

STATE OF TEXAS

§

April 17, 2023

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 April 17, 2023.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON.
COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH, MARROQUIN,
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 led by Council Member Daron Holland.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 3, 2023. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Dobbs; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

SPECIAL PRESENTATION

THE CAMP PRESENTATION OF SENDING A POTENTIAL
COMPETITOR TO THE NEXT OLYMPICS

Andre Luper, owner and founder of The Camp, a faith-based 501c3 non-profit organization formed in 2013, spoke about the possibility of sending a competitor to the next Olympics. Mr. Luper said The Camp is a tool for him to help underprivileged kids to stay "on track" in life.

Mr. Luper currently has a fighter that has the possibility to be a competitor in the next Olympic games. The boxer is a two-time Golden Glove champion, in 2017 and 2019. The young man is currently in training and must first participate in 15 pre-qualification matches located in multiple cities and states to earn the selection.

Latrica Lagway, Manager of The Camp, asked the City Council about the possibility of sponsoring this young man in his quest. The fundraising goal to cover the expenses associated with the pre-qualification matches is \$16,338.48. Funds will be used for travel, lodging, food, and registration fees.

SPECIAL
PRESENTATION
SENDING A
COMPETITOR TO
OLYMPICS

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZENS COMMENTS

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council

CONSENT AGENDA

Member or a citizen requests a specific item be discussed and voted on separately.

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

CONSENT AGENDA

Double Asterisked (**) items are considered to be routine and will be enacted in one motion, subject to the Staff Review Letter, without discussion, unless a Council Member or a citizen requests a specific item be discussed and voted on separately.

The Council reviewed the Consent Agenda. Council Member Teamann moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Dobbs. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6583 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING ONE (1) TWENTY FOOT (20') SANITARY SEWER EASEMENT LOCATED IN THE S. DUNMAN SURVEY, ABSTRACT NO. 329 AND THE W. BAILEY SURVEY, ABSTRACT NO. 64, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, WHICH SANITARY SEWER EASEMENT IS ESTABLISHED IN VOLUME 1042, PAGE 429 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

Wayne Lee, Director of Engineering, explained that the easement hasn't been used since 1997, and the property owner requested that the easement be abandoned. The staff has no objection to the easement being abandoned.

No citizens appeared before the City Council to discuss Ordinance No. 6583.

Mayor Plyler introduced Ordinance No. 6584 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PLATTED ALLEY ADJACENT TO LOTS 8-13 OF PARKVIEW ADDITION IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, SAID ALLEY BEING ESTABLISHED IN VOL. 306, PG. 155, DEED RECORDS, GRAYSON COUNTY, TEXAS, SAID PROPERTY SHALL BE RESERVED AS AN EASEMENT FOR PUBLIC AND FRANCHISE UTILITIES FOR THE RIGHT OF INGRESS AND EGRESS TO SAME FOR PURPOSES OF OPERATION, MAINTENANCE, OR REMOVAL OF SUCH UTILITIES OR UNTIL SUCH UTILITIES SHALL BE ABANDONED OR RELOCATED.

Mr. Lee said the property owner adjacent to the platted alley has requested that it be abandoned. There are utilities in the alley, so it will convert to an easement. The staff has no objection to the alley being abandoned.

CONSENT AGENDA

ORD 6583
ABANDONING
SANITARY SEWER
EASEMENT
(CITY ETJ)

ORD 6584
CLOSE & ABANDON
ALLEY IN
PARKVIEW ADDITION
(INCLUDE IN REPLAT
OF SURROUNDING
PROPERTY)

COUNCIL MINUTES – APRIL 17, 2023

No citizens appeared before the City Council to discuss Ordinance No. 6584.

Mayor Plyler introduced Ordinance No. 6585 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 0.238 ACRES, BEING A PART OF GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, BEING ALL OF LOTS 13, 14, AND 15 IN BLOCK 14 OF CONTINUATION OF W. ELLIOTTS ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 800 MAXEY STREET, HERETOFORE ZONED C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-2F (DUPLEX RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MANUEL DeJESUS OCHOA, OWNER AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6585
ZONE CHANGE
FOR DUPLEX
(800 MAXEY ST)

Rob Rae, Director of Development Services, said the property is currently zoned C-1. The owner of the property would like to rezone it to R-2F (Duplex Residential) District, so a duplex can be constructed on the property.

The Planning and Zoning Commission recommended approval of the Zone Change. The request is compatible with the City of Sherman Comprehensive Master Plan.

No citizens appeared before the City Council to discuss Ordinance No. 6585.

Mayor Plyler introduced Ordinance No. 6586 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14 AND GRANTING A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOBILE LAUNDRY, CARWASH IN A C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2901 BLOCK TEXOMA PARKWAY, CONSISTING OF 1.119 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT 504, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (SHERMAN NEC TEXOMA & 82, LP OWNER, CLAY CRISTY REPRESENTATIVE; AND EAGLE SURVEYING, LLC., SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6586
SPECIFIC USE PERMIT
FOR AUTO LAUNDRY,
CAR WASH
(2901 BLOCK
TEXOMA PKWY)

Mr. Rae said this request is for a Specific Use Permit to allow a car wash. The Planning and Zoning Commission recommended approval of the Specific Use Permit.

No citizens appeared before the City Council to discuss Ordinance No. 6586.

Mayor Plyler introduced Ordinance No. 6587 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14 AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A SCHOOL, COMMERCIAL OR TRADE IN A M-1 (LIGHT MANUFACTURING) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER, ADAM MCGREGOR PASSAGE EDUCATION, LLC), TENANT/REPRESENTATIVE; AND DAVID PETREE, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6587
ZONE CHANGE
FOR SCHOOL
(4800 TEXOMA PKWY)

Mr. Rae said the request is for a Specific Use Permit at the back of the Midway Mall.

The Planning and Zoning Commission recommended approval of the Zone Change. However, they did tie the SUP to the requesting company, so it is not transferable.

No citizens appeared before the City Council to discuss Ordinance No. 6587.

Mayor Plyler introduced Ordinance No. 6588 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 28.665 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 4441 WEST HOUSTON STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURE) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-15 (MULTI-FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (CHARLES BRANCH, OWNERS; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6588
ZONE CHANGE
FOR MULTI-FAMILY
DEVELOPMENT
(4441 W. HOUSTON ST)

Mr. Rae said this request was for a Zone Change from R-A (Residential Agriculture) District to MF-15 (Multi-Family Residential) District, which is the low-density (Multi-Family) zoning district. The applicant would like to build 420 units at this location. It would be a single-family for rent community, which would be low density duplexes, townhomes, and single-family residences on low lots.

There were two citizens in opposition when the item was heard by the Planning and Zoning Commission. However, the Planning and

Zoning Commission recommended approval of the Zone Change. The request is compatible with the City of Sherman Comprehensive Master Plan.

Matthew Lee, 2910 Dallas Parkway, Suite 400, Plano, Texas 75093

Mr. Lee appeared representing Westwood Professional Services, Inc, Civil Engineering for the site. He said they had been working on the project for the last few months, and he wanted to be sure they had a viable project for the City. He was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6588.

The Public Hearing was closed.

Ordinance 6583

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING ONE (1) TWENTY FOOT (20') SANITARY SEWER EASEMENT LOCATED IN THE S. DUNMAN SURVEY, ABSTRACT NO. 329 AND THE W. BAILEY SURVEY, ABSTRACT NO. 64, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, WHICH SANITARY SEWER EASEMENT IS ESTABLISHED IN VOLUME 1042, PAGE 429 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS.

ORD