 S. Ricketts

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 62 feet

City of Sherman, Texas
Developmental Services Department



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

123 S. Ricketts

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

FM 1417

Sam Rayburn Freeway

US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

Arts and Cultural District

College Park District

Downtown Business District

Downtown Overlay District

Historic Preservation District

ZONING PARCELS

Zoning Classification

Unknown

BIP Blalock Industrial Park

C-1 Retail Business District

C-2 General Commercial District

CO Office District

Lakes

M-1 Light Manufacturing District

M-1.5 Medium Manufacturing District

M-2 Heavy Manufacturing District

MH Manufacturing Housing District

R-1 One Family Residential District

R-2 Multi-Family Residential District

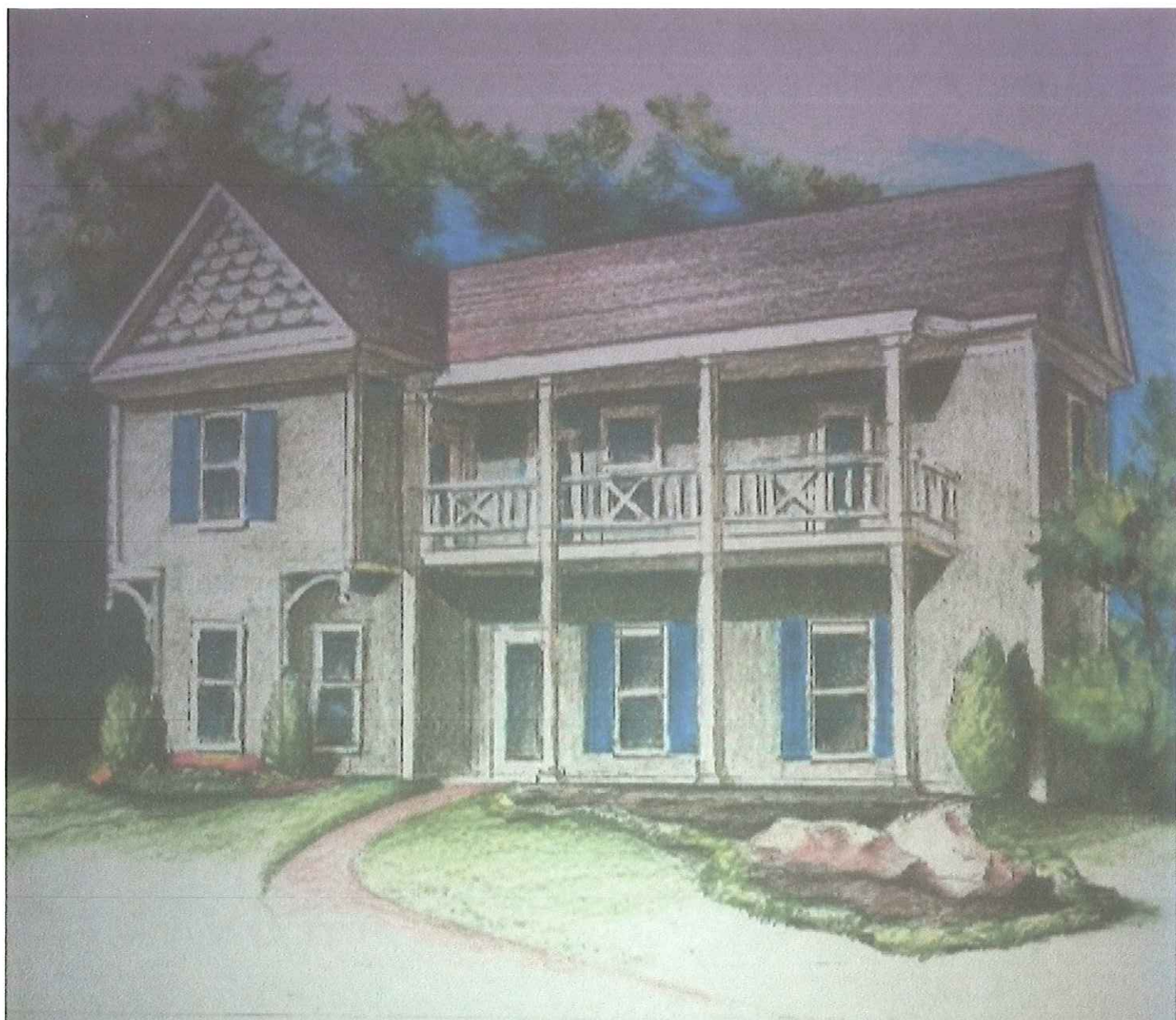
R-A Single Family Agricultural District

SF-1 Single Family Residential District



123 S. Ricketts





The House of Eli

- Transitional Living Home -

The House of Eli, Inc.

Life Change Academy

Sherman Texas

"What was broken in a home, must be fixed in a home."

Mission: To identify and serve system-involved, aging-out kids who have great potential, but no potential opportunities. We recognize that most of these boys have trauma based injuries and substance abuse issues that need to be addressed. House of Eli exists to provide a yearlong intensive training in all aspects of healthy living. This would include graduation from high school, specific job skills training, and constant exposure to the teachings of Jesus Christ. These 18-20 year old boys would be candidates to fill one of the nine slots in the house if they had demonstrated the capacity to learn, a spiritual hunger, and desperation about their future. This would be accomplished in a highly structured 'home-like' environment with a well-qualified and experienced staff. At the end of a year, the boys would be given help transitioning to a more independent living situation, remaining accountable to his House of Eli family, if he chooses.

Staff:

Director of Therapy and Entrepreneurship: Tawni Hodge (Master level counselor)

Administrator and Director of Education: Donna Byrum (Education specialist)

Head Coach and Director of Spiritual Services: *Interviewing candidates*

2 Ministry Interns – live-in College Students who could provide gap coverage during the day and be there during nighttime hours.

Entrepreneurial Enterprises

House of Eli intends to start two businesses to provide job skills training as well as generating potential income for the home.

1. Real estate development – buying, remodeling and selling homes – or retaining the homes to operate as rental income.
2. ReBorn – An upholstery shop where the boys will be learning how to upholster cars, boats and furniture. A resale shop will be run in conjunction with this, where the community may drop of items that can be restored and resold.

Sample Schedule

7:00 – Breakfast

8:00 - 1:00 – School

Lunch

2:00-5:00 – Work in their assigned jobs

Workout

Showers

6:30 Dinner

7:15 – *SESSIONS**

8:30 – Free time

10:00 – Bed

SESSIONS include the following courses:

Bible Study – a more in depth discussion based study

Our World – Current events, government, cycles of poverty, etc.

Create – Worship and expression through art and music

Life Skills - managing finances, parenting, goal setting, etc.

Community involvement

In asking local churches to support this ministry in a monthly way, we hope to pair each child with either a 'small group' or a family from these churches. We want to increase the number of positive people the child is surrounded with for support and give him a greater exposure to his community. We know that by increasing the number of people investing time and resources into one specific individual, it greatly increases his chances of success.

Means of Support

House of Eli will not be using any state funds, but would be seeking grants and donations from private entities. Our business plan projects that when fully operational, the business we run will be able to provide at least one-third of our yearly budget. We project a yearly operating budget of \$250,000-\$300,000 per year and start up needs of \$150,000. The house and guarantee of the construction loan has already been donated.

Cost of Incarceration for 1 year per boy - \$25,000-\$64,000 (usually x many years)

Cost of House of Eli for 1 year - \$27,000-\$33,000

Token Economy

The boys will be assigned points for how well they achieve their assigned tasks each day. These points will add up to make them eligible for special privileges and outings. They will be able to purchase free time, more clothing choices, etc. Campouts, lake days, Six Flags, and ball games will be things they will have to look forward to as rewards for accruing points for many right choices.

Therapy

The evening *SESSIONS* will provide educational therapy and a group/family setting. Individual therapy will be done in a much more informal way. Each day, one or two boys will be 'pulled out' to spend time with a house parent. They will be running errands to supply the job sites, going to the grocery store, and cooking the evening meal together. This will provide time in a non-threatening setting where kids in normal families do most of their talking. Therapy will be incorporated into everyday activities. Sunday night will be therapeutic movie night, where movies will strong themes of honor, right examples of manhood, etc. will be shown and discussed... (Braveheart, Antione Fischer, The Fighter, etc...)

Rules

There will be rules that will be divided into levels of seriousness, each with their own consequences. There will be some rules that would result in immediate dismissal from the house, such as sexual activity, discovery of drugs or weapons. Other infractions would be dealt with in a 3 strikes manor. We expect to have 'issues' daily, as we will be retraining boys in a new way of thinking, expressing, and behaving.

