

May 4, 2020

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOWETH, MELTON, STEVENSON,
TEAMANN.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

INTRODUCTION OF NEW STAFF MEMBER

INTRODUCTION OF NEW STAFF MEMBER

He said Mr. Shadden has agreed to stay at the City as long as needed to ensure “a smooth handoff.”

ANNEXATION
WILEY DEVELOPMENT

Mayor Plyler asked if any citizens would like to speak on the proposed annexation.

1

annexation is 6.00 acres off Lamberth Road and Meadowlake Drive. The annexation was requested by the property owner and is a family property they want to bring into the City.

Since Lamberth Road will be the future Friendship Road, as it extends, the staff and property owner discussed the dedication of the right-of-way and a utility easement, in exchange for a water line extension. Water is currently located near the property and could be extended to the site.

No citizens appeared before the City Council to discuss the annexation of 6.00 acres of land located east of Lamberth Road, at the intersection of Meadowlake Drive and Lamberth Road.

FIRST PUBLIC HEARING

CONDUCT THE FIRST PUBLIC HEARING CONCERNING THE ANNEXATION OF APPROXIMATELY 10.25 ACRES LOCATED WEST OF EAST STREET, SOUTH OF SHERMAN STREET, AND EAST OF MONTGOMERY STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

Mayor Plyler asked if any citizens would like to speak on the proposed annexation.

Mr. Philpott said this annexation is a 10.25 piece of property in southeast Sherman. The property owner would like to develop the property into a residential subdivision, and would like to access the City's water and sewer system.

He will be submitting full design plans and going through the Planning and Zoning site plan approval process.

No citizens appeared before the City Council to discuss the annexation of 10.25 acres of land located west of East Street, South of Sherman Street, and east of Montgomery Street.

Mayor Plyler introduced Ordinance No. 6295 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON WOODS STREET AT PELTON STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mr. Philpott said the stop sign has been installed for 90 days on the northbound side of Woods Street. In the past there were three stop signs installed at that four-way intersection. Based on criteria from the Texas Manual on Uniform Traffic Control Devices, this intersection should be an "all-way stop."

There have been no complaints or accidents in the 90-day period that the sign has been in place.

**ANNEXATION
SOUTHSIDE ADDITION
POST OAK PLACE**

**ORD 6295
STOP SIGN
WOODS & PELTON
STREETS**

Deputy Mayor Steele asked what qualifies one area for a stop sign over another area. Mr. Philpott said the Texas Manual on Uniform Traffic Control Devices is very strict as to what a stop sign can be installed for.

He said a stop sign cannot be installed to reduce the speed on a street or for speed enforcement. In this specific case, because the intersection already had three stop signs, it didn't meet standards. The Uniform Code says you can either have a two-way stop or a four-way stop, but not a three-way stop. For this reason, this intersection qualified for another stop sign.

Mr. Philpott said the issue was brought up by a citizen, and the staff looked at the intersection and determined that it could be dangerous with one direction not stopping. He said many years ago, there was a history of stop signs being installed more than they should have been. The City's policy is not to remove stop signs once they have been installed because that could be more problematic. However, new signs are installed by the current standards.

Deputy Mayor Steele confirmed that when the City gets a request for traffic signage, there is a matrix that is used to determine if the signage is warranted. Mr. Philpott said the staff looks at vehicle counts, crash records from the Police Department, and then they look at each individual case to determine what signage is needed.

Council Member Melton said there are many streets in the residential areas that don't have stop signs. Council Member Teamann asked if the staff would actively look for three-way stops that needed additional signs. Mr. Philpott said they would not necessarily look for them, but as they are identified, they would be reviewed.

No citizens appeared before the City Council to discuss Ordinance No. 6295.

SECOND PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF 6.00 ACRES OF LAND LOCATED EAST OF LAMBERTH ROAD, AT THE INTERSECTION OF MEADOWLAKE DRIVE AND LAMBERTH ROAD, ADJACENT TO THE SHERMAN CITY LIMITS AND TO THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

Mayor Plyler asked if any citizens would like to speak on the proposed annexation.

No citizens appeared before the City Council to discuss the annexation of 6.00 acres of land located east of Lamberth Road, at the intersection of Meadowlake Drive and Lamberth Road.

ANNEXATION
WILEY DEVELOPMENT

SECOND PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF APPROXIMATELY 10.25 ACRES LOCATED WEST OF EAST STREET, SOUTH OF SHERMAN STREET, AND EAST OF MONTGOMERY STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

Mayor Plyler asked if any citizens would like to speak on the proposed annexation.

