STATE OF TEXAS §

May 7, 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 May 7, 2018.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH. COUNCIL MEMBERS HOLLAND, SOFEY, STEELE, STEVENSON, TEAMANN.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance was led by Cole Norris, Boy Scout Troop 44. The Invocation was given by Deputy Mayor Pam Howeth.

PROCLAMATION

"MENTAL HEALTH AWARENESS MONTH" – MAY 2018 — **MENTAL HEALTH AWARENESS MONTH (MAY 2018)**

Council Member Teamann presented a proclamation to Tom Watt, Grayson County Sheriff and Texoma Community Center Board Member, and Jason Jeffcoat, Sherman Assistant Police Chief, designating May 2018 as "Mental Health Awareness Month."

He also recognized many citizens and organizations that serve on the Texoma Behavioral Health Leadership Team. See the attached Exhibit.

Sheriff Watt said it was an honor to represent the Texoma Behavioral Health Leadership Team as Co-Chairman, along with Zach Flores, Sherman Police Chief. He said the "main push" comes from the chief facilitator Gail Utter.

He said the Team is gaining momentum, and citizens must start talking about the issues of mental health in Grayson County. He thanked the City Council for the proclamation.

Assistant Chief Jeffcoat said the Team has made significant strides and it is amazing some of the changes that the police officers have seen.

Mayor Plyler thanked the Leadership Team saying that when they come together regionally, they get things done. He thanked Ms. Utter for her leadership.

"POLICE WEEK" – MAY 13-19, 2018 — **POLICE WEEK (MAY 13-19, 2018)**

Mayor Plyler presented a proclamation to Assistant Chief Jeffcoat, designating May 13 through 19, 2018 as "Police Week." He also thanked him for his service.

Assistant Chief Jeffcoat thanked the City Council for the proclamation, adding that Sherman has the best police officers in the Country. "They are braver than you can imagine."

He said recognition from the City Council means a lot to them and they are there for the citizens and the City Council.

INTRODUCTION — **INTRODUCTION**

Robby Hefton, City Manager, introduced Leah Campbell as the City's new Human Resources and Organizational Development Manager. He said Ms. Campbell brings many years of human resources experience to the City.

APPROVE MINUTES — **APPROVE MNUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of April 16, 2018. Council Member Stevenson moved to approve the Minutes as presented; Second by Council Member Teamann. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6111 and called for a public hearing: — **ORD 6111 SUP FOR EVENT CENTER (123 N. WALNUT)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT AT 124 NORTH WALNUT STREET, BEING LOTS 8 AND 10, BLOCK 3, OTP SHERMAN (VANDERVEER GROUP, LLC, OWNERS; SEAN VANDERVEER, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Scott Shadden, Director of Development Services, said this is the old Roberts, Sanford and Taylor building. The Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter.

Sean Vanderveer, 113 North Travis Street, Suite 300
Mr. Vanderveer said they wanted to use about 10,500 square feet of the building, which is about 40% of the building for the event center. He felt it would be good for the downtown area.

No other citizens appeared before the City Council to discuss Ordinance No. 6111.

Mayor Plyler introduced Ordinance No. 6112 and called for a public hearing: — **ORD 6112 SUP FOR RESALE SHOP (220 N. SUNSET)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A RESALE SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT AT 220 NORTH SUNSET BOULEVARD, SUITE A, BEING LOT 1, BLOCK 1 AND PART OF BLOCK 2, OF THE SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION (WESTWOOD VILLAGE RETAIL, LLC, OWNERS; LACINDA HOLLIS, HOLLIS

UNLIMITED, TENANT/REPRESENTATIVE; AND HELVEY-WAGNER 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.

Mr. Shadden said the Planning and Zoning Commission recommended approval of the Specific Use Permit, subject to the Staff Review Letter. The resale shop is actually moving a few doors down in the same shopping center.

<u>LaCinda Hollis, 220 Sunset Blvd., Suite C12</u>
Ms. Hollis said they need additional space and are moving to a larger retail area.

No other citizens appeared before the City Council to discuss Ordinance No. 6112.