Contact with Family

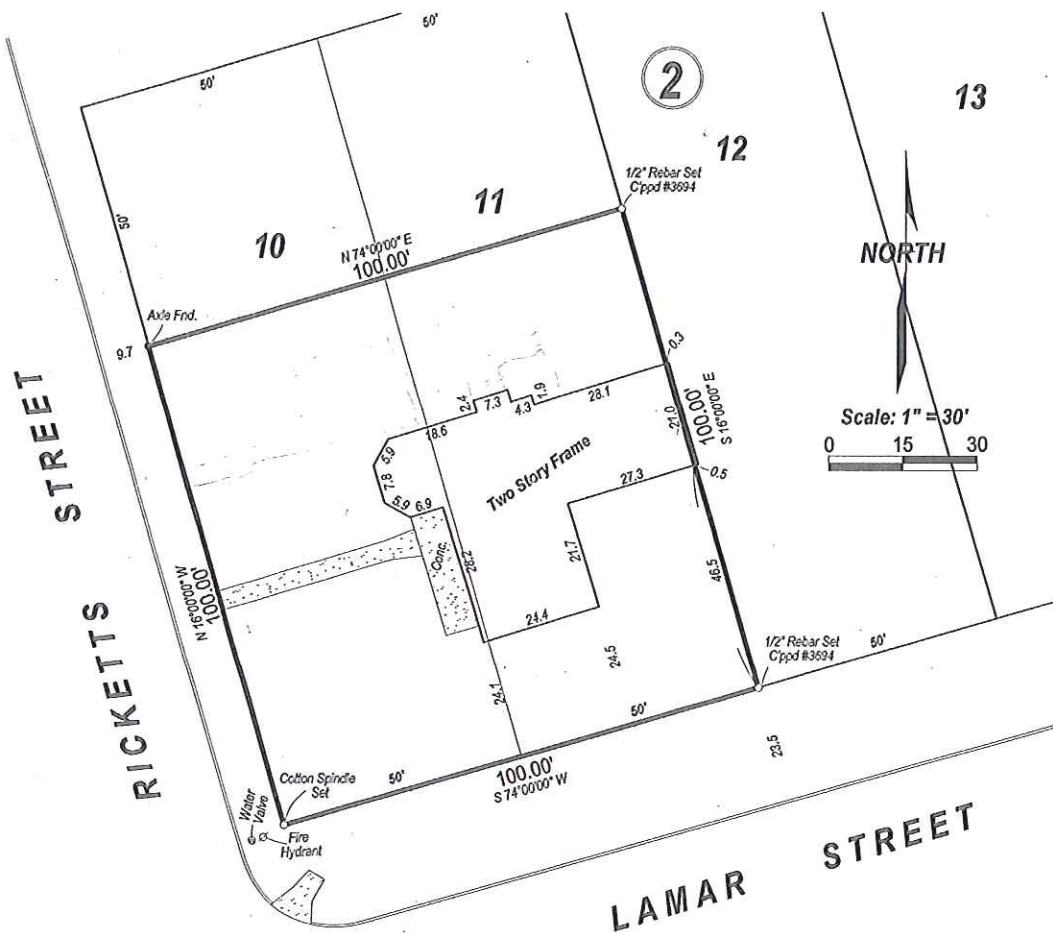
Contact with family would be limited to a few people the child selects upon intake. Limited phone visits would be permitted and in-person visits would be permitted only if visitor went through an orientation process. We believe getting a child away from their city of origin is important for their feelings of safety and separation from the unhealthy systems in which they lived. We want to help the child develop healthy communication with his loved ones, but also provide a layer of protection from negative inputs during this intense time of re-training for the child.

Projected Outcomes

We believe through research and experience that these boys are capable of amazing things. The schedule for the year will be very rigorous and intensive, making it easier to make a break from old people, places and things. We believe that the graduates of the this 'new life' academy will be ready to transition into apartments or houses, find jobs, know how to be the member of a church, etc. We see the likelihood that House of Eli will want to own and operate rental property that our graduates could move into and retain their family ties to the home. We want this to be a root system that they can draw from and grow out of for the rest of their lives if they desire.

"My son, if your heart is wise, then my heart will be glad."

Proverbs 23:15



SARTIN & ASSOCIATES, INC.

Registered Professional Land Surveyors

109 S. Travis, P. O. Box 1843 Sherman, Texas 75091 - 1843
 Ph.: (903) 892-8003 Fax: (903) 868-2970 Email - msartin@gccclsp.com

SURVEY FOR: BRADLEY HODGE

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 26th day of March, 2014 of the following described property:

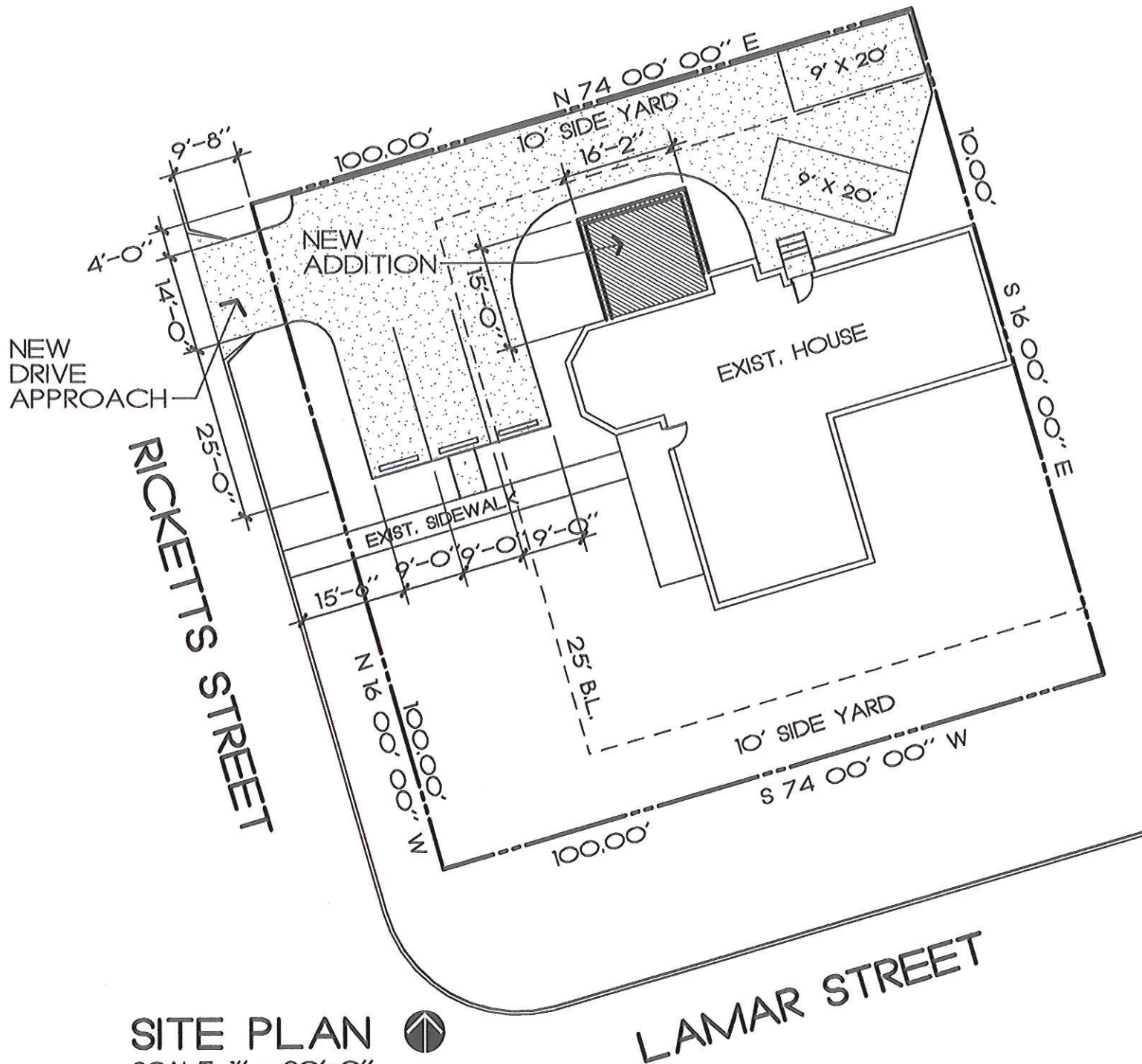
The South ONE HUNDRED FEET (100 Ft.) of Lots TEN (10) and ELEVEN (11), in Block TWO) of GRAY'S SECOND ADDITION (also known as G. Y. Gray's Second Additon) to the City of Sherman, Texas as shown by plat of record in Volume 134, Page 113, Deed Records, Grayson County, Texas.

That the improvements on said property are known as **123 S. RICKETTS STREET, SHERMAN, TEXAS** and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.

Marshall Sartin
 Marshall Sartin R.P.L.S. # 3694





123 S. RICKETTS
 SHERMAN, TEXAS
 GRAYSON COUNTY

SITE PLAN 
 SCALE: 1" = 20'-0"



WEST ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"

NO.	DESCRIPTION	BY	DATE

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT DESCRIPTION:
A New Addition/Remodel for
THE HOUSE OF ELI, INC.
123 S. Ricketts
Sherman, Texas

DRAWINGS PROVIDED BY:
NBS Drafting & Design
303 W. Houston
Sherman, Texas 75090
903.892.5620

DATE:
4/29/2014

SCALE:

SHEET:

A-2



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 9.

