

STATE OF TEXAS §
 December 17, 2018
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on December 17, 2018.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR SHAWN TEAMANN
 (VIA SKYPE).
 COUNCIL MEMBERS HOLLAND, HOWETH, MELTON,
 STEELE, STEVENSON.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Deputy Mayor Shawn Teamann.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of December 3, 2018. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Holland. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

ANNOUNCEMENT

Robby Hefton, City Manager, announced that Terrence Steele, Director of Administration, has been promoted to Assistant City Manager, effective January 1, 2019.

NEW ASSISTANT
CITY MANAGER

He said as the City grows, and takes on additional projects, the staff grows too. Mr. Steele will serve as one of two Assistant City Managers, along with Steve Ayers. He has previously served the City as a City Council Member, and for the last year as a staff member.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6169 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER NINE (#9), CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 6169
INDUSTRIAL
REINVESTMENT
ZONE #9

Mary Lawrence, Director of Finance, said this ordinance designated Tyson's property as a Reinvestment Zone, which is the first required step for the City to grant a Tax Abatement Agreement.

COUNCIL MINUTES – DECEMBER 17, 2018

The project receiving the abatement is for Tyson to add about 80,000 square feet to their facility and some additional equipment. The project is expected to add about \$19 million to the tax rolls. The abatement is for six years at 50% per year, which is in accordance with the City's tax abatement matrix.

No citizens appeared before the City Council to discuss Ordinance No. 6169.

Mayor Plyler introduced Ordinance No. 6170 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE DEVELOPED RIGHT-OF-WAY BEING EAST LAKE STREET BETWEEN MONTGOMERY STREET AND THE FORMER HOUSTON & TEXAS CENTRAL RAILROAD TO THE EAST OF MONTGOMERY STREET, BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A", SAID RIGHT-OF-WAY TO BE RETAINED AND MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, DOUGLASS DISTRIBUTING, INC.

**ORD 6170
ABANDON ROW
ON E. LAKE ST**

Clint Philpott, City Engineer, said there were some major rain events in 2015 and the culvert along Lake Street failed. After working with FEMA, it was determined that the City would not reopen Lake Street, but would work on plans to extend Park Avenue, which is part of the Master Thoroughfare Plan.

The extension of Park Avenue includes two railroad crossings, and work with the Railroad has taken longer than expected. There is an approved plan with the Railroad, but the City is waiting on a contract for them to begin their work. The City will then bid out the work to extend the street.

Since the plan has been approved, the City will abandon this part of Lake Street, and Douglass Distributing will be purchasing the property. On the east side of the railroad tracks, a cul-de-sac will be installed.

Bill Douglass, Douglass Distributing

Mr. Douglass said they have worked with the City for three years on this particular street. Douglass Distributing has 40 contiguous acres that are separated by Lake Street. This will allow his company to drive their forklifts across the closed street instead of driving them on Montgomery Street. He said it is a very important piece for them, safety-wise. Many big semi-trucks use their facility.

He thanked the City Council for working with them to abandon Lake Street and allow them to purchase the abandoned portion that is adjacent to their property.

No other citizens appeared before the City Council to discuss Ordinance No. 6170.

Mayor Plyler introduced Ordinance No. 6171 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AT 511 NORTH EAST STREET, BEING PART OF LOTS 3, 6 AND 7, BLOCK 9, BOND'S 2ND ADDITION, CONTAINING 0.3334 ACRES (TOBAR PROPERTIES, LLC, OWNER; NBS DRAFTING & DESIGN, DRAFTSMAN; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6171
ZONE CHANGE
(511 N. EAST ST)

Scott Shadden, Director of Development Services, said the request is to build a four-plex. The Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter.

Juan Lopez, 515 Fairhaven Dr., Allen, Texas

Mr. Lopez, an attorney representing Tobar Properties, was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6171.