Mayor Plyler introduced Ordinance No. 6113 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 1305 SOUTH F.M. 1417 (HERITAGE PARKWAY), TRACT 1: BEING 0.011 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AND TRACT 2: BEING 0.070 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (1305 S FM 1417 LP, OWNERS; JOE GILBERT, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6113
ZONE CHANGE
(1305 S. FM 1417)

Mr. Shadden said the Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter.

This is for multi-family zoning of a "very thin edge" of an existing multi-family tract. The site plan has already been approved.

No citizens appeared before the City Council to discuss Ordinance No. 6113.

Mayor Plyler introduced Ordinance No. 6114 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 IN THE 2600-2700 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING 48.617 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (SSCGC HOLDINGS, LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6114
ZONE CHANE
(2600-2700 BLOCKS OF S. US HWY 75)

Mr. Shadden said the Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter. This request is for the southwest portion of Stone Creek Golf Course.

No citizens appeared before the City Council to discuss Ordinance No. 6115.

Mayor Plyler introduced Ordinance No. 6115 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2932 PRESTON CLUB DRIVE, BEING LOT 21, BLOCK 1, PRESTON CLUB, THE CLASSICS SUBDIVISION (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6115 ZONE CHANGE (2932 PRESTON CLUB DR)

Mr. Shadden said the Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter for this item, as well as the next four similar requests.

He explained that the land at the Preston Club Golf Course was annexed into the City as R-A (Single-Family - Agricultural) per the City's ordinance. The request is to change the zoning to R-1 (One and Two-Family Residential), which complies with the City's Master Plan.

No citizens appeared before the City Council to discuss Ordinance No. 6115.

Mayor Plyler introduced Ordinance No. 6116 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3218 PRESTON CLUB DRIVE, BEING LOT 13R, BLOCK 11, PRESTON CLUB, THE LEGENDS, PHASE 1, REPLAT LOTS 11, 12 & 13, BLOCK 11 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6116 ZONE CHANGE (3218 PRESTON CLUB DR)

Brandon Shelby, City Attorney, explained that the next four ordinances will have the same explanation and the captions could be read together.

No citizens appeared before the City Council to discuss Ordinance No. 6116.

Mayor Plyler introduced Ordinance No. 6117 and called for a public hearing:

ORD 6117 ZONE CHANGE (3315 PRESTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3315 PRESTON CLUB DRIVE, BEING LOT 12, PRESTON CLUB, THE LEGENDS, PHASE 3 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER. **CLUB DR)**

No citizens appeared before the City Council to discuss Ordinance No. 6117.

Mayor Plyler introduced Ordinance No. 6118 and called for a public hearing: **ORD 6118 ZONE CHANGE (3323 PRESTON CLUB DR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3323 PRESTON CLUB DRIVE, BEING LOT 10, PRESTON CLUB, THE LEGENDS, PHASE 3 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance No. 6118.

Mayor Plyler introduced Ordinance No. 6119 and called for a public hearing: **ORD 6119 ZONE CHANGE (5010 BUFFALO RIDGE TR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 5010 BUFFALO RIDGE TRAIL, BEING LOT 8, BLOCK 1, PRESTON CLUB, THE CLASSICS, PHASE TWO (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance No. 6119.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6111 **ORD 6111 SUP FOR EVENT CENTER (123 N. WALNUT)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EVENT CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT AT 124 NORTH WALNUT STREET, BEING LOTS 8 AND 10, BLOCK 3, OTP SHERMAN (VANDERVEER GROUP, LLC, OWNERS; SEAN VANDERVEER, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT

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

Ordinance 6112

ORD 6112 SUP FOR RESALE SHOP (220 N. SUNSET)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A RESALE SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT AT 220 NORTH SUNSET BOULEVARD, SUITE A, BEING LOT 1, BLOCK 1 AND PART OF BLOCK 2, OF THE SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION (WESTWOOD VILLAGE RETAIL, LLC, OWNERS; LACINDA HOLLIS, HOLLIS UNLIMITED, TENANT/REPRESENTATIVE; AND HELVEY-WAGNER 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.

Council Member Steele asked if any outdoor displays or storage would be allowed. Mr. Shadden said that was addressed in the Staff Review Letter and would not be allowed.