No citizens appeared before the City Council to discuss the annexation of 10.25 acres of land located west of East Street, South of Sherman Street, and east of Montgomery Street.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6295

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON WOODS STREET AT PELTON STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION. PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6295, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

RESOLUTION NO. 6614 – DESIGNATING THE CITY MANAGER TO CALCULATE THE VOTER-APPROVAL TAX RATE IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING THE CITY MANAGER TO CALCULATE THE VOTER-APPROVAL TAX RATE IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT.

Mr. Hefton said this agenda item relates to the recent Declaration of Emergency that was issued by the Governor, concerning the COVID-19 issue. It also relates to the recently passed Senate Bill 2, which put a cap, from 8% to 3.5%, on tax rates for cities our size.

This agenda item allows the City flexibility, if they choose to do so, when considering the budget and the tax rate, to implement this provision to suspend the 3.5% cap, during the timeframe allowed by the Legislature.

ANNEXATION
SOUTHSIDE ADDITION
POST OAK PLACE

ORD 6295
STOP SIGN
WOODS & PELTON
STREETS

CONSENT AGENDA

RES 6614
VOTER-APPROVAL
TAX RATE

This doesn't mean the City will do that, but gives the Council the option, if they decide to use it.

He explained that Senate Bill 2 capped the voter-approval rate, formerly the rollback rate, at 3.5%, excluding new value and some other things.

During times of emergency, it is presumed that property values are going to "take a significant hit" as the economy recovers. The Senate and the House of Representatives recognized that there needed to be some mechanism to allow cities, counties, and other governments to "become whole" during those times of economic downturn.

This Resolution allows the staff to bring the City Council a plan to develop a budget with those provisions in mind. It's not a commitment from the City Council to set a certain rate, but allows them to use this "tool" to set their budget, if they choose to use it. They will set the tax rate after serious consideration and planning during the budget process.

This tool will also be available for the 2022 FY Budget development as well. The staff has already started the 2021 FY Budget process. This designation will allow the City to use those provisions for both budget years.

Mr. Hefton clarified that before the legislation setting the 3.5% cap, the 8% cap had been in place for decades. Senate Bill 2 reduced the cap to 3.5%, but not for "Special Taxing Units." This allows the City to be considered as a Special Taxing Unit, for a limited period of time, to be able to have that flexibility on the rate setting process.

Council Member Teamann asked if it was required that the City Manager be the person designated to calculate the voter-approval tax rate. Mr. Hefton said the City Council is the approval mechanism for setting any rate that the City sets. The staff puts the information together to present to the City Council. This just gives the City Manager the authority to calculate what these rates would be under the various budget scenarios.

The City Council will make the decision on what the actual tax rate will be based on their discussions.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No.

6614, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 6615 – AWARDING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH ENTRUST
ONE FACILITY SERVICES, INC. FOR JANITORIAL SERVICES
IN CERTAIN CITY-OWNED FACILITIES**

**RES 6615
JANITORIAL SERVICES**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ENTRUST ONE FACILITY SERVICES, INC. FOR JANITORIAL SERVICES IN CERTAIN CITY-OWNED FACILITIES.
CONSENT AGENDA.

RESOLUTION NO. 6616 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSE EDUARDO NAVIDAD SANTAMARIA AND ROSAURA S. RECINOS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2225 EAST TUCK STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)

RES 6616
RESIDENTIAL TAX
ABATEMENT
(2225 E. TUCK ST)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSE EDUARDO NAVIDAD SANTAMARIA AND ROSAURA S. RECINOS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2225 EAST TUCK STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

OTHER BUSINESS

REPAIR AND REWORK THE DORCHESTER 9 TRINITY WELL UNDER AN EMERGENCY DESIGNATION

DORCHESTER 9
TRINITY WELL
REPAIRS

The City Council approved a request to repair and rework the Dorchester 9 Trinity Well under an Emergency Designation. This well has suffered a failure and is inoperable.

It is a prime producer for the City's ground water supply zone and is needed to meet production demands, as soon as possible and in the coming Summer months. The estimate for repair is between \$250,000 and \$275,000, and payment will be made from the Utility Fund.
CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

SHERMAN HIGHER EDUCATION FINANCING CORPORATION BOARD (7)

ACTION TAKEN.

SHERMAN HIGHER
EDUCATION
FINANCING CORP.