Mayor Plyler introduced Ordinance No. 6172 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 4100-4300 BLOCKS OF QUAIL RUN ROAD; TRACT 1: BEING 2.060 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING THE PROPOSED LOTS 39-49, BLOCK 11, THE PRESERVE, PHASE II; TRACT 2: BEING 1.513 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING THE PROPOSED LOTS 10-18, BLOCK 14, THE PRESERVE, PHASE II (WESTAR HOME BUILDERS, LLC, OWNERS; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6172
SUP FOR
PATIO HOMES
(4100-4300 BLOCKS
QUAIL RUN RD)

Mr. Shadden said this is for a Specific Use Permit to allow patio homes on 21 lots. They are platting 42 lots. The site is located west of FM 1417 and north of the Pulte Subdivision. The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter.

Jonathan Hake, 131 S. Tennessee, McKinney, Texas

Mr. Hake appeared representing Westar Homes. The request is for patio homes, however the intent is not to build patio homes, but to build traditional, single-family homes. The request would allow them to reduce the front yard setback, due

to some slopes in the lots. The homes will have a bigger back yard.

No other citizens appeared before the City Council to discuss Ordinance No. 6172.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6169

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER NINE (#9), CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

ORD 6169
INDUSTRIAL
REINVESTMENT
ZONE #9

Ordinance 6170

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE DEVELOPED RIGHT-OF-WAY BEING EAST LAKE STREET BETWEEN MONTGOMERY STREET AND THE FORMER HOUSTON & TEXAS CENTRAL RAILROAD TO THE EAST OF MONTGOMERY STREET, BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A", SAID RIGHT-OF-WAY TO BE RETAINED AND MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, DOUGLASS DISTRIBUTING, INC.

ORD 6170
ABANDON ROW
ON E. LAKE ST

Council Member Howeth said there is currently a "street closed" sign on East Lake Street. She asked if the sign will remain after the street is closed or will it be moved. She asked about the cul-de-sac or if it will be a dead-end street.

Mr. Philpott said from First Street, heading west, will eventually connect to Park Avenue. There will be a "T" intersection about two blocks in, that will lead to the cul-de-sac and will go north. There will be a "no thru traffic" sign.

Ordinance 6171

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AT 511 NORTH EAST STREET, BEING PART OF LOTS 3, 6 AND 7, BLOCK 9, BOND'S 2ND ADDITION, CONTAINING 0.3334 ACRES (TOBAR PROPERTIES, LLC, OWNER; NBS DRAFTING & DESIGN, DRAFTSMAN; AND HELVEY-WAGNER SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6171
ZONE CHANGE
(511 N. EAST ST)

Ordinance 6172

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 PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 4100-4300 BLOCKS OF QUAIL RUN ROAD; TRACT 1: BEING 2.060 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING THE PROPOSED LOTS 39-49, BLOCK 11, THE PRESERVE, PHASE II; TRACT 2: BEING 1.513 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING THE PROPOSED LOTS 10-18, BLOCK 14, THE PRESERVE, PHASE II (WESTAR HOME BUILDERS, LLC, OWNERS; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6172
SUP FOR
PATIO HOMES
(4100-4300 BLOCKS
QUAIL RUN RD)

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance Nos. 6169, 6170, 6171, and 6172, as presented.

Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Melton asked to remove Item C-6, entitled "Resolution No. 6448 - Revoking and Replacing Resolution No. 6405; Establishing Salary Structures and Incentive/Certification Pay Schedules for Firefighters and Police Officers; Establishing Special Longevity Pay Schedules for Newly Hired Firefighters and Police Officers; Providing for an Effective Date," from the Consent Agenda, for consideration in its regular order of business.

CONSENT AGENDA

Council Member Steele moved to approve the Consent Agenda, with the exception of Item C-6, which will be considered in its regular order of business. Second by Council Member Howeth. All present voted AYE.

RESOLUTIONS

RESOLUTION NO. 6448 – REVOKING AND REPLACING RESOLUTION NO. 6405; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 6405; ESTABLISHING SALARY

RES 6448
POLICE & FIRE
SALARY & INCENTIVE
PAY

STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Melton asked to remove Item C-6 from the Consent Agenda for consideration in its regular order of business.

She asked about the different time period for police and fire pay scales. The limitations on the pay are different for police and fire because one is “capped out” and one is not. Since both are Civil Service, she asked why they were not the same.

