

STATE OF TEXAS §
 April 20, 2020
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Telephonic Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held electronically on April 20, 2020.

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

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 Council Member Sandra Melton.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of March 16, 2020, and the Called Telephonic City Council Meeting of March 30, 2020. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

Mayor Plyler introduced Ordinance No. 6289 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 RENEW A SPECIFIC USE PERMIT TO ALLOW A PRESCHOOL LEARNING CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUA HILL, REPRESENTATIVE; LITTLE ZEBRA CHILD DEVELOPMENT CENTER, TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6289
RENEW SUP FOR
PRESCHOOL
LEARNING CENTER
(1211 BLANTON DR)

Scott Shadden, Director of Development Services, said the Planning and Zoning Commission recommends approval of the Specific Use Permit, subject to the Staff Review Letter, and limiting the SUP to Delmar and Chiniqua Hill.

The SUP has been in effect since 2016, and the City has received no complaints on the business.

Delmar Hill, 1211 Blanton Drive

Mr. Hill was available if any Council Members had questions about their request.

No other citizens appeared before the City Council to discuss Ordinance No. 6289.

Mayor Plyler introduced Ordinance No. 6290 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PERMANENT MAKEUP/MICRO-BLADING IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1735 TEXOMA PARKWAY, SUITE 105, BEING 5.34 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNERS; AND ERINN TEAGUE, TENANT/APPLICANT); 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 6290
SUP FOR MAKEUP/
MICRO-BLADING
(1735 TEXOMA PKWY)

Mr. Shadden said an SUP for permanent makeup requires a tattoo license. The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter, and tying the SUP to Erinn Teague.

No citizens appeared before the City Council to discuss Ordinance No. 6290.

Mayor Plyler introduced Ordinance No. 6291 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 AMENDMENT TO ALLOW HEAVY EQUIPMENT SALES AND RENTALS AND WASH BAY WITH STUCCO AND METAL FINISHES, AS SHOWN IN THE EXHIBIT, IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 910 SOUTH SAM RAYBURN FREEWAY, BEING 9.27 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 (6M HOLDINGS, LTD, OWNERS; SUNBELT RENTALS, INC., TENANT; DUSTIN TIPPETTS, REPRESENTATIVE; UPI BUILDERS, CONTRACTORS; 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 6291
SUP FOR HEAVY
EQUIPT. SALES &
RENTALS
(910 S. SAM
RAYBURN FRWY)

Mr. Shadden said this SUP is an update to make improvements to Sunbelt Rental on Sam Rayburn Freeway. The improvements include adding stucco to the existing building, improving the parking lot, and constructing a fence 25 feet from the property line. The Board of Adjustments granted a variance for the fence at the last Planning and Zoning Commission Meeting.

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

No citizens appeared before the City Council to discuss Ordinance No. 6291.

Mayor Plyler introduced Ordinance No. 6292 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 TWO EVENT CENTERS IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 1000 NORTH TRAVIS STREET, SUITES P AND S, BEING 4.296 ACRES IN THE J.B. McAnair SURVEY, ABSTRACT NO. 763 (VILLASENOR SANTOYO PROPERTIES, LLC, OWNERS; ALBERTO VILLASENOR, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., 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 6292
SUP FOR TWO
EVENT CENTERS
(1000 N. TRAVIS ST)

Mr. Shadden said this SUP is for Kam Korner's to add two event centers. These centers are in the rear of the building, but do have access to the front. They plan to improve the lease spaces, improve the parking lot, and paint the back of the building.

The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter, limiting the SUP to the current owner, and will only allow "family-oriented" events.

No citizens appeared before the City Council to discuss Ordinance No. 6292.

Mayor Plyler introduced Ordinance No. 6293 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 BRANCH STREET RIGHT-OF-WAY LYING BETWEEN BLOCKS FIFTY-FOUR (54) AND FIFTY-FIVE (55) OF SOUTH SIDE ADDITION IN GRAYSON COUNTY, TEXAS, AS BEING SHOWN ON VOLUME 94, PAGE 135, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY SHOWN IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE SURROUNDING PROPERTY OWNER, KIRK D. ALLEN.