Ordinance 6113

ORD 6113 ZONE CHANGE (1305 S. FM 1417)

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 1305 SOUTH F.M. 1417 (HERITAGE PARKWAY), TRACT 1: BEING 0.011 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AND TRACT 2: BEING 0.070 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (1305 S FM 1417 LP, OWNERS; JOE GILBERT, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6114

ORD 6114 ZONE CHANE (2600-2700 BLOCKS OF S. US HWY 75)

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 IN THE 2600-2700 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING 48.617 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 (SSCGC HOLDINGS, LLC, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6115

ORD 6115 ZONE CHANGE (2932 PRESTON CLUB DR)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2932 PRESTON CLUB DRIVE, BEING LOT 21, BLOCK 1, PRESTON CLUB, THE CLASSICS SUBDIVISION (ROSSI REALTY, LLC, OWNERS;

JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6116 — **ORD 6116 ZONE CHANGE (3218 PRESTON CLUB DR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3218 PRESTON CLUB DRIVE, BEING LOT 13R, BLOCK 11, PRESTON CLUB, THE LEGENDS, PHASE 1, REPLAT LOTS 11, 12 & 13, BLOCK 11 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING INC., SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6117 — **ORD 6117 ZONE CHANGE (3315 PRESTON CLUB DR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3315 PRESTON CLUB DRIVE, BEING LOT 12, PRESTON CLUB, THE LEGENDS, PHASE 3 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6118 — **ORD 6118 ZONE CHANGE (3323 PRESTON CLUB DR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 3323 PRESTON CLUB DRIVE, BEING LOT 10, PRESTON CLUB, THE LEGENDS, PHASE 3 (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

Ordinance 6119 — **ORD 6119 ZONE CHANGE (5010 BUFFALO RIDGE TR)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 5010 BUFFALO RIDGE TRAIL, BEING LOT 8, BLOCK 1, PRESTON CLUB, THE CLASSICS, PHASE TWO (ROSSI REALTY, LLC, OWNERS; JOSH KNIGHT, GENERAL CONTRACTOR; AND CBG SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to adopt Ordinance Nos. 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6118, and 6119, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED

CONSENT AGENDA — **CONSENT AGENDA**

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

RESOLUTIONS

RESOLUTION NO. 6363 – AUTHORIZING EXECUTION OF A DRAINAGE AGREEMENT WITH THE SHERMAN INDEPENDENT SCHOOL DISTRICT — **RES 6363 DRAINAGE AGREEMENT WITH SISD**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DRAINAGE AGREEMENT WITH THE SHERMAN INDEPENDENT SCHOOL DISTRICT.

Clint Philpott, Director of Engineering, said this is a contract between the Sherman Independent School District, the City of Sherman and the Munson Realty Group. The agreement will also allow the School to pay a fee in lieu of detaining on site.

The increased flow does flow across the Munson's property, and the City is in discussions with the owner and the development. The City will coordinate with the developer to provide a regional detention facility farther south.

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 6363, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6367 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH VILBIG & ASSOCIATES, INC. FOR THE ENGINEERING DESIGN OF A FOUR-LANE DIVIDED THOROUGHFARE OFF OF THE US 75 SERVICE ROAD, SOUTH OF HERITAGE PARKWAY (FM 1417), KNOWN AS "LEGACY BOULEVARD" — **RES 6367 ENGINEERING DESIGN FOR LEGACY BLVD**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH VILBIG & ASSOCIATES, INC. FOR THE ENGINEERING DESIGN OF A FOUR-LANE DIVIDED THOROUGHFARE OFF OF THE US 75 SERVICE ROAD, SOUTH OF HERITAGE PARKWAY (FM 1417), KNOWN AS "LEGACY BOULEVARD."

Mr. Philpott said this is a thoroughfare that will run along the south limits of the 23 acre development, known as Tax Increment Reinvestment Zone #7. It beings at US Hwy 75 and runs parallel to FM 1417. As future development continues east from that site, the road will also serve that development.

Deputy Mayor Howeth verified that when constructed, the road will "dead-end" for now and will be extended later, as needed.