Zach Flores, Police Chief, explained that the departments have different variations and needs. The spirit of the ordinance is to remove barriers for bringing in employees laterally, with previous experience.

One thing the Fire Department faces that the Police Department doesn't is volunteers. The Police Department addresses experience on a case-by-case basis. Some officers may have a number of years experience at a department that is not equivalent to Sherman's department. They would reserve the right not to bring them in at the capped out level.

Chief Flores said basically, it is the two departments running independently. Even though they are both Civil Service, they operate independently of each other and cap the salary at a level where they feel comfortable.

Mr. Hefton added that each department has their own pay structures that have been adopted by the Council. The Fire Department's pay structure goes up to five or six years and the Police Department's goes up to 20 years. The departments are capped out at different rates on their pay structures, and this follows that same concept.

Mr. Hefton said at one time, there was no lateral entry and it was a barrier to attracting interested people to apply. When an applicant had experience at another department, but had to come in at “ground zero” it was a deterrent.

Council Member Melton asked Danny Jones, Fire Chief, if the levels for the Fire Department were set where he wanted them to be. Chief Jones said they were. He said one of the differences between police and fire in Sherman is that police have the opportunity to hire someone “off the street” and then send them to the Academy.

The Fire Department hires applicants that have already attended the Academy and are certified. He said this ordinance changes some of the specifics of the lateral program. The competition for hiring firefighters is growing

and will continue to grow, and these changes will help them hire experienced firefighters.

Council Member Melton asked if someone started with the City of Sherman and chose to leave, but then returned, would they receive their time and seniority back. Chief Flores said someone coming back to the City would retain their experience and time, and not have to start at the bottom. He added that, just because the employee's experience was with Sherman, it shouldn't be a handicap against them.

Council Member Melton asked how the other officers felt about the situation. Chief Flores said the officers also recognize that experience is important and they should be credited for that experience. He said he has not received any negative feedback from the proposal. Chief Jones said he has also received good response from his officers.

Council Member Steele verified that Chief Flores hired officers and then sent them to the Academy. Chief Jones hires firefighters that are already trained. Chief Jones said it is a local rule that they hire those already trained. They would have the ability to change that rule and hire employees and then send them for training.

Chief Jones said there is some "long-term thinking" about regional academies. There have been some discussions about A regional academy for several local departments. There have also been discussions with the Sherman Independent School District about a program where the students graduate and are ready to test for the Fire Department.

Deputy Mayor Teamann asked if there were other local departments that had a lateral program, or if Sherman was more competitive because they had it.

Chief Flores said there were other Police Departments that had lateral entry programs, especially in the Metroplex, because they can attract from Dallas. He said the program will keep them competitive. They are currently at full staff.

Council Member Melton asked if Sherman was the only City with four Police Chiefs at this level. Chief Flores said he did not know for sure, but the positions may be called something other than Assistant Chief. In Sherman they are called Assistant Chief so an appointment can be made. Other departments may title them differently, but they generally have a leader over each department.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6445, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6443 – NOMINATING TYSON FRESH MEATS, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM (“EDT”) THROUGH THE ECONOMIC DEVELOPMENT BANK (“BANK”) AS AN ENTERPRISE PROJECT (“PROJECT”) TO ENCOURAGE PRIVATE INVESTMENT AND JOB RETENTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, NOMINATING TYSON FRESH MEATS, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (“EDT”) THROUGH THE ECONOMIC DEVELOPMENT BANK (“BANK”) AS AN ENTERPRISE PROJECT (“PROJECT”) TO ENCOURAGE PRIVATE INVESTMENT AND JOB RETENTION; PROVIDING FOR A REPEALER.

RES 6443

TYSON FRESH MEATS
ENTERPRISE PROJECT

Ms. Lawrence said this resolution nominates Tyson as an Enterprise Project, and is the same project that was covered by the Tax Abatement earlier in the meeting.

In order to apply for the State Enterprise Zone Program, Tyson must be nominated by the City. The program allows them to receive a sales tax rebate on their State dollars only.