Meeting Date: 05/20/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Sam Thorpe, Commissioner

Brad Morgan, Commissioner

Ronnie Dutton, Commissioner

Ron Barton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Ryan Michael Kreck, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

123 S. RICKETTS STREET

The request of Bradley & Tawni Hodge (Owners) concerning the property located at 123 S. Ricketts, being the south 100 foot Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition, as follows:

Board of Adjustments

Variance to Ordinance No. 2280, Section 6.2, Subsection (1) to allow an existing nonconforming structure on the rear property line in lieu of 25' required for a transitional living home in an R-1 (One Family Residential) District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District.

Background:

The property is located at 123 S. Ricketts Street; the northeast corner of Ricketts and Lamar Streets. The owner would like to remodel the existing home for The House of Eli, Inc., a transitional living home. House of Eli exists to provide a yearlong intensive training in all aspects of healthy living; which includes graduation from high school, specific job skills training, and constant exposure to the teachings of Jesus Christ. The 18-20 year old boys would be candidates to fill one of the nine slots in the house if they demonstrated the capacity to learn, a spiritual hunger, and desperation about their future. This would be accomplished in a highly structured "home-like" environment with a well qualified and experienced staff. At the end of the year, the boys would be given help transitioning to a more independent living situation.

Remodeling the house entails; adding a 15' x 16.2' addition to the side of the house and adding two parking spaces for a total of five; the house will have four bedrooms.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Bradley & Tawni Hodge (Owners)
Nathan Gray, NBS Drafting (Draftsman)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

14

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Narrative

Survey

Site Plan

Elevations

Staff Review Letter

STAFF REVIEW LETTER

May 15, 2014

Tawni & Brad Hodge
C/O Mark Teague
123 N. Crockett
Sherman, TX 75090

Sartin & Associates Survey Company
P.O. Box 1843
Sherman, Texas 75091

House of Eli, Inc.
Tawni Hodge
1221 N. Hopson
Sherman, TX 75092

Nathan Gray
122 S. Bryant Ave.
Sherman, TX 75092

Dear Applicants,

The request for approval of a Specific Use Permit and site plan approval for an addition to the existing structure to allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District for the property located at 123 South Ricketts Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 20, 2014 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the R-1 (One Family Residential) District and the Residential Tree and Landscaping Ordinance must be followed.
2. The building must be in compliance with all current City of Sherman building and fire codes prior to occupancy to assure a safe environment.
3. Fire lanes shall be coordinated with the Fire Marshal, (903.892.7267)
4. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20' and parking is required for one space per bedroom.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. The Ricketts Street approach and sidewalk are contingent upon and shall conform to City of Sherman standards.
8. No drive approach will be permitted on Lamar Street.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator



RECEIVED

MAY 15 2014

Developmental Services

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone: (903) 892-7229
FAX: (903) 892-7274

May 2, 2014
Ted Williams
814 W. Houston
Sherman, TX 75092

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, May 20, 2014 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

The request of Bradley & Tawni Hodge (Owners), Nathan Gray, NBS Drafting (Draftsman) and Sartin and Associates, Inc. (Surveyor) concerning the property located at 123 S. Ricketts, being the south 100 foot Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition

The request is as follows:

Board of Adjustments

Variance to Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 0' rear setback for an existing nonconforming structure in lieu of 25' required for a transitional living home in an R-1 (One Family Residential) District.

Planning and Zoning Commission

Specific Use Permit and site plan approval for an addition to the existing structure under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

We are against this zoning change. We are elderly and it will decrease our property value.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 3.

Meeting Date: 06/16/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5818 and 5819

List of Agenda Items:

B.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5818

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of North U.S. Highway 75 (Ron Harmon Properties, Owners; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors)

B.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5819

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow The House of Eli, a Transitional Living Home in an R-1 (One Family Residential) District at 123 South Ricketts Street, being the South 100 foot of Lots 10 & 11, Block 2, G.Y. Gray's 2nd Addition (Bradley & Tawni Hodge, Owners; Nathan Gray, NBS Drafting, Draftsman; and Sartin and Associates, Inc., Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 4.

Meeting Date: 06/16/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

List of Agenda Items:

C.3. * RESOLUTION NO. 5865

Accepting the Contract with Lynn Vessels Construction, LLC, as Complete for the S.H. 289 Water Main Construction Project

E.1. * CHANGE ORDER NO. 1

S.H. 289 Water Main; Lynn Vessels Construction, LLC; \$3,746.65 Increase

F.1. * OTHER BUSINESS

Final Plat Approval of Harmon Addition, being 2.969 Acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137; Ron Harmon Properties, Owner; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors (4300 Block of North U.S. Highway 75)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 06/16/2014

Prepared By: Otis Henry, Police Chief

Approved By: George Olson, City Manager

Caption:

RESOLUTION NO. 5863

Authorizing Submission of a Joint Grant Application with Grayson County for, and the Acceptance of, a Grant Awarded under the 2014 Justice Assistance Grant Program – CFDA #16.738

Issue:

Seeking approval to submit a joint grant application with Grayson County for the 2014 Justice Assistance Grant (JAG) Program and approval to accept the award

Background:

This is a companion resolution to the Interlocal Agreement with Grayson County, also on the June 16th agenda. This resolution authorizes the City to apply for and accept 2014 JAG funding to be used by the Sherman Police Department. The total grant award will be \$13,159.00, divided as follows: City of Sherman – \$8,893.00; and Grayson County – \$4,266.00. The 2014 allocations are based on current project needs for each entity.

The Police Department plans to use its portion of 2014 JAG funding for the partial purchase of on-body cameras for patrol officers.

Origination:

Sherman Police Department
Support Services Department

Financial Consideration:

There are no matching requirements for this grant.

Staff Recommendation:

The staff recommends submitting the 2014 JAG application and accepting the funding if awarded.

Alternatives:

The Council could decline this grant opportunity.

Attachments

Resolution No. 5863

RESOLUTION NO. 5863

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2014 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the U.S. Department of Justice is offering grants in support of a wide range of projects designed to reduce crime and improve the criminal and juvenile justice systems under the 2014 Justice Assistance Grant (JAG) Program – CFDA #16.738; and

WHEREAS, the City of Sherman desires to submit a joint grant application with Grayson County under this program; and

WHEREAS, the City of Sherman understands that there is no matching requirement for grants awarded under the 2014 JAG Program; and

WHEREAS, the City of Sherman agrees that, in the event of loss or misuse of the JAG funds, the City of Sherman assures that the funds will be returned to the U.S. Department of Justice in full;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all documents being properly completed and approved as to form and content by the City Attorney, to submit a joint application for and, once granted by the U.S. Department of Justice, to accept a Thirteen Thousand One Hundred Fifty-Nine Dollars and No Cents (\$13,159.00) award under the 2014 JAG Program, said joint allocation to be distributed for specific purposes in the following manner: Four Thousand Two Hundred Sixty-Six Dollars and No Cents (\$4,266.00) to Grayson County for officer safety and technology upgrades; and Eight Thousand Eight Hundred Ninety-Three Dollars and No Cents (\$8,893.00) to the City of Sherman for officer on-body cameras.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM AND
CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 06/16/2014

Prepared By: Otis Henry, Police Chief

Approved By: George Olson, City Manager

Caption:

RESOLUTION NO. 5864

Authorizing Execution of an Interlocal Agreement between the City of Sherman and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2014 Justice Assistance Grant Program – CFDA #16.738

Issue:

Approving an Interlocal Agreement (ILA) with Grayson County for Justice Assistance Grant (JAG) funding

Background:

This is a companion resolution to a separate agenda item authorizing submission of an application for the 2014 JAG grant, also on the June 16th agenda. Execution of an ILA with Grayson County is one of the required components of the joint grant application to be submitted under the U.S. Department of Justice's 2014 Justice Assistance Grant Program. The total grant award would be \$13,159.00 of which Grayson County's portion would be \$4,266.00 for officer safety and technology upgrades; and Sherman's portion would be \$8,893.00 to be used for the partial purchase of on-body cameras for patrol officers.

Origination:

Police Department

Financial Consideration:

There are no matching requirements for this grant. Grayson County's portion of the total grant would be passed through to them.

Staff Recommendation:

The staff recommends approval of this Interlocal Agreement.