Mr. Philpott said there will probably eventually be another road that connects it to FM 1417. Mr. Hefton said there will be connectivity running north and south from Legacy Boulevard to FM 1417 when that development is "built out."

Mr. Hefton also advised that Schulman has closed on the property. The City will be quickly moving forward in parallel with the rest of the development. Council Member Teamann confirmed that this portion of Legacy Boulevard is only the section from US Hwy 75 to the creek.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6367, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6368
PECAN GROVE WEST ATHLETIC COMPLEX CONSTRUCTION MANAGER-AT-RISK

RESOLUTION NO. 6368 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH DEAN ELECTRIC, INC. DBA DEAN CONSTRUCTION, AS CONSTRUCTION MANAGER-AT-RISK (CMAR), FOR CONSTRUCTION OF THE PECAN GROVE WEST ATHLETIC COMPLEX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH DEAN ELECTRIC, INC. DBA DEAN CONSTRUCTION, AS CONSTRUCTION MANAGER-AT-RISK (CMAR), FOR CONSTRUCTION OF THE PECAN GROVE WEST ATHLETIC COMPLEX.

Steve Ayers, Assistant City Manager, said this is for the Construction Manager-At-Risk for the Pecan Grove West Athletic Complex. There were seven bids on the project.

After review, the staff feels they have identified a good Manager-At-Risk. They were the best in cost, both construction fees and professional fees, and in experience. This is not just a park, but includes sports fields too.

Dean Construction had the best experience in building sports fields and they also constructed Pecan Grove East and Pecan Grove West Parks. The City has worked with them before and they do good work.

Deputy Mayor Howeth asked when construction on the project should begin and when it was scheduled for completion. Mr. Ayers said the project should begin "turning dirt" during the Summer of 2018. He introduced Dennis Sims, Dunkin, Sims and Stoffels, Inc., to answer questions. Mr. Sims said they should be able to use the park by the end of Summer or Fall 2019.

Mr. Ayers added that this is Phase 1 of the project. They are also looking at Phase 2 and hope to work with Texoma Health to fund this phase, which would include amenities such as walking trails, splash park, and lighting.

Council Member Steele asked about the cost of Phase 1. Mr. Ayers said, with construction costs, cost of Phase 1 would be about $2.5 million. Some of the construction will be done in-house, to save money.

Another $1.5 million to $2 million will be completed in-house, with City crews. Items completed in-house include building the concessions, bathrooms, and doing some of the parking lot work.

Mr. Ayers said total cost of construction for Phase 1 will be about $4 million. Mr. Hefton said the City will be issuing bonds later this Summer to pay for that construction.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No. 6368, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6369 RESIDENTIAL TAX ABATEMENT (320 W. JONES)

RESOLUTION NO. 6369 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 320 WEST JONES STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 320 WEST JONES STREET.
CONSENT AGENDA.

RES 6370 RESIDENTIAL TAX ABATEMENT (1321 S. MONTGOMERY)

RESOLUTION NO. 6370 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR'S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1321 SOUTH MONTGOMERY STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR'S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1321 SOUTH MONTGOMERY STREET.
CONSENT AGENDA.

RES 6371 RESIDENTIAL TAX ABATEMENT (516 S. VADEN)

RESOLUTION NO. 6371 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR'S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 516 SOUTH VADEN STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR'S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 516 SOUTH VADEN STREET.

CONSENT AGENDA.

CHANGE ORDER GALLAGHER ELEVATED TANK REPAIR & PAINT

CHANGE ORDER NO. 3

GALLAGHER ELEVATED TANK REPAIR AND PAINT PROJECT; AMERICAN SUNCRAFT COMPANY, INC.; $8,400.00 INCREASE

The City Council approved Change Order No. 3 to American Suncraft Company, Inc., for an $8,400 increase for the Gallagher Elevated Tank Repair and Paint Project.

The Sherman Independent School District has requested that a "Bearcats" logo be placed in two locations on the Gallagher Elevated Storage Tank. The additional costs will be paid by the School District.

Change Order No. 3 increases the total contract price to $1,358,923, however the additional cost of $8,400 is being paid by the Sherman ISD.

Council Member Steele recognized Dr. David Hicks and the Sherman Independent School District for paying to paint the Sherman Bearcat logo on the Gallagher Elevated Storage Tank.