Tyson’s nomination to the program doesn’t cost the City anything and they will not receive any rebate on local sales tax dollars.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6443, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6444 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BROOKSTONE ESTATES DEVELOPMENT JOINT VENTURE FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN BROOKSTONE ESTATES ADDITION, A 23.455-ACRE DEVELOPMENT OFF OF F.M. 1417 (HERITAGE PARKWAY), SOUTHEAST OF QUAIL RUN ROAD IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BROOKSTONE ESTATES DEVELOPMENT JOINT VENTURE FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN BROOKSTONE ESTATES ADDITION, A 23.455-ACRE DEVELOPMENT OFF OF F.M. 1417 (HERITAGE PARKWAY), SOUTHEAST OF QUAIL RUN ROAD IN THE CITY OF SHERMAN.

RES 6444

DEVELOPMENT
AGREEMENT
(BROOKSTONE
ESTATES)

COUNCIL MINUTES – DECEMBER 17, 2018

Mr. Philpott said this is an agreement to build an 86 lot subdivision, east of FM 1417. It is Phase 2 of Joe Gilbert's Brookstone Garden Homes Addition.

The development will extend Brookstone Drive to the area north of Pebblebrook. Improvements will include water, sewer, streets, and storm drains.

Council Member Howeth said the Council is seeing a lot of requests for patio homes. She asked if Sherman was getting too many houses, patio homes, and duplexes, and expressed concern about a "glut" of housing.

Mr. Hefton said this request is for a development agreement, which means the City agrees to allow them to develop public infrastructure, and the City will take over maintenance of it.

There was a request earlier in the meeting for patio homes, which requires a different setback and different lot sizes. Whether or not this is too much, is driven by market forces, the economy, and a complex mix of variables.

He said there has been a "softening of the real estate market," but some of that is seasonal. He said developers "have their fingers on the pulse" and they are moving things along at the speed of where the demand is.

Council Member Steele said a few years ago there was a shortage of lots. He felt the developers wouldn't build houses if they didn't think they could sell them.

Mr. Hefton said there is still a limited inventory of available housing and he felt developers are trying to find that "sweet spot."

ACTION TAKEN.

Motion by Deputy Mayor Teamann to approve Resolution No. 6444, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6445 – AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BROCKETTE/DAVIS/DRAKE, INC. FOR THE ENGINEERING DESIGN OF FLANARY ROAD AND PROGRESS DRIVE EXTENSIONS/IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BROCKETTE/DAVIS/DRAKE, INC. FOR THE ENGINEERING DESIGN OF FLANARY ROAD AND PROGRESS DRIVE EXPANSION/IMPROVEMENTS.

**RES 6445
FLANARY RD &
PROGRESS DR
EXTENSION**

Mr. Philpott said the proposed engineering contract is for the design and extensions of Progress Drive and Flanary Road. This is the same engineering firm that has been doing Crossroads Development and designed West Travis Street.

The Sherman Economic Development Corporation has had some growing concerns with Progress Drive dead ending, especially when the BNF train blocks the intersection. When this happens, no one can enter or leave those two industries.

Because of that and the additional purchase of SEDCO land, the City began looking at this area. As the High School and other things develop north of FM 1417, Moore Street will connect to Flanary Road, which will make it a minor arterial for the Master Thoroughfare Plan.

This contract will address the design of Flanary Road and Progress Drive, with SEDCO paying for the design of Progress Drive and the City paying for the design of Flanary Road. SEDCO approved the contract at their last meeting. Construction would be phased according to development.

As with other extensions, they will not be building the four lane, divided road now, but it will be designed and the right-of-way purchased for future expansion.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6445, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6446 – FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF THE SHERMAN NORTHWEST LIFT STATION AND SEWER IMPROVEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING AND DETERMINING A PUBLIC PURPOSE AND PUBLIC NECESSITY EXISTS FOR CONSTRUCTION OF THE SHERMAN NORTHWEST LIFT STATION AND SEWER IMPROVEMENTS; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED

RES 6446
NORTHWEST LIFT
STATION & SEWER
IMPROVEMENTS

PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
CONSENT AGENDA.

RESOLUTION NO. 6447 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH LUZ M. LESZCZYNSKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 411 WEST CHERRY STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH LUZ M. LESZCZYNSKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 411 WEST CHERRY STREET.
CONSENT AGENDA.