Alternatives:

None recommended

Attachments

Resolution No. 5864

2014 JAG Interlocal Agreement with Grayson County

RESOLUTION NO. 5864

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2014 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Interlocal Agreement with Grayson County for award of a portion of a total Thirteen Thousand One Hundred Fifty-Nine Dollars and No Cents (\$13,159.00) 2014 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Four Thousand Two Hundred Sixty-Six Dollars and No Cents (\$4,266.00) for officer safety and technology upgrades; and
- An award to the City of Sherman of Eight Thousand Eight Hundred Ninety-Three Dollars and No Cents (\$8,893.00) for officer on-body cameras.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 § **KNOW ALL BY THESE PRESENTS:**
COUNTY OF GRAYSON §

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SHERMAN, TEXAS
AND GRAYSON COUNTY, TEXAS**

2014 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD – CFDA 16.738

THIS AGREEMENT is made and entered into this the ____ day of _____, 2014, by and between the **CITY OF SHERMAN, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “SHERMAN”, and the **COUNTY OF GRAYSON, TEXAS**, hereinafter referred to as “GRAYSON” of Grayson County, State of Texas;

W I T N E S S E T H:

WHEREAS, this Agreement is made under the authority of the Interlocal Cooperation Act, Sections 791.001-791.033, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, SHERMAN agrees to provide GRAYSON Four Thousand Two Hundred Sixty-Six Dollars and No Cents (\$4,266.00) from the 2014 JAG Program award to purchase officer safety and technology upgrades; and

WHEREAS, SHERMAN and GRAYSON believe it to be in their best interests to reallocate the 2014 JAG funds;

NOW, THEREFORE, SHERMAN and GRAYSON agree as follows:

Section 1. SHERMAN agrees to pay GRAYSON a total of Four Thousand Two Hundred Sixty-Six Dollars and No Cents (\$4,266.00) of 2014 JAG funds.

Section 2. GRAYSON agrees to use Four Thousand Two Hundred Sixty-Six Dollars and No Cents (\$4,266.00) to purchase officer safety and technology upgrades to be expended during the two (2) year period beginning on the grant award date.

Section 3. GRAYSON agrees that, in the event of loss or misuse of the 2014 JAG Program Award funds, as determined by SHERMAN, GRAYSON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 4. Nothing in the performance of this Agreement shall impose any liability for claims against GRAYSON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 5. Nothing in the performance of this Agreement shall impose any liability for claims against SHERMAN other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 6. Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9. This Agreement is authorized under and governed by the laws of the State of Texas. Venue for any action arising under this Agreement shall lie in state district court, Grayson County, Texas.

Section 10. If, by reason of Force Majeure as hereinafter defined, any party to this Agreement shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the particulars of such Force Majeure to the other parties within a reasonable time after the occurrence thereof. The obligations of the party giving such notice, to the extent affected by such Force Majeure, shall be suspended during the continuance of the inability claimed and for no longer period, and such party shall, in good faith, exercise its best efforts to remove and overcome such inability. The term "Force Majeure" as utilized in this Agreement shall mean and refer to Acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections, riots, epidemics, landslides, earthquakes, lightning, fires, hurricanes, storms, floods, washouts, or other natural disasters; arrest; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines or canals; or other causes not necessarily within the control of the party claiming such inability.

Section 11. This Agreement is subject to all applicable federal, state and local laws, ordinances, rules and regulations, including but not limited to all provisions of SHERMAN'S Charter and Ordinances, as amended.

Section 12. The failure of any party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

Section 13. It is expressly understood and agreed that, in the execution of this agreement, no party waives, nor shall hereby be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising during the exercise of governmental powers and functions.

CITY OF SHERMAN, TEXAS

COUNTY OF GRAYSON, TEXAS

BY: _____
George Olson, City Manager

BY: _____
Drue Bynum, County Judge

ATTEST:

ATTEST:

BY: _____
Linda Ashby, City Clerk

BY: _____
Wilma Bush,
Grayson County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BY: _____
Brandon S. Shelby, City Attorney

BY: _____
David Van Brunt Price,
Attorney for Grayson County



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 06/16/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5865**

Accepting the Contract with Lynn Vessels Construction, LLC, as Complete for the S.H. 289 Water Main Construction Project

Issue:

To consider acceptance of the contract with Lynn Vessels Construction, LLC as complete for the S.H. 289 Water Main Construction Project

Background:

Lynn Vessels Construction, LLC has completed all work required under its contract for the construction of the east side of S.H. 289, between U.S. Highway 82 and the south city limits. The improvements included installation of a new water main.

Origination:

Utility Administration

Financial Consideration:

The total cost for the completed water main is \$432,376.01.

Staff Recommendation:

It is recommended that the attached resolution be approved by the City Council.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 5865

Contractors Certification and Guarantee

Project Location Map

RESOLUTION NO. 5865

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC, AS COMPLETE FOR THE S.H. 289 WATER MAIN CONSTRUCTION PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman has entered into a Contract with Lynn Vessels Construction, LLC for the S.H. 289 Water Main Construction Project; and

WHEREAS, representatives of the City of Sherman and the project engineer have inspected improvements and found the project to be complete;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City of Sherman hereby formally accepts the contracted work of Lynn Vessels Construction, LLC for the S.H. 289 Water Main Construction Project.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
CAROLYN S. WACKER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

CONTRACTOR'S CERTIFICATION AND GUARANTEE

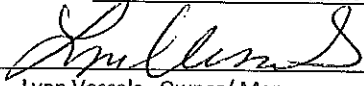
Date: June 4, 2014
Project: SH 289 Waterline
Owner: City of Sherman, TX
Contractor: Lynn Vessels Construction, LLC
Date of Contract: June 03, 2013
Date of Project Completion: May 31, 2014
Final Contract Amount: \$432,376.01

The CONTRACTOR certifies that (1) all payments received from OWNER on account of Work done under the Contract have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work and (2) title to all materials and equipment incorporated in said Work will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances.

The CONTRACTOR shall guarantee all materials and equipment furnished and WORK performed for a period of one (1) year from the date of completion as evidenced by the Engineer's Final Certificate. The CONTRACTOR warrants and guarantees for a period of one (1) year from the date of completion that all work under the Contract is free from faulty materials and equipment in every particular and free from improper workmanship, and against injury from proper and usual wear, and agrees to replace or to re-execute without cost to the OWNER such work as may be found to be improper or imperfect and to make good all damage caused to the other work or materials, due to such required replacement or re-execution. The OWNER will give notice of observed defects with reasonable promptness. In the event that the CONTRACTOR should fail to make such repairs, adjustments, or other work that may be made necessary to such defects, the OWNER may do so and charge the CONTRACTOR the cost thereby incurred. The PERFORMANCE BOND shall remain in full force and effect through the guarantee period.

Warranties and guarantees provided by manufacturers of devices and equipment shall not diminish CONTRACTOR's responsibility under this certification and guarantee.

CONTRACTOR: Lynn Vessels Construction, LLC.

BY: 
Lynn Vessels, Owner/ Manager

DATE: June 04, 2014

ATTEST: 

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

AIA DOCUMENT G707

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

☐
☐
☐
☐

PROJECT: SH 289 Waterline
(name, address) Sherman, TX

TO (Owner)

☐ City of Sherman
220 W. Mulberry St. P.O. Box 1106
Sherman, TX 75091-1106

☐ CONTRACT NO.:
CONTRACT FOR: Waterline

☐ CONTRACT DATE:

CONTRACTOR: Lynn Vessels Construction, LLC

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety Company)

SureTec Insurance Company
1330 Post Oak Blvd., Suite 1100, Houston, Texas 77056
on bond of (here insert name of Contractor)

, SURETY COMPANY,

Lynn Vessels Construction, LLC
P.O. Box 1212, Sherman, Texas 75091

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

City of Sherman
220 W. Mulberry St. P.O. Box 1106 Sherman, TX 75091-1106

, OWNER,

as set forth in the said Surety Company's bond, Bond No. 4388967

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 5th day of June, 2014.

Attest: Trenae Donovan
(Seal): Trenae Donovan, Witness

SureTec Insurance Company

Jennifer Picchi
Signature of Authorized Representative

Jennifer Picchi
Title Attorney-In-Fact

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTORS AFFIDAVIT OF PAYMENT AND DEBTS AND
CLAIMS, Current Edition

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Clem F. Lesch, Steven W. Lewis, Allen Sparks, Eric Lesch, Lisa Borhaug, Roger Bales, Jennifer Picchi, Melissa Lesch

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Five Million and 00/100 Dollars (\$5,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 12/31/2015 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