CONSENT AGENDA.

OTHER BUSINESS

CONSIDER THE ABATEMENT OF SUBSTANDARD STRUCTURES AT THE FOLLOWING LOCATIONS:

- **525 EAST CARTER STREET (G-0763 MCANAIR J B, 70 X 160), VANESSA C. WYNN ESTATE, OWNER**
- **1108 EAST LAMAR [GEREN J P ADDN (REPLT FITCH), LOT 6 & E/2 OF 7], JAMIE C. DUNLAP ETUX PAMELA G. DUNLAP, OWNERS**

Nate Strauch, Community and Support Services Manager, said this agenda item was for the abatement of two houses and to present an update on staffing changes that were discussed last month.

He explained that the staff had been unable to contact the owner of the house at 1108 East Lamar Street. They did contact the owner on the house at 525 East Carter Street, but were unable to come to an agreement. The owner passed away before any resolution could be established.

Mr. Strauch said both properties are "significantly substandard." The East Lamar property has become an "attractive nuisance" for criminal elements.

He also introduced Chip Matthews, Neighborhood Quality Coordinator, who was hired to help streamline the code enforcement/substandard structure programs, and "roll that in" with the Community Development Block Grant.

More than 50 people applied for the position and the staff held four interviews. Mr. Strauch said Mr. Matthews was highly qualified and stood out over the other applicants.

For the past 25 years, he has been traveling around Texas setting up substandard structure programs for other cities. He also conducts training for staff on how to set up the program. He added that Sherman was very lucky to have hired him.

Moises Duran previously served as the Community Planning Coordinator, handling the Substandard Structure Program. In the past couple of years, he has demolished a "couple of dozen" houses. He is moving to a position in the Fire Department.

This allowed for reassessment of the Substandard Structure Program. Mr. Matthews will take on the Substandard Structure Program and a portion of the Community Development Block Grant, which is paid for out of Substandard Structures. He will also assist with Code Enforcement.

Council Member Steele verified that it cost between $5,000 and $9,000 to demolish a house. He asked if CDBG money covered this cost. He hoped that the City would do more demolitions, but asked if the City placed a lien on the property. He asked why the City was paying for the demolitions.

Mr. Hefton said the City doesn't partially pay for any one structure out of CDBG money. The total 100% is either paid from CDBG money or from the City's General Fund Budget. Funding is not divided. Both of the current properties will be paid completely from CDBG money.

When the program was initiated a couple of years ago, the discussion was held as to how the City would recoup a portion of the costs. The program is funded, in large part, by Federal dollars. At the end, blight in the City is abated. Many of the lots that were cleared have been sold and redeveloped.

The City will clean off the lot, make it buildable, and the property owner can sell it and get it back on the tax rolls.

Mr. Hefton said on the non-CDBG side, the City is not bound by that The policy could be changed to include a lien on the property. However, that would probably have a negative effect on the property owner's willingness to sign.

With the current policy, the City usually has a "willing participant," which makes for a smooth process.

The staff did discuss putting a lien on the properties if they started abating commercial properties. That lien would follow with the property until it's sold again.

Mr. Hefton said the current goal is continued success with the program, leveraging Federal dollars and local dollars, not putting a lien on the property so there is generally cooperation from the property owners, and then continuing to evaluate the program.

He said the City has torn down approximately 100 houses in the last four years, through this program. The City was also able to use some Federal Emergency Management Agency money to tear down some properties on West Houston and West Lamar Streets, near Sunset Boulevard.

The current houses would be demolished using Federal dollars. CDBG funding must be used in the target area, of low-to-moderate income.

Council Member Steele verified that most of the houses that have been demolished through this program, have owners that are willing to allow the City to demolish them. Mr. Hefton said 95% of the demolitions have received permission from the property owners. Only five houses did not have willing owners.

Council Member Teamann confirmed that the staff has been unable to locate one of the owners and the other owner passed away before an agreement was reached. That property has now gone to an "estate."

Council Member Steele verified that if the City pays to demolish a house, it is a benefit to the property owner because they are then able to sell the "cleaned off" property. It does go back on the tax rolls, but there's no opportunity for the City to recoup that money.