RES 6447
RESIDENTIAL
PROPERTY TAX
ABATEMENT
(411 W. CHERRY)

REQUEST TO ADVERTISE
ANNUAL SUPPLY OF CHEMICALS

The City Council approved the request to advertise for the annual supply of chemicals for calendar year 2019. These chemicals are for use at the Water Treatment Plant and the Wastewater Treatment Plant.
CONSENT AGENDA.

REQ TO ADVERTISE
ANNUAL SUPPLY
OF CHEMICALS

OTHER BUSINESS

SETTING THE PUBLIC HEARING ON THE PROPOSED AGREEMENT WITH TYSON FRESH MEATS, INC. FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER NINE (#9), CITY OF SHERMAN, TEXAS

Ms. Lawrence said this item will set the public hearing for January 7, 2019, for the tax abatement agreement with Tyson that was previously discussed.

TYSON FRESH MEATS
PROPERTY TAX
ABATEMENT

ACTION TAKEN.

Motion by Council Member Stevenson to set a public hearing for January 7, 2019, for the abatement of Ad Valorem Property Taxes for Tyson Fresh Meats, Inc., as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

REPLAT APPROVAL OF LOTS 1, 2 AND 3, PARKVIEW ADDITION AND ADJOINING TRACT TO THE SOUTH, BEING 0.801 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763; CITY OF SHERMAN AND SCOTT ADAMS, OWNERS; AND HELVEY-WAGNER SURVEYING, SURVEYOR (106 NORTH WOODS, 118 AND 128 KESSLER BOULEVARD)

Mr. Shadden said this Replat is located at Woods Street, where Kessler Boulevard was closed. The owners would like to replat the property into two lots. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.

APPROVAL OF REPLAT
PARKVIEW ADDITION
(106 N. WOODS;
118 & 128 KESSLER)

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Council Member Melton asked if the City owned a portion of the property. Mr. Philpott said the City purchased eight lots, north of this Replat in 2015 when the street failed. After a second failure during construction, it made more sense to purchase the property. All property was voluntarily purchased.

Scott Adams, owner of Tracks Restaurant, owned the remaining three lots to the south. The City has worked with Mr. Adams on the Replat. Lot 1 on the Replat will be a parking lot and he will donate Lot 2 to the City to be used as a linear park.

ACTION TAKEN.

Motion by Council Member Howeth to approve the Replat of Lots 1, 2 and 3, Parkview Addition, and the adjoining tract to the south, located at 106 North Woods, and 118 and 128 Kessler, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF SHERMAN CROSSROADS, PHASE II, BEING 21.5528 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; SHERMAN CROSSROADS, LTD, OWNERS; AND BROCKETTE/DAVIS/DRAKE, INC., SURVEYOR (3100-3600 BLOCKS OF SOUTH U.S. HIGHWAY 75)

The City Council approved the Final Plat of the Sherman Crossroads, Phase II, which is 21.5528 acres located in the 3100 to 3600 blocks of South U.S. Highway 75. The property is located at the northwest corner of Highway 75 and West FM 1417, just south of the new West Travis Street extension.

The owners would like to plat the property into three lots for commercial development and dedicate a new street, "Crossroads Boulevard."

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

CONSENT AGENDA.

VARIANCE AND SITE PLAN APPROVAL FOR SHERMAN CROSSROADS, LTD, OWNERS; BRAUM'S, DEVELOPER/ TENANT, BROCKETTE/DAVIS/DRAKE, INC., SURVEYOR; KIMLEY HORN, CIVIL ENGINEER; AND ELLIOTT ARCHITECTS, INC., ARCHITECT UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTIONS 410 (2)(G) AND SECTION 410 (2)(J) TO ALLOW A 33" SETBACK ON THE SOUTH PROPERTY LINE FOR A BRAUM'S ICE CREAM AND DAIRY IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT AT 3120 SOUTH U.S. HIGHWAY 75

The City Council approved the Variance and Site Plan for Sherman Crossroads, LTD, to allow a 33' setback on the south

APPROVAL OF FINAL
PLAT - SHERMAN
CROSSROADS
(3100-3600 BLOCKS
OF S. HWY 75)

VARIANCE & SITE
PLAN – SHERMAN
CROSSROADS
(3120 S. HWY 75)

property line for a Braum's Ice Cream and Dairy in the Blalock Industrial Park, Blalock Commercial Overlay District, located at 3120 South Highway 75.