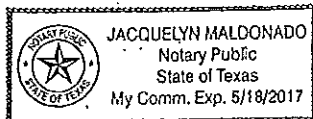
SURETEC INSURANCE COMPANY

By: John Knox Jr., President



State of Texas ss:
County of Harris

On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



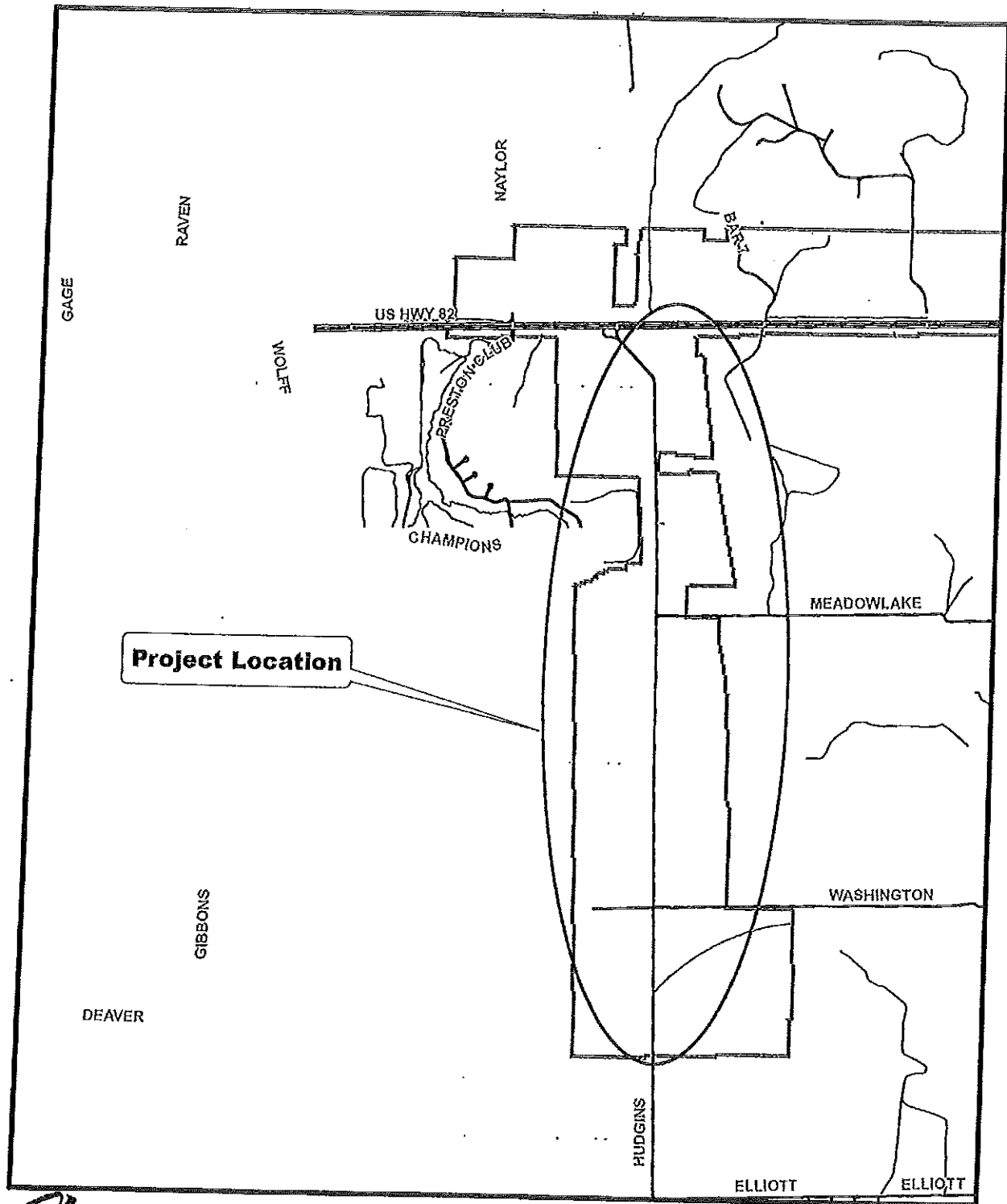
Jacquelyn Maldonado, Notary Public
My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 5th day of June, 2014, A.D.

M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.



Sherman
CLASSIC TOWN, BROAD HORIZON,
Engineering Department

S.H. 289 Water Main

2,300 1,150 0 2,300 Feet

N



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 06/16/2014

Prepared By: Don Keene, Director of Community and Support Services

Approved By: George Olson, City Manager

Caption:

REQUEST TO ADVERTISE

Municipal Building Exterior Restoration

Issue:

Seeking approval to advertise an Invitation to Bid for the Municipal Building Exterior Restoration Project

Background:

This approved Capital Improvement Project (CIP) will include replacement of window and door perimeter sealants and masonry repair, cleaning, and water proofing of the Sherman Municipal Building exterior.

Origination:

Building Maintenance Department

Financial Consideration:

Funds for the Municipal Building Exterior Restoration Project were appropriated in the approved CIP budget for fiscal year 2013-2014. Advertising costs are estimated to be approximately \$200.00.

Staff Recommendation:

It is recommended that the City Council approve the advertising of the Invitation to Bid for Municipal Building Exterior Restoration as outlined above.

Alternatives:

As may be directed by the City Council

Attachments

Location Map

PROJECT YEAR: 2013-2014

PROJECT NAME: Municipal Building Repair

DESCRIPTION:	Planned repairs to the Municipal Building including exterior tuck pointing, sealing, window repair and and interior plaster repair.
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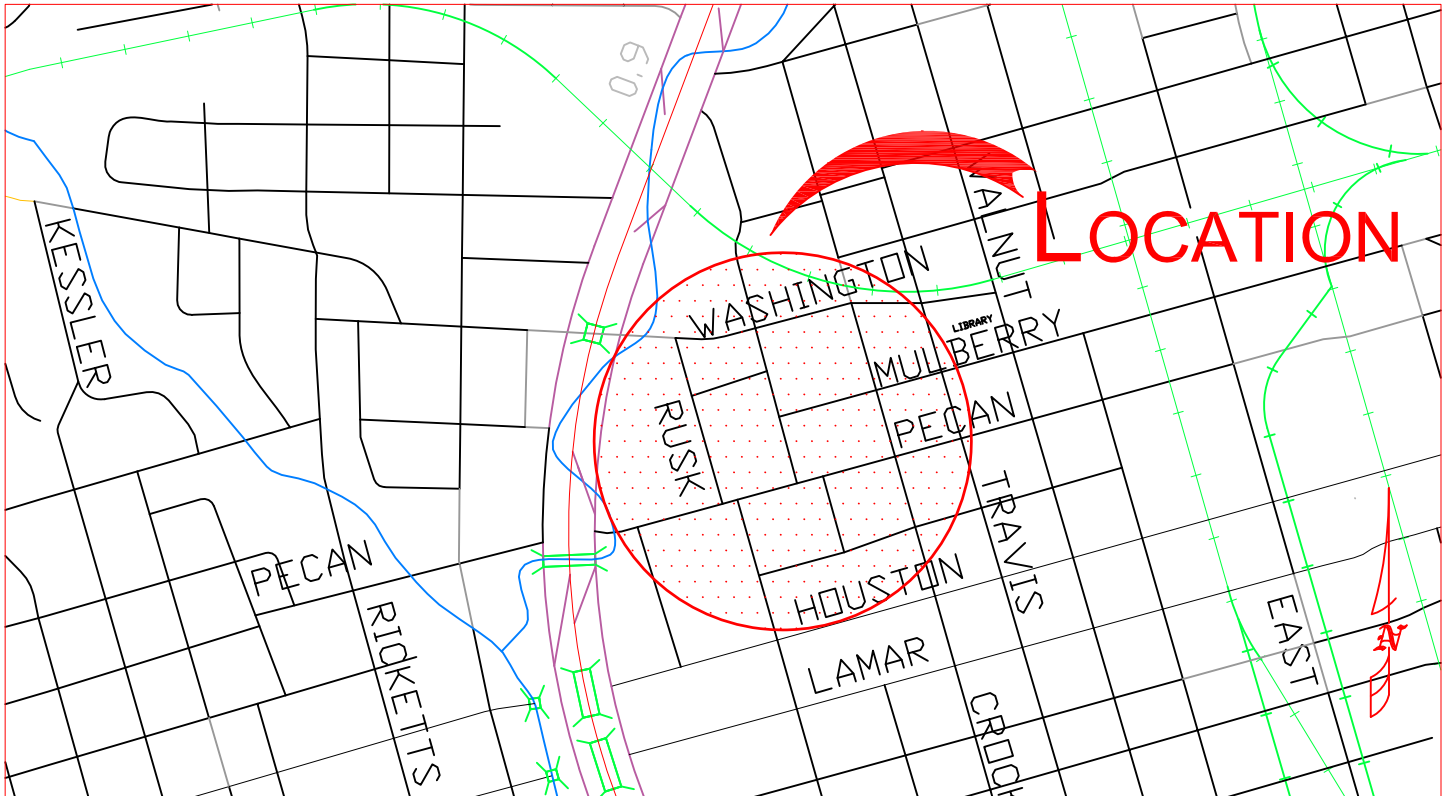
ESTIMATED COST: \$190,000

ESTIMATED O&M COST: NA

PROPOSED FINANCING: General Improvement Fund

PROJECT NECESSITY: Necessary repair / maintenance of City facility.

DEPARTMENT/DIRECTOR: Director of Public Works, Don Keene





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 06/16/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** CHANGE ORDER NO. 1**

S.H. 289 Water Main; Lynn Vessels Construction, LLC; \$3,746.65 Increase

Issue:

To consider approval of Change Order No. 1 for the S.H. 289 Water Main Project

Background:

Change Order No. 1 is a final, reconciliatory change order to adjust the final project quantities for the S.H. 289 Water Main Project, between U.S. Highway 82 and the Sherman south city limits on S.H. 289. The extra costs were due to the route change required to bypass an Atmos gas line.