Mr. Shelby said the City can put a lien on the property, however if that threat is used, the property owner can tie that up for a long time, almost indefinitely. The City offers the "free" take-down of the house to get their cooperation.

Mr. Hefton said property owners do benefit, but the City also benefits, and the program runs more smoothly because of the willingness of the property owner to sign the release. It is considered part of the clean-up efforts around the City.

Council Member Stevenson said if the title issues are not clear, and the City demolishes the house, who gets the lot then. Mr. Hefton said that's why the City gets the release from the property owner. He confirmed that the City does a full title search, and sometimes if there is a lien from a bank, the bank

is contacted and will send a letter releasing the lien or will at least give permission for the demolition.

Mr. Strauch said development is "an end goal" but it's not "the end goal" especially with CDBG funds. The statutory obligation is to remove blight. The focus is to get dangerous structures removed.

Council Member Teamann asked about the liability for property that is demolished when owned by an estate. Mr. Shelby said notices have been mailed, have been published in the newspaper, and have been posted as required by law. That's why tonight's hearing is being held. Mr. Hefton said the notices have also been posted on the premises.

Mr. Strauch added that this is the last resort and is only used as a last resort. The staff has worked over a year and a half to locate the owners.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the abatement of two substandard structures, located at 525 East Carter Street and 1108 East Lamar Street, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

APPROVE FINAL PLAT HAWKINS-BALLARD ADDITION (527 S. RUSK)

FINAL PLAT APPROVAL OF HAWKINS-BALLARD ADDITION, BEING 0.451 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56; JIMMY D. HAWKINS AND EDDIE BALLARD, OWNERS/DEVELOPERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (527 SOUTH RUSK STREET)

The City Council approved the Final Plat of the Hawkins-Ballard Addition, located at 527 South Rusk Street. The 0.451 acre tract is zoned R-1 (One Family Residential) District. The owners would like to plat the property into two lots for residential development.

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

APPROVE FINAL PLAT BETHANY ROAD ESTATES II (300-3100 BLOCKS E. LAMAR & 200-500 BLOCKS BETHANY RD)

FINAL PLAT APPROVAL OF BETHANY ROAD ESTATES II IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION (ETJ), BEING 41.858 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61; HAROLD DEANE MUNAL, OWNER; KRG CIVIL ENGINEERS, INC., ENGINEER; AND DAVID FITE SURVEYING, SURVEYOR (300-3100 BLOCKS OF EAST LAMAR STREET AND 200-500 BLOCKS OF BETHANY ROAD

The City Council approved the Final Plat of the Bethany Road Estates II, located in the 300 to 3100 blocks of East Lamar

Street and the 200 to 500 blocks of Bethany Road, in the City's Extraterritorial Jurisdiction.

The owner of the 41.858 acre tract would like to plat the property into 11 lots. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

CITIZENS REQUESTS

ACCESS ON LEGACY BOULEVARD — **ACCESS ON LEGACY BLVD.**

Peter Tracy, 705 S. Valentine, expressed concern about the construction of Legacy Boulevard and the fact that it would be a dead-end road. He was concerned about Fire Department emergency vehicles and City service vehicles being able to turn around on a dead-end street.

Mr. Philpott said there will be an intersection designed and built to allow those vehicles to turn around.

PROPOSED EVENT CENTER — **PROPOSED EVENT CENTER**

Mr. Tracy also asked if there would be a certificate of structural integrity on the Event Center that was proposed for 124 North Walnut Street. He was concerned about "the shell" and the brick-on-brick stacked.

He also asked if the sidewalks around the facility would be ADA compliant and would the parking lot be able to support that facility and have adequate lighting.

Mr. Shadden said that will happen before they get an Occupancy Permit. He said those were building code issues and he would be glad to meet with Mr. Tracy to discuss them. He said the Specific Use Permit is only for the use of the building.

TEXOMA COMMUNITY CENTER — **TEXOMA COMMUNITY CENTER**

Whitney Redden, 3001 N. Ricketts and 315 W. McLain, appeared representing Texoma Community Center and left brochures about the services they offer. She also thanked the City Council for presenting the proclamation designating May 2018 as "Mental Health Awareness Month."