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

CONSENT AGENDA.

REPLAT APPROVAL OF THE SHOPS OF GRAYSON ADDITION, BEING A REPLAT OF LOT 4 OF DR. SWAMY ADDITION, LOTS 1-7, BLOCK 1 AND LOT 3R OF THE REPLAT OF LOTS 2 AND 3, BLOCK 1, DR. SWAMY ADDITION, BEING LOT 4 OF DR. SWAMY ADDITION, LOTS 1-7, BLOCK 1, DR. SWAMY ADDITION AND LOT 3R OF THE REPLAT OF LOTS 2 AND 3, BLOCK 1, DR. SWAMY ADDITION, CONTAINING 2.433 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875; ONE GANESHA LTD, OWNERS; DR. ARSHAD KHALIL, M.D., PROSPECTIVE BUYER; KISS DEVELOPMENT, DEVELOPER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (2415 AND 2429 SWAMY DRIVE)

The City Council approved the Replat of The Shops of Grayson Addition, which is a Replat of a portion of Dr. Swamy Addition, located at 2415 and 2429 Swamy Drive.

The property is zoned a C-2 (General Commercial) District and is also located in the O-1 (75 & 82) Overlay District and O-1.3 (F.M. Highway 691) Overlay District. The owners would like to plat two lots into one lot for commercial development.

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

CONSENT AGENDA.

REPLAT APPROVAL OF LOT 6, BLOCK A, DR. SWAMY ADDITION, BEING LOT 6, BLOCK A, DR. SWAMY ADDITION, CONTAINING 2.714 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875; 2017 GK ASSOCIATES, LLC, DR. MANDEEP SINGH, M.D., OWNERS; DEAN GILBERT, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR (2416 AND 2500 SWAMY DRIVE)

The City Council approved the Replat of Lot 6, Block A, Dr. Swamy Addition, located at 2416 and 2500 Swamy Drive.

The property is zoned a C-2 (General Commercial) District and is also located in the O-1 (75 & 82) Overlay District and O-1.3 (F.M. Highway 691) Overlay District. The owners would like to plat one lot into two lots for commercial development.

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

CONSENT AGENDA.

FINAL PLAT APPROVAL OF THE PRESERVE, PHASE II, BEING 10.264 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; WESTAR HOME BUILDERS, LLC,

APPROVAL OF REPLAT
THE SHOPS OF
GRAYSON ADDITION
(2415 & 2429
SWAMY DR)

APPROVAL OF REPLAT
DR. SWAMY ADDITION
(2416 & 2500 SWAMY
DR)

APPROVAL OF FINAL
PLAT – THE PRESERVE
(4100-4300 BLOCKS

OWNERS; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (4100-4300 BLOCKS OF QUAIL RUN ROAD)

OF QUAIL RUN RD)

The City Council approved the Final Plat of The Preserve, Phase II, which is a 10.264 acre tract, located in the 4100 to 4300 blocks of Quail Run Road.

The property is zoned an R-1 (One Family Residential) District and the owners would like to plat the property into forty-two lots for residential development.

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

REPLAT APPROVAL OF THE TOBAR ADDITION, BEING A REPLAT OF THE SOUTH 48' OF LOT 30 AND THE NORTH 8' OF THE ALLEY, BLOCK 10 OF THE HARE AND RANDOLPH ADDITION, BEING 0.273 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING THE SOUTH 48' OF LOT 30 AND THE NORTH 8' OF THE ALLEY, BLOCK 10, HARE & RANDOLPH ADDITION; LETICIA AND JULIO CESAR TOBAR, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (714 SOUTH CROCKETT STREET)

APPROVAL OF REPLAT
THE TOBAR ADDITION
(714 S. CROCKETT)

The City Council approved the Replat of The Tobar Addition, which is a Replat of a portion of the alley, of the Hare and Randolph Addition, and is located at 714 South Crockett Street.