ORD 6293
ABANDONING A
PORTION OF BRANCH
ST. R-O-W

Mayor Plyler said Ordinance 6293 and 6294 were related and asked to have them read together.

Wayne Lee, Director of Engineering, said one is to abandon a portion of an unused right-of-way south of South Sherman Street, to accommodate a 51 lot residential plat that complies with the City's ordinances and requirements.

This request is also a part of Agenda Item E8, which is a Final Plat approval of Post Oak Place, which is in the City's Extraterritorial Jurisdiction. Agenda Item E2 is an Annexation that is related to these two items.

No citizens appeared before the City Council to discuss Ordinance No. 6293.

Mayor Plyler introduced Ordinance No. 6294 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 EAST STREET RIGHT-OF-WAY LYING BETWEEN BLOCKS FIFTY-FIVE (55) AND FIFTY-SIX (56), AND THE PLATTED ALLEY WITHIN BLOCK FIFTY-FIVE (55) OF SOUTH SIDE ADDITION IN GRAYSON COUNTY, TEXAS, AS BEING SHOWN ON VOLUME 94, PAGE 135, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY SHOWN IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY AND ALLEY TO THE SURROUNDING PROPERTY OWNER, KIRK D. ALLEN.

ORD 6294
ABANDONING A
PORTION OF
EAST ST. R-O-W

No citizens appeared before the City Council to discuss Ordinance No. 6294.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6289

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO RENEW A SPECIFIC USE PERMIT TO ALLOW A PRESCHOOL LEARNING CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUA HILL, REPRESENTATIVE; LITTLE ZEBRA CHILD DEVELOPMENT CENTER, TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6289
RENEW SUP FOR
PRESCHOOL
LEARNING CENTER
(1211 BLANTON DR)

Council Member Teamann said some temporary SUPs have been issued several times and he wanted to be sure this was for a permanent SUP.

Mr. Shadden said the Planning and Zoning Commission did not put a limit or review requirement on the timeframe for this SUP. They did tie the SUP to the requestors Delmar and Chiniqua Hill. If they were to close their facility, the SUP would expire.

Ordinance 6290

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PERMANENT MAKEUP/MICRO-BLADING IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1735 TEXOMA PARKWAY, SUITE 105, BEING 5.34 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (EISENHOWER TEXOMA LTD, OWNERS; AND ERINN TEAGUE, TENANT/APPLICANT); 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 6290
SUP FOR MAKEUP/
MICRO-BLADING
(1735 TEXOMA PKWY)

Council Member Melton confirmed that the SUP would remain with the applicant.

Ordinance 6291

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 AMENDMENT TO ALLOW HEAVY EQUIPMENT SALES AND RENTALS AND WASH BAY WITH STUCCO AND METAL FINISHES, AS SHOWN IN THE EXHIBIT, IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 910 SOUTH SAM RAYBURN FREEWAY, BEING 9.27 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 (6M HOLDINGS, LTD, OWNERS; SUNBELT RENTALS, INC., TENANT; DUSTIN TIPPETTS, REPRESENTATIVE; UPI BUILDERS, CONTRACTORS; 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 6291
SUP FOR HEAVY
EQUIPT. SALES &
RENTALS
(910 S. SAM
RAYBURN FRWY)

Ordinance 6292

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 TWO EVENT CENTERS IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT AT 1000 NORTH TRAVIS STREET, SUITES P AND S, BEING 4.296 ACRES IN THE J.B. McAnair SURVEY, ABSTRACT NO. 763 (VILLASENOR SANTOYO PROPERTIES, LLC, OWNERS; ALBERTO VILLASENOR, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., 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 6292
SUP FOR TWO
EVENT CENTERS
(1000 N. TRAVIS ST)

Council Member Howeth said it appeared that the entrance to these two Event Centers would be what is now used as an alleyway and is at the rear of the building. She did not see

where they could add parking in the rear of the building. She asked if the events would take place during the daytime and would it disturb the businesses.