Motion by Council Member Teamann to reappoint Dr. Al Hambrick, Sheryl Bradshaw, Delinda Lough, George Rowland, and Anna Laura Page, to the Sherman Higher Education Finance Corporation Board, for a term from April 18, 2020 to April 18, 2022, and to appoint David Stone and Eddie Brown for a term from May 5, 2020 to April 18, 2022, as presented. Second by Deputy Mayor Steele.

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

VOTING NAY: None

MOTION CARRIED.

CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (1)

Mr. Hefton said at a previous meeting, the City Council established the Capital Improvements Advisory Committee, for consideration of the Impact Fee Study. They also appointed Planning and Zoning Commission members to serve on the Committee.

**CAPITAL
IMPROVEMENTS
ADVISORY
COMMITTEE**

The Committee will review things such as the projected Capital Improvement Plan for the next five to ten years; the assumptions that are made during the Impact Fee Study, on the Capital Projects to be replenished; and projects that have already been completed that would be part of the recoupment process.

One of the requirements of the Legislation that allows the City to do this, is that there needs to be representation of the Extra Territorial Jurisdiction. There is no requirement that they reside in the ETJ, but they do represent that group of citizens.

David Baca and Daniel Worrell have both agreed to serve if the City Council would like them too. Mr. Baca lives in the ETJ and Mr. Worrell lives inside the City limits, but has interests in development in the ETJ, and family that lives in the ETJ, and serves on the Sherman Economic Development Corporation Board.

Mr. Hefton said this Committee would be “short-lived” and the members are not appointed for a specific term. He said the project would be completed by late Summer.

Deputy Mayor Steele confirmed that the Committee would be composed of all Planning and Zoning Commission members and one outside person.

Council Member Teamann said most of the Planning and Zoning Commission members live primarily in two districts. He recognized the need for diversification in the Committee.

Mr. Hefton said the Planning and Zoning Commission, by definition and experience, gain planning and development experience by serving on the Board. He felt it was important to have members of the development community representing the citizens in this manner.

Both candidates meet this criteria, however Mr. Baca might be more responsive because he actually lives in the ETJ. Mr. Hefton said the staff wanted to give options to the City Council. Deputy Mayor Steele said both candidates would be qualified to serve.

ACTION TAKEN.

Motion by Deputy Mayor Steele to appoint David Baca to the Capital Improvements Advisory Committee, as presented. Second by Council Member Teamann.

COUNCIL MINUTES – MAY 4, 2020

VOTING AYE: Howeth, Steele, Stevenson, Teamann.
VOTING NAY: Melton.
MOTION CARRIED.

COUNCIL COMMENTS

ATTENDANCE AT COUNCIL MEETING

Council Member Melton said she was glad to be back and hoped everyone was staying safe.

ATTENDANCE AT
COUNCIL MEETING

ATTENDANCE AT COUNCIL MEETING

Council Member Howeth said she was glad to be back and thanked the City for taking steps for “social distancing.”

ATTENDANCE AT
COUNCIL MEETING

FACEBOOK POST

Council Member Howeth read on Facebook that the only people in the City getting their hair done, are members of the City Council. She said she hasn’t had hers done.

FACEBOOK POST

ATTENDANCE AT COUNCIL MEETING

Deputy Mayor Steele said he was glad to be back. The “Zoom” meetings didn’t work very well.

ATTENDANCE AT
COUNCIL MEETING

ATTENDANCE AT COUNCIL MEETING

Council Member Teamann said he was glad to see people and be around them. He also thanked Mayor Plyler and Mr. Hefton for working in the community to “stay on top of everything.” He said they have been working non-stop with the Governor’s Office and other local officials, during the COVID-19 issue.

ATTENDANCE AT
COUNCIL MEETING

ATTENDANCE AT COUNCIL MEETING

Council Member Stevenson said it was good to see everyone. He said it has been a rough couple of months, and everyone is emotionally, physically, and mentally exhausted. However, he said “it’s not over until it’s over” and pretending like it is, is a “fool’s errand.” He urged citizens to continue to keep making right decisions.

ATTENDANCE AT
COUNCIL MEETING

ANNOUNCEMENTS

Mayor Plyler said there were no announcements for tonight because there were no activities coming up.

ANNOUNCEMENTS

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

COUNCIL MINUTES – MAY 4, 2020

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

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

Council Members did not enter an Executive Session as it was not needed.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:29 p.m.

ADJOURNMENT

MAYOR

CITY CLERK