The owners would like to replat the property into two lots for residential development. The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF BARNES SUBDIVISION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 5.326 ACRES IN THE JEREMIAH McDANIEL SURVEY, ABSTRACT NO. 774; DANNY & MELVA BARNES, LLC, OWNERS; AND HELVEY-WAGNER SURVEYING, SURVEYOR (2789 LUELLA ROAD)

APPROVAL OF FINAL
PLAT – BARNES
SUBDIVISION (ETJ –
2789 LUELLA RD)

The City Council approved the Final Plat of Barnes Subdivision in the City's Extra Territorial Jurisdiction. The 5.326 acre tract is located at 2789 Luella Road. The owners would like to plat the property into two lots.

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

CITIZENS REQUESTS

There were no citizen's requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

MERRY CHRISTMAS

Council Member Melton wished everyone a Merry Christmas, safe travels, and a Happy New Year.

MERRY CHRISTMAS

FLOODING FROM RAINS

Council Member Melton asked if anyone was having trouble from the last rains in Sherman.

FLOODING FROM
RAINS

EMPLOYEE APPRECIATION DAY

Council Member Steele said he enjoyed the Employee Appreciation Day luncheon recently and appreciated all the employees that work for the City.

EMPLOYEE
APPRECIATION
DAY

MERRY CHRISTMAS

Council Member Howeth said it was great to see how many wonderful people work for the City and to know that they enjoy each other's company. She wished everyone a Merry Christmas and a Happy New Year, and asked them to be safe over the holidays.

MERRY CHRISTMAS

THANKS TO INFORMATION TECHNOLOGY STAFF

Deputy Mayor Teamann thanked the City's IT staff that helped him Skype into the last City Council Meeting, adding that it was nice to be back in person. He recognized all the staff that keep the City running.

THANKS TO
IT STAFF

EMPLOYEE APPRECIATION DAY

Council Member Holland said the Employee Appreciation Day was really great and everyone seems to be really happy. He wished everyone a Merry Christmas and a Happy New Year.

EMPLOYEE
APPRECIATION
DAY

COLLEGE PARK OVERLAY DISTRICT

Council Member Stevenson asked that the Council review the College Park Overlay District and see if anything needs to be updated or brought up to modern standards.

COLLEGE PARK
OVERLAY DISTRICT

FLOODING ISSUES ON CLEVELAND STREET

Council Member Stevenson asked the staff to inspect the 700 block of Cleveland Street for flooding issues and see if those issues can be resolved.

FLOODING ISSUES
ON CLEVELAND ST

EMPLOYEE APPRECIATION DAY

Council Member Stevenson thanked the City employees for inviting the Council to the Employee Appreciation Day activities.

EMPLOYEE
APPRECIATION
DAY

He works in government and said, people only pay attention to what you do when something goes wrong. No one cares when something goes right. He said something "goes right" for the City of Sherman almost every day.

He thanked all the City employees for the job they do and wished them a Merry Christmas.

SERVICE AS MAYOR

Mayor Plyler said it was humbling for him to serve as Mayor of Sherman and he felt blessed to serve the citizens. He said Sherman is a great City with a lot of great folks, and a lot of good things going on. He said they were very thankful and blessed to serve such great citizens. He wished everyone a Merry Christmas and a Happy New Year.

SERVICE AS MAYOR

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

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

EXECUTIVE SESSION

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

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

SECTION 551.074 -- PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: PLANNING AND ZONING COMMISSION (2)

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:43 p.m.

COUNCIL MINUTES – DECEMBER 17, 2018

On Motion duly made and carried, the Executive Session recessed at 6:01 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

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

PLANNING AND ZONING COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Stevenson to reappoint Clay Mahone to the Planning and Zoning Commission, for a term from September 22, 2018 to September 22, 2021; and to appoint Paul Manley for a term from December 18, 2018 to December 18, 2021. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

**PLANNING &
ZONING COMMISSION**

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:02 p.m.

ADJOURNMENT

MAYOR

CITY CLERK