Robby Hefton, City Manager, said any participants or attendees that wanted to speak to an agenda item, could push *9 to speak.

Mr. Shadden said there was no limit on the hours for the Event Centers. The applicant was fine being limited to family-oriented activities. They will also paint the back of the building to make it look better. Parking requirements would be for the entire building and the number of parking spaces in front of the building did meet the requirement.

He explained that these spaces were created by the former owner, when he “cut” smaller spaces out of the larger spaces. They originally thought the occupants would expand into these areas, but that never happened. The new owners are trying to make use of the additional space.

Council Member Melton asked about enforcement to make sure that the proposed Event Centers are family-friendly, and any repercussions if they aren’t.

Mr. Shadden said they agreed to that requirement at the Planning and Zoning Commission Meeting so it is included in the SUP. If they don’t meet that requirement, he said the SUP could be revoked. Mayor Plyler added that the Council could not allow an M-1 activity in a C-1 zoned area.

Council Member Howeth asked if they would be allowed to serve alcohol at their events. Mr. Shadden said Sherman is a “wet” community, so they would be allowed to serve alcohol.

Ordinance 6293

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE BRANCH STREET RIGHT-OF-WAY LYING BETWEEN BLOCKS FIFTY-FOUR (54) AND FIFTY-FIVE (55) OF SOUTH SIDE ADDITION IN GRAYSON COUNTY, TEXAS, AS BEING SHOWN ON VOLUME 94, PAGE 135, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY SHOWN IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE SURROUNDING PROPERTY OWNER, KIRK D. ALLEN.

ORD 6293
ABANDONING A
PORTION OF BRANCH
ST. R-O-W

Ordinance 6294

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE EAST STREET RIGHT-OF-WAY LYING BETWEEN BLOCKS FIFTY-FIVE (55) AND FIFTY-SIX (56), AND THE PLATTED ALLEY WITHIN BLOCK FIFTY-FIVE (55) OF SOUTH SIDE ADDITION IN GRAYSON COUNTY, TEXAS, AS BEING SHOWN ON VOLUME 94, PAGE 135, DEED RECORDS,

ORD 6294
ABANDONING A
PORTION OF
EAST ST. R-O-W

GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY SHOWN IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY AND ALLEY TO THE SURROUNDING PROPERTY OWNER, KIRK D. ALLEN.

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6289, 6290, 6291, 6292, 6293, and 6294, as presented.

Second by Council Member Holland.

VOTING AYE: Holland, 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.

CONSENT AGENDA

RESOLUTION NO. 6609 – FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC’S (“ONCOR” OR “COMPANY”) APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC’S (“ONCOR” OR “COMPANY”) APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY. REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

**RES 6609
ONCOR ELECTRIC
RATE INCREASE**

Brandon Shelby, City Attorney, said this was the annual rate increase denial for Oncor Electric. They sought to increase rates by \$75.9 million, which amounts to \$0.88 per customer.

The Steering Committee has recommended that Cities deny that rate increase and they are working to negotiate a lower increase.

ACTION TAKEN.

Motion by Deputy Mayor Steele to adopt Resolution No. 6609, as presented. Second by Council Member Teamann.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6610 – AUTHORIZING EXECUTION OF A STREET AND UTILITY AGREEMENT WITH THE SHERMAN INDEPENDENT SCHOOL DISTRICT

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

**RES 6610
SISD STREET &
UTILITY AGREEMENT**

Clint Philpott, Assistant City Manager, said the agreement will allow the Sherman Independent School District to participate in some of the infrastructure at the new High School.

A gravity sewer line, south of FM 1417, is being extended to serve both the school and The Village Development. Cost of the project is about \$1.1 million, with the school participating about 36% or \$400,000.