Origination:

Utility Administration

Financial Consideration:

The change order results in a \$3,746.65 increase in the contract amount, yielding a final contract price of \$432,376.01.

Staff Recommendation:

It is recommended that Change Order No. 1 be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1

Location Map

CHANGE ORDER

No. Final

PROJECT SH 289 Waterline

DATE OF ISSUANCE 6/10/2014

EFFECTIVE DATE _____

OWNER City of Sherman, Texas

OWNER's Contract No. _____

CONTRACTOR Lynn Vessels Construction, LLC ENGINEER Morris Engineers

You are directed to make the following changes in the Contract Documents:

Description: See Schedule

Reason for Change Order: Reconcile Contract to final quantities

Attachments: Schedule of changes

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ 428,673.38	Original Contract Times Substantial Completion: Ready for Final Payment:
Net changes from previous Change Orders No. 1_ to 1_ . \$ 3746.65	Net change from previous Change Orders No. _ to _ . Days
Contract Price prior to this Change Order \$ 428,673.38	Contract times prior to this Change Order Substantial Completion: Ready for Final Payment:
Net Increase (Decrease) of this Change Order \$ 3746.65	Net Increase (Decrease) of this Change Order Days
Contract Price with all approved Change Orders \$ 432,376.01	Contract Times with all approved Change Orders Substantial Completion: Ready for Final Payment:

RECOMMENDED:

Morris Engineers

By: [Signature]

Engineer (Authorized Signature)

Date: 6/10/2014

APPROVED:

City of Sherman

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

Lynn Vessels Construction, LLC

By: [Signature]

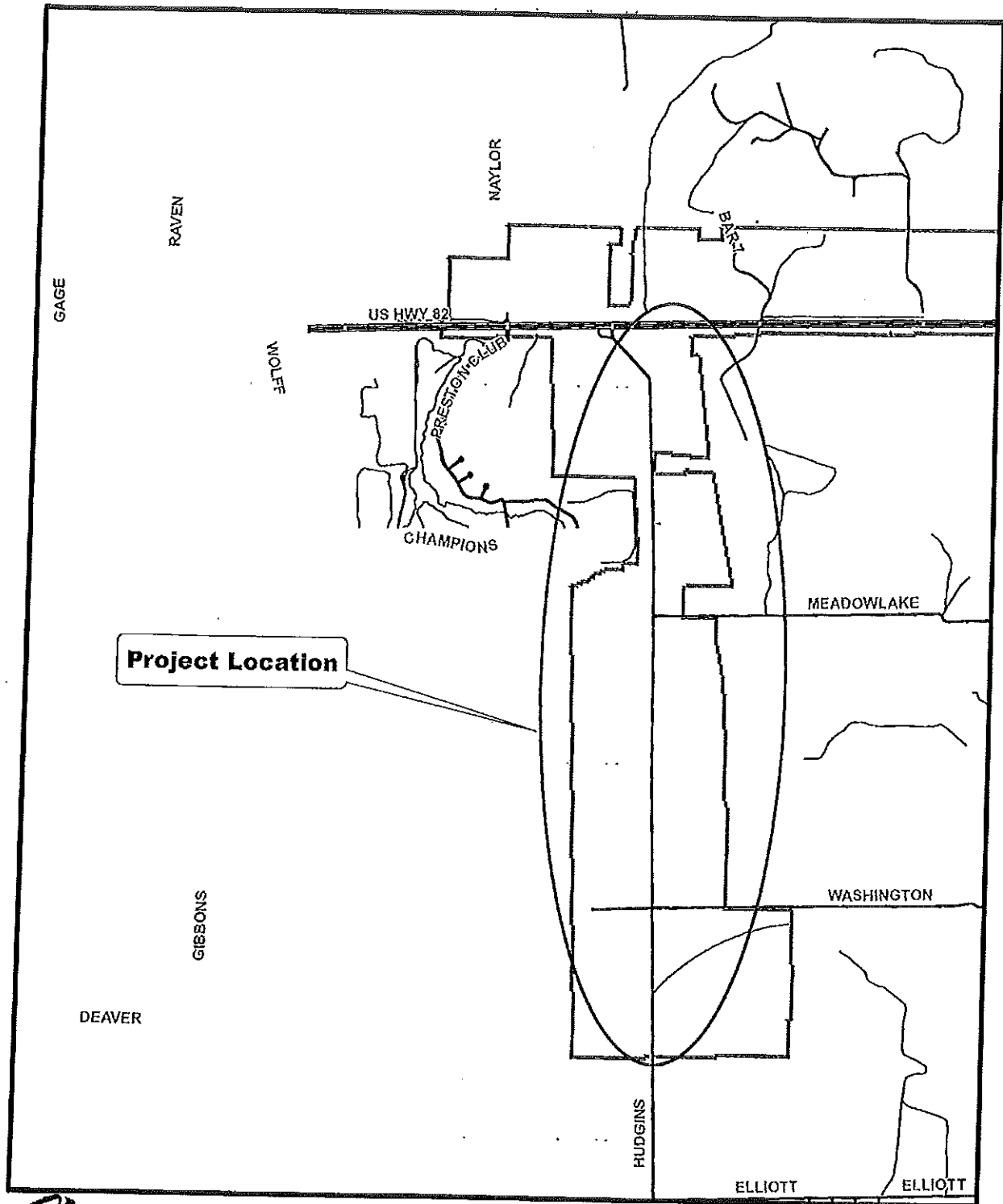
Contractor (Authorized Signature)

Date: 6/10/2014

CITY OF SHERMAN
CONSTRUCTION OF SH 289 WATERLINE
LYNN VESSELS CONSTRUCTION, LLC

6/10/2014

ITEM NO	ITEM DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	ORIGINAL CONTRACT	CHANGE ORDER			ADJ'D QTY.	TOTAL CONTRACT
						ADD	DEDUCT	TOTAL		
1	F&I 12" DIA. WATER PIPELINE	12630	LF	\$ 21.45	\$ 270,913.50	17		\$ 364.65	12647	\$ 271,278.15
2	F&I 12" DIA. GATE VALVES	13	EA	\$ 1,775.20	\$ 23,077.60				13	\$ 23,077.60
3	F&I FIRE HYDRANT ASSY.	13	EA	\$ 3,052.00	\$ 39,676.00				13	\$ 39,676.00
4	F&I CEMENT LINED DUCTILE IRON FITTINGS	1	LOT	\$ 9,520.00	\$ 9,520.00				1	\$ 9,520.00
5	ADD FOR BORE ROAD XINGS AND INSTALL 12" PVC PIPE	390	LF	\$ 94.02	\$ 36,667.80				390	\$ 36,667.80
6	F&I COMBINATION AIR VALVE ASSY.	2	EA	\$ 3,024.00	\$ 6,048.00				2	\$ 6,048.00
7	REPLACE/RESTORE FENCE TO HWY ROW:								0	\$ -
7A	4" wood posts w/2"x6" plank	488	LF	\$ 12.88	\$ 6,285.44				488	\$ 6,285.44
7B	Iron T-posts w/32" field wire	220	LF	\$ 3.58	\$ 787.60		-220		0	\$ -
7C	2" pipe rail and posts w/cable strands	464	LF	\$ 12.32	\$ 5,716.48				464	\$ 5,716.48
7D	2" pipe rail and posts w/2"x4" woven wire mesh	351	LF	\$ 12.32	\$ 4,324.32				351	\$ 4,324.32
7E	6" wood posts w/4" dressed round wood rails	1608	LF	\$ 14.28	\$ 22,962.24	52			1660	\$ 23,704.80
8	Trench excavation protection	12240	LF	\$ 0.06	\$ 734.40	17			12257	\$ 735.42
9	SWPPP	1	JOB	\$ 1,960.00	\$ 1,960.00				1	\$ 1,960.00
CO1	12" 45° Bend		EA	\$ 845.50		4		\$ 3,382.00	4	\$ 3,382.00
	TOTAL CONTRACT				\$ 428,673.38			\$ 3,746.65		\$ 432,376.01



Sherman
CLASSIC TOWN, BROAD HORIZON,
Engineering Department

S.H. 289 Water Main

2,300 1,150 0 2,300 Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 1.

Meeting Date: 06/16/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Harmon Addition, being 2.969 Acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137; Ron Harmon Properties, Owner; Brad Andrus, Prospective Buyer; and Helvey & Associates, Inc., Surveyors (4300 Block of North U.S. Highway 75)

Issue:

To consider Final Plat approval of Harmon Addition; being 2.969 acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137

Background:

The property is located in the 4300 block of North U.S. Highway 75, between Fallon and Graham Drive near the Sherman Town Center. The prospective buyer would like to plat the property into two lots for commercial development.