MEDIA QUESTIONS — **MEDIA QUESTIONS**

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (2) — **PARKS & REC ADVISORY BOARD**

ACTION TAKEN.

Motion by Council Member Steele to appoint Brantley Blackburn and Shane Martin to the Parks and Recreation Advisory Board for a term from May 3, 2018 to May 3, 2020. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

SHERMAN ECONOMIC DEVELOPMENT CORPORATION INDUSTRY APPRECIATION PICNIC — **SEDCO INDUSTRY APPRECIATION PICNIC**

Council Member Holland thanked the members of the Sherman Economic Development Corporation for their Industry Appreciation Picnic, held this past weekend at Pecan Grove Park. He said it was a great event and well attended.

SHERMAN ECONOMIC DEVELOPMENT CORPORATION INDUSTRY APPRECIATION PICNIC — **SEDCO INDUSTRY APPRECIATION PICNIC**

Council Member Teamann agreed that SEDCO's event was very good and he said the City Council should have had a team.

TEXOMA BEHAVIORAL HEALTH LEADERSHIP TEAM — **TEXOMA BEHAVIORAL HEALTH LEADERSHIP TEAM**

Council Member Teamann said he has worked with the Texoma Behavioral Health Leadership Team for the past year and there are a lot of dedicated people involved. They are "tireless" workers and dedicated to creating stigma reduction for mental health.

POLICE WEEK PROCLAMATION — **POLICE WEEK PROCLAMATION**

Council Member Sofey recognized Sherman Police Officers as well as all police officers during "Police Week."

LOCAL DEVELOPMENT — **LOCAL DEVELOPMENT**

Council Member Sofey recognized recent development in Sherman including five new residential lots for new construction and three more tax abatements in an area of town that needs new construction.

SKATE PARK COMMUNITY MEETING — **SKATE PARK COMMUNITY MTG**

Deputy Mayor Howeth congratulated the Parks and Recreation Department on finally having a design for the new Skate Park, which will be located in Hawn Park.

They recently held the second public meeting and she appreciated them allowing the public to have a voice in the design. She said construction should start soon.

POLICE WEEK PROCLAMATION — **POLICE WEEK PROCLAMATION**

Council Member Stevenson thanked the Sherman Police Officers for the wonderful job they do, and said a week celebrating them is "no small thing."

WELCOME NEW EMPLOYEES — **WELCOME NEW EMPLOYEES**

Council Member Stevenson recognized the two new City employees and welcomed them to the organization.

ANNOUNCEMENTS — **ANNOUNCEMENTS**

Mayor Plyler announced the following:

- **Sherman Main Street will host the "Imagine the Possibilities" tour on May 10, 2018, at 5:30 p.m. The tour begins at the Old Iron Post Restaurant, at 101 N. Travis Street. The tour will feature numerous historic downtown buildings that are currently for rent.**

- **Thanked the Police Department, Fire and Rescue, and the Street Department for creating a "Safe Exchange Zone" at Central Fire Station on Travis Street. He also thanked Deputy Mayor Howeth for bringing the idea to the City.**

- **Hot Summer Nights will begin in one month. The series will open with a great 90's rock act, Fuel. This year, local bands will open before the main act takes the sage. Hot Summer Nights will be held every Thursday night in June and July.**

- **Sherman citizens and the City Council are invited to the Grayson County Sheriff's Office, at the Justice Center, on May 10, 2018, at 3:00 p.m. for the unveiling of the Grayson County Law Enforcement Memorial.**

SAFE EXCHANGE ZONE

SAFE EXCHANGE ZONE

Deputy Mayor Howeth thanked the staff for setting up a "Safe Exchange Zone" and asked that they make the public aware that there are two painted and signed parking spots at Central Fire Station where people can meet to exchange items that have been purchased or sold on the Internet or telephone. There are also security cameras overlooking the Safe Zone and it is across the street from the Police Department.

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

EXECUTIVE SESSION

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

SECTION 551.071 –	**CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION**
SECTION 551.071 --	**CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**

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

Mayor Plyler said no Executive Session was needed.

ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:00 p.m.

MAYOR

CITY CLERK