He said the City is also extending Steeple Chase Drive, which will improve mobility for future development and will eliminate a long driveway on the north side of the High School. This street extension will cost about \$230,000, with the school participating about 25% or \$58,000. Both projects are planned to be complete by August 2020.

Council Member Melton confirmed that these fees will be paid to the City by the School District. She said the agreement says after this fee, they will not have to pay any other fees associated with this development.

Mr. Philpott said the SISD wanted assurances that the City wouldn't come back and ask them to pay for a portion of West Travis Street or Moore Street. At the end of the contract, it says the City will still charge them standard utility fees, such as water and sewer usage and storm drain usage. This will assure that they do have to pay for the things that they are using, but not for larger CIP projects.

Council Member Melton said, so if any other problems arise, it's on the City and they wouldn't be expected to pay any other fees. Mr. Philpott said if it's related to infrastructure that the City constructed, that would be correct. If it's "onsite" it would be part of their development and they would pay for that.

Council Member Melton confirmed that this agreement is only with the School District and not any other developers.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6610, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6611 – CREATING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE; PROVIDING FOR ITS MEMBERSHIP; ESTABLISHING AND ADOPTING PROCEDURAL RULES FOR AND DUTIES ASSOCIATED THEREFORE IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE REGARDING IMPACT FEES

**RES 6611
CAPITAL
IMPROVEMENTS
ADVISORY
COMMITTEE
(IMPACT FEES)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CREATING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE; PROVIDING FOR ITS MEMBERSHIP; ESTABLISHING AND ADOPTING PROCEDURAL RULES FOR AND DUTIES ASSOCIATED THEREFORE IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE REGARDING IMPACT FEES.

Mr. Philpott said as the City moves forward with an Impact Fee Study, a Capital Improvements Advisory Committee needs to be created by the City Council. The resolution states that this Committee will be comprised of Planning and Zoning Commission Members and one appointed ETJ Member.

The Committee will serve as an advisory committee to the City Council on the adoption of a land use plan, a capital improvements plan, and a proposed impact fee amount. The staff continues to work with Kimley-Horn on developing and finalizing the impact fee program.

Additional items should be presented to the City Council for action in late May or early June 2020, with the hope of having everything finalized by Fall 2020.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6611, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6612 – ABANDONING A PORTION OF A SIXTEEN FOOT (16') DRAINAGE AND UTILITY EASEMENT LYING ALONG THE COMMON LOT LINE OF LOTS 20 AND 21, DOS LAGOS SUBDIVISION, VOLUME 4, PAGE 94, PLAT RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A"

**RES 6612
ABANDONING
DRAINAGE & UTILITY
EASEMENT
(DOS LAGOS
SUBDIVISION)**

ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A PORTION OF A SIXTEEN FOOT (16') DRAINAGE AND UTILITY EASEMENT LYING ALONG THE COMMON LOT LINE OF LOTS 20 AND 21, DOS LAGOS SUBDIVISION, VOLUME 4, PAGE 94, PLAT RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

CONSENT AGENDA.

RESOLUTION NO. 6613 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 913 EAST CHERRY STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 913 EAST CHERRY STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).

CONSENT AGENDA.

RES 6613
RESIDENTIAL TAX
ABATEMENT
(913 E. CHERRY ST)

REQUEST TO ADVERTISE

REQUEST TO ADVERTISE FOR THE ANNUAL SUPPLY OF TIRES FOR ON-ROAD AND OFF-ROAD FLEET EQUIPMENT

The City Council approved the request to advertise for the annual supply of tires for on-road and off-road fleet equipment, including cars, trucks, trailers, and construction equipment.

CONSENT AGENDA.