Origination:

Ron Harmon Properties (Owner)
Brad Andrus (Prospective Buyer)
Helvey & Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 20, 2014 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

Final Plat

P&Z Communication

Staff Review Letter



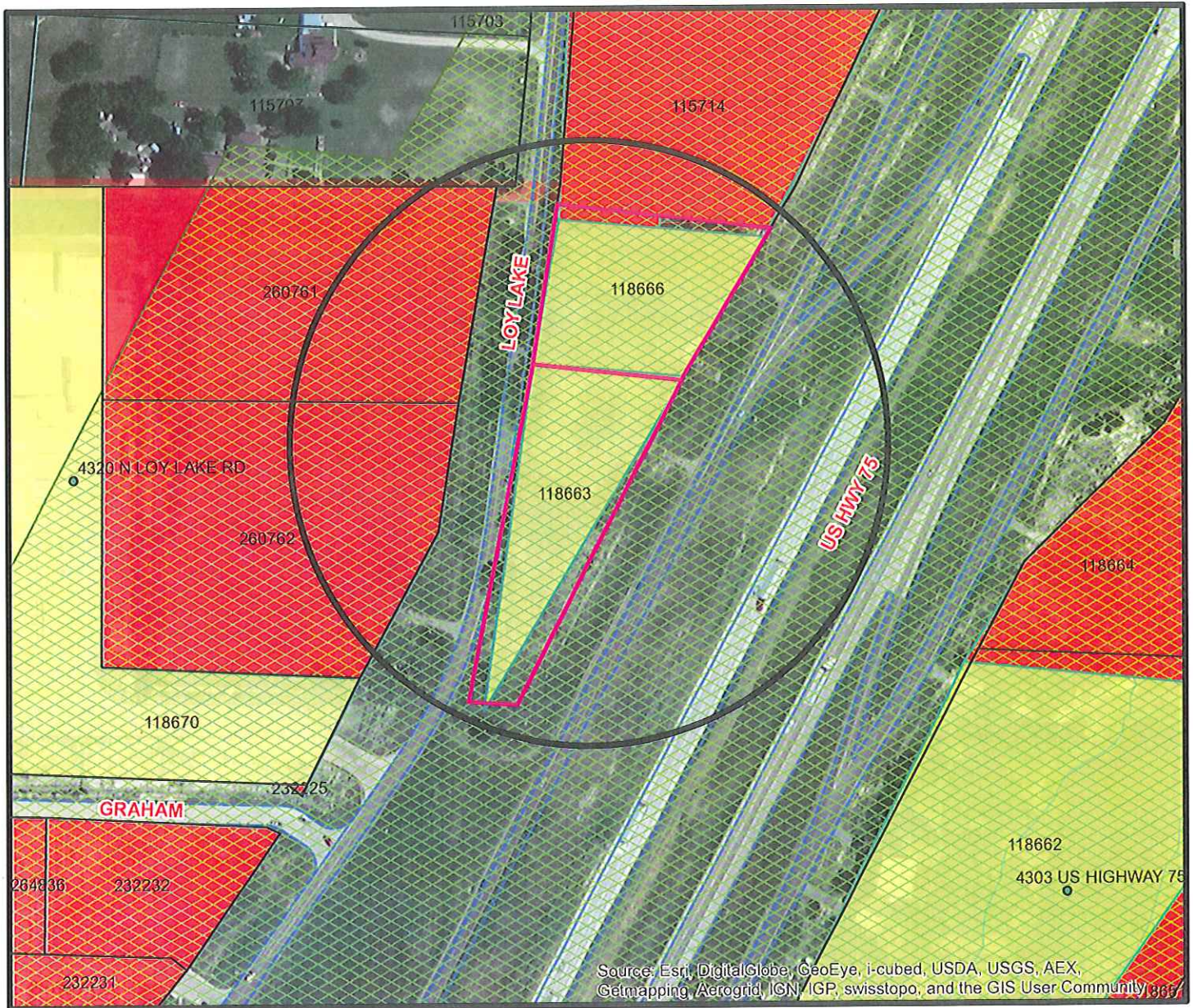
4300 Blk. N. U.S. Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



1 inch = 206 feet



4300 Blk. N. U.S. Highway 75

Legend

ZONING PARCELS

Transportation Corridors Overlay

HWY_NAME

FM 1417

Sam Rayburn Freeway

US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

Arts and Cultural District

College Park District

Downtown Business District

Downtown Overlay District

Historic Preservation District

ZONING PARCELS

Zoning Classification

Unknown

BIP Blalock Industrial Park

C-1 Retail Business District

C-2 General Commercial District

CO Office District

Lakes

M-1 Light Manufacturing District

M-1.5 Medium Manufacturing District

M-2 Heavy Manufacturing District

MH Manufacturing Housing District

R-1 One Family Residential District

R-2 Multi-Family Residential District

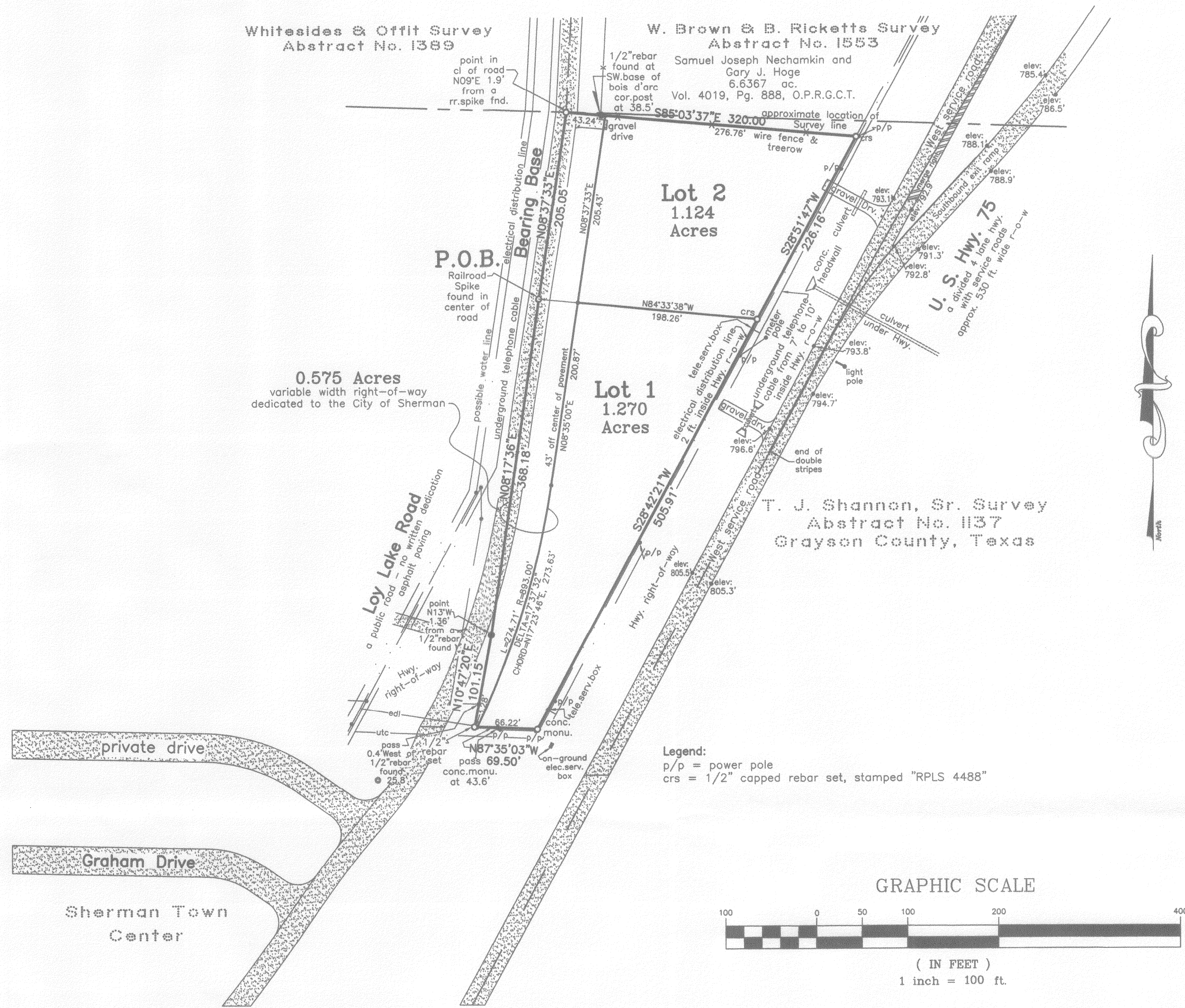
R-A Single Family Agricultural District

SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 206 feet



Harmon Addition to City of Sherman, Texas 2.969 Acres

in the
**T. J. Shannon, Sr. Survey
Abstract No. 1137**

Ron Harmon Properties, Ltd.
Owner
Brad Andus
P.O. Box 2531
Denton, Texas 76202
Developer

General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co..
4. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
5. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
6. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
7. Presently zoned: _____
8. Proposed zoning: _____

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Firm Registration No.: 10088100
Texas Board of Professional Land Surveying