REQ TO ADVERTISE
ANNUAL SUPPLY
OF TIRES

OTHER BUSINESS

CONSIDER APPROVAL OF A REVISED ANNEXATION SCHEDULING PLAN FOR ADOPTION OF 6.00 ACRES LOCATED EAST OF LAMBERTH ROAD, AT THE INTERSECTION OF MEADOWLAKE DRIVE AND LAMBERTH ROAD, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

Mr. Shelby said Agenda Items E1 and E2 are both annexation scheduling plans on property that is being voluntarily annexed. Item E1 is a revised annexation plan. The City Council approved the scheduling plan in March 2020, but the process was not able to move forward because of the way the Council is meeting for COVID 19.

REVISED ANNEXATION
PLAN
(WILEY
DEVELOPMENT)

The hearing dates for both proposed annexations will be the same dates and will be held at future Council Meetings. No Called Council Meetings will be required.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve the Revised Annexation Scheduling Plan for the annexation of 6.0 acres, located east of Lamberth Road, at the intersection of Meadowlake Drive and Lamberth Road, and direct the Engineering Department to develop a Service Plan for the area, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION 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; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

ANNEXATION PLAN
(SOUTHSIDE ADDITION,
POST OAK PLACE)

Mr. Shelby said this is also a voluntary annexation and the dates for the plan will be the same as the first schedule.

ACTION TAKEN.

Motion by Council Member Melton to approve the Annexation Scheduling Plan for the annexation of 10.25 acres, located west of East Street, south of Sherman Street, and east of Montgomery Street, and direct the Engineering Department to develop a Service Plan for the area, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR "CRAFT THE NIGHT AWAY" ON SATURDAY, JUNE 20, 2020

CLOSE STREETS
"CRAFT THE NIGHT
AWAY"
(JUNE 20, 2020)

The City Council approved the request of Downtown Sherman NOW to temporarily close certain streets for "Craft the Night Away," which will be held on June 20, 2020.

They will close Crockett Street, between Lamar and Houston Streets, and Travis Street, between Lamar and Houston Streets for the event. The necessary permitting for the sale of craft beer, will be obtained from the Texas Alcoholic Beverage Commission.

Barricades and cones will be provided by the Street Department and solid waste receptacles will be provided by the Solid Waste Department. They will also arrange with the Police Department for security officers for the event. Accessibility must be maintained throughout the event for emergency vehicles.

CONSENT AGENDA.

CONSIDER REQUEST OF SHERMAN MAIN STREET TO TEMPORARILY CLOSE CERTAIN STREETS FOR “CHRISTMAS IN JULY” ON SATURDAY, JULY 11, 2020

The City Council approved the request of Sherman Main Street to temporarily close certain streets for “Christmas in July,” which will be held on July 11, 2020.

They will close Travis Street, between Lamar and Houston Streets, and Crockett Street, between Lamar and Houston Streets for the event.

Barricades and cones will be provided by the Street Department and solid waste receptacles will be provided by the Solid Waste Department. They will also arrange with the Police Department for security officers for the event. Accessibility must be maintained throughout the event for emergency vehicles.

CONSENT AGENDA.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2020

The City Council approved the Quarterly Investment Report for the quarter ended March 31, 2020. As of that date, the portfolios were in compliance with applicable State laws and the Investment Policy.

The operating investment portfolio had a book value of about \$14.9 million, an increase of about \$5 million from the prior quarter of \$9.9 million, due to investments made with property tax receipts. The underlying investments were adequately diversified among four different types of securities.

This portfolio is appropriately liquid, and its weighted-average maturity was about 342 days, down from 415 days last quarter. The portfolio yield of 1.85% is 168 basis points above the benchmark yield of 0.17%. Market value is about \$1 million above book value due to the effect of falling interest rates.

The debt proceeds portfolio balance of \$20.2 million was invested in Local Government Investment Pools and an FDIC insured investment account. Transactions in this portfolio include payments for capital projects and the receipt of interest income. The yield of 1.42% was above the benchmark yield of 0.05% for this portfolio. Book value and market value were the same.

CONSENT AGENDA.

CLOSE STREETS
“CHRISTMAS IN
JULY”
(JULY 11, 2020)

QUARTERLY
INVESTMENT
REPORT

REPLAT APPROVAL OF LOT 6, BLOCK 31, HILLTOP ESTATES, BEING 0.817 ACRES IN THE J. HENDRIX SURVEY, ABSTRACT NO. 503, ALSO BEING ALL OF LOT 6, BLOCK 31, HILLTOP ESTATES; TOBAR PROPERTIES, LLC, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (2701 DRIPPING SPRINGS ROAD)

APPROVE REPLAT
HILLTOP ESTATES
(2701 DRIPPING
SPRINGS RD)

The City Council approved the Replat of Lot 6, Block 31, Hilltop Estates, located at 2701 Dripping Springs Road. The 0.817 acre tract is zoned an R-1 (One Family Residential) District. 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 HANCOCK RANCH IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING ELEVEN (11) ACRES IN THE WINIFRED BAILEY SURVEY, ABSTRACT NO. 66; GEORGE HANCOCK, OWNER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (1493 F.M. 697)

APPROVE FINAL PLAT
HANCOCK RANCH
(1493 FM 697)

The City Council approved the Final Plat of Hancock Ranch, located at 1493 FM 697, in the City's Extra Territorial Jurisdiction. The 11 acre tract is in southeast Sherman, off of Ida Road (FM 697). The owner 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.

FINAL PLAT APPROVAL OF POST OAK PLACE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 10.25 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; KIRK AND KARL ALLEN, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (300-400 BLOCKS OF EAST SHERMAN STREET)

APPROVE FINAL PLAT
(300-400 BLOCKS
OF E. SHERMAN ST)

The City Council approved the Final Plat of Post Oak Place, located in the 300 to 400 blocks of East Sherman Street, in the City's Extra Territorial Jurisdiction. The 10.25 acre tract is in south Sherman, off South Montgomery Street. The owners would like to plat the property into 51 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 BETHANY ROAD ESTATES, NO. II, LOTS 5R-1 AND 5R-2 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.301 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61, ALSO BEING ALL OF LOT 5 OF BETHANY ROAD ESTATE NO. II; STONE CASTLE INVESTORS, LLC, OWNERS; AND PRESTON

APPROVE REPLAT
BETHANY ROAD
ESTATES
(515 BETHANY RD)

TRAIL LAND SURVEYING, LLC, SURVEYOR (515 BETHANY ROAD)

The City Council approved the Replat of Bethany Road Estates, No. II, Lots 5R-1 and 5R-2, in the City's Extra Territorial Jurisdiction. The 2.301 acre tract is located at 515 Bethany Road. 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.
CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

MAIN STREET ADVISORY COMMITTEE (3)

ACTION TAKEN.

Motion by Council Member Melton to reappoint Sean Vanderveer, Tommi Sue Homuth, and Nancy Sims to the Main Street Advisory Committee, for a term from March 31, 2020 to March 31, 2022, as presented. Second by Council Member Teamann.

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

VOTING NAY: Steele.

MOTION CARRIED.

MAIN STREET
ADVISORY COMMITTEE

COUNCIL COMMENTS

CITY HALL PARKING LOT

Council Member Stevenson recognized Council Member Teamann for "broadcasting" from the City Hall parking lot.

CITY HALL
PARKING LOT

TIRES STACKED AT BUSINESSES

Council Member Melton said she has seen tires stacked at businesses on Lamar Street and cars being worked on, and asked if someone was contacting them to enforce the requirements.

TIRES STACKED
AT BUSINESSES

Mr. Hefton said Wilco, the car repair business on Houston Street has been hauling off cars and cleaning up their facility. The staff is making "slow, but steady progress" in getting the businesses cleaned up.

Council Member Teamann thanked the staff for working to clean this area up. He said he has received several telephone calls recently about the work being done.

COUNCIL MINUTES – APRIL 20, 2020

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:42 p.m.

ADJOURNMENT

MAYOR

CITY CLERK