FIELD NOTES

SITUATED in the County of Grayson, State of Texas, being a part of the T. J. Shannon, Sr. Survey, Abstract No. 1137, being the 1.642 acre tract of land conveyed by Warranty Deed from Mary Faith Essin to Ron Harmon Properties, Ltd., on June 30, 2005, recorded in Volume 3888, Page 939, Official Public Records, Grayson County, Texas, being the 1.327 acre tract of land conveyed by Warranty Deed from Jean W. Gravley, Steve Chitwood and Jenna Chitwood to Ron Harmon Properties, Ltd. on June 30, 2005, recorded in Volume 3889, Page 15, said Official Public Records, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike found in the center of Loy Lake Road, a "North-South" public road, at the Northwest corner of said Ron Harmon Properties 2.969 ac. and the Southwest corner of said Ron Harmon Properties, Ltd. 1.327 ac.;

THENCE North 08 deg. 37 min. 33 sec. East, with the West line of said Ron Harmon Properties 1.327 ac., with the center of said Loy Lake Road, a distance of 205.05 ft. to a point at the Southwest corner of the 6.6367 ac. tract of land conveyed to Samuel Joseph Nechamkin and Gary J. Hoge in Volume 4019, Page 888, said Official Public Records, at the Northwest corner of both said Ron Harmon Properties 1.327 ac. and the herein described tract;

THENCE South 85 deg. 03 min. 37 sec. East, with the South line of said Nechamkin and Hoge 6.6367 ac. and the North line of said Ron Harmon Properties 1.327 ac., a distance of 320.00 ft. to a 1/2 inch capped rebar set in the West right-of-way line of U. S. Hwy. 75, at the Southeast corner of said Nechamkin and Hoge 6.6367 ac., at the Northeast corner of both said Ron Harmon Properties 1.327 ac. and the herein described tract;

THENCE South 28 deg. 51 min. 47 sec. West, with the West right-of-way line of said highway and the East line of said Ron Harmon Properties 1.327 ac., a distance of 226.16 ft. to a 1/2 inch capped rebar set at the Southeast corner of said Ron Harmon Properties 1.327 ac. and the Northeast corner of said Ron Harmon Properties 1.642 ac.;

THENCE South 28 deg. 42 min. 21 sec. West, continuing with the West right-of-way line of U. S. Hwy. 75, a distance of 505.91 ft. to a concrete mounment found at the Southeast corner of said Ron Harmon Properties 1.642 ac., an ell corner of said Hwy. 75 right-of-way;

THENCE North 87 deg. 35 min. 03 sec. West, with a North right-of-way line of U. S. Hwy. 75, passing a concrete monument found in the East line of Loy Lake Road at 43.6 ft., and continuing for a total distance of 69.50 ft. to a 1/2 inch rebar set at the Southwest corner of said Ron Harmon Properties 1.642 ac., an ell corner of said Hwy. 75 right-of-way, said rebar being about 35 ft. East of the asphalt paving of Loy Lake Road;

THENCE North 10 deg. 47 min. 20 sec. East, with an East right-of-way line of U. S. Hwy. 75 and the West line of said Ron Harmon Properties 1.642 ac., passing a Northeast corner of said Hwy. right-of-way at about 26 ft., and continuing for a total distance of 101.15 ft. to an angle point, which bears North 13 deg. West, 1.36 ft. from a 1/2 inch rebar found, said point being about 9 ft. East of said asphalt paving;

THENCE North 08 deg. 17 min. 36 sec. East, continuing with the West line said Ron Harmon Properties 1.642 ac., crossing the East edge of said asphalt paving at about 50 ft., and continuing, angling across said paving and intersecting the center of thereof at about 200 ft., and continuing with now with said center of paving, for a total distance of 368.18 ft. to the **PLACE OF BEGINNING** and containing **2.969 ACRES** of land.

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Billy F. Helvey, R. P. L. S. No. 4488
Firm Registration No.: 10088100
Texas Board of Professional Land Surveying



I, Ron Harmon, Authorized Agent for Ron Harmon Properties, Ltd., owner of Harmon Addition, to City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Ron Harmon

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Ron Harmon, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2014.

Notary Public, Grayson County, Texas

City of Sherman

This, the final plat of Harmon Addition to City of Sherman, Texas, is hereby approved this _____ day of _____, 2014, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman

Secretary

This, the final plat of Harmon Addition to City of Sherman, Texas, is hereby approved this _____ day of _____, 2014, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Harmon Addition to City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2014, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2014, BY CITY CLERK, CITY OF SHERMAN, TEXAS

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Firm Registration No.: 10088100
Texas Board of Professional Land Surveying



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 6.

Meeting Date: 05/20/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Sam Thorpe, Commissioner

Brad Morgan, Commissioner

Ronnie Dutton, Commissioner

Ron Barton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Ryan Michael Kreck, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

*** 4300 BLOCK N. U.S. HIGHWAY 75**

The request of Ron Harmon Properties (Owner), Brad Andrus (Prospective Buyer) and Helvey and Associates (Surveyor) concerning the property located in the 4300 Block N. U.S. Highway 75, being 2.969 acres in the T.J. Shannon, Sr. Survey, Abstract No. 1137, as follows:

Planning and Zoning Commission

Preliminary and Final Plat approval of Harmon Addition

Background:

The property is located in the 4300 N. U.S. Highway 75 between Fallon and Graham Drive near the Sherman Town Center. The prospective buyer would like to plat the property into two lots for commercial development.

Adjacent Zoning:

C-1 (Retail Business) District and C-2 (General Commercial) District

Origination:

Ron Harmon Properties (Owner)
Brad Andrus (Prospective Buyer)
and Helvey and Associates (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Preliminary Plat

Final Plat

Staff Review Letter

**STAFF REVIEW LETTER**

May 15, 2014

Ron Harmon Properties
9194 FM 1377
Blue Ridge, TX 75424

Brad Andrus
PO Box 2531
Denton, TX 76202

Dear Applicants,

The request for approval of a Preliminary and Final Plat of the Harmon Addition, for the property located in the 4300 block of N. U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 20, 2014 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

PRELIMINARY:

1. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department.
2. The width of right-of-way for streets and the pavement width shall be shown.
3. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
4. A west to east drainage easement of sufficient width to carry the water shall be dedicated on Lot 2.
5. The existing 20' Water and Sewer Easements shall be shown on the preliminary plat.
6. Additional easement may need to be dedicated along the east side of Lot 1 and Lot 2 for construction of future sewer.
7. Escrow to be paid for Loy Lake Road at the time of development.
8. Privately owned and maintained detention in accordance with City criteria is required
9. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
10. Sewer shall be extended to serve the property.
11. Utilities shall be verified by the developer to assure adequate capacity for the development.
12. All preliminary plat requirements are to be met prior to filing the final plat.
13. Any other changes made to the preliminary plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff as to not require resubmission to the Planning and Zoning Commission.

FINAL:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department.

4. The width of right-of-way for streets and the pavement width shall be shown.
5. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
6. A west to east drainage easement of sufficient width to carry the water shall be dedicated on Lot 2.
7. The existing 20' Water and Sewer Easements shall be shown on the final plat.
8. Additional easement may need to be dedicated along the east side of Lot 1 and Lot 2 for construction of future sewer.
9. Escrow to be paid for Loy Lake Road at the time of development.
10. Privately owned and maintained detention in accordance with City criteria is required.
11. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
12. Sewer shall be extended to serve the property.
13. Utilities shall be verified by the developer to assure adequate capacity for the development.
14. Utility notations shall be removed from the final plat.
15. Driveways shall be removed from the final plat.
16. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,


Clay Barnett *P.P. Lisa Whitfield*
Dir. of Public Works and Engineering

CC: George Olson, City Manager
Brandon Shelby, City Attorney
Jamie Baggs, Fire Marshal
Lisa Whitfield, Engineering & Development Coordinator
Helvey & Associates, 222 W Main, Denison, TX 75020

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Dir. of Community and Support Services



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. M.

Meeting Date: 06/16/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: George Olson, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2014 Council Calendar

2014

JANUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
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23	24	25	26	27	28	

MARCH						
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30	31					

APRIL						
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27	28	29	30			

MAY						
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25	26	27	28	29	30	31

JUNE						
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22	23	24	25	26	27	28
29	30					

JULY						
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27	28	29	30	31		

AUGUST						
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31						

SEPTEMBER						
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28	29	30				

OCTOBER						
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NOVEMBER						
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30						

DECEMBER						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

1/17/2014	Joint Meeting w/SEDCO Board - Panda Tour - Cancelled
2/3/2014	Regular City Council Meeting - Cancelled
2/12/2014	Called Meeting for Informational Presentation
2/26/2014	Called Meeting for Informational Presentation
3/12/2014	Called Meeting for Informational Presentation
3/21/2014	Joint Meeting w/SEDCO Board - Panda Tour

3/26/2014	Called Meeting for Informational Presentation
4/18/2014	Called Budget Planning Meeting in Council Chambers
4/21/2014	Regular City Council Meeting - Cancelled
06/18-19/2014	Called Budget Workshop in Council Chambers
9/1/2014	Labor Day/Called Council Meeting on 09/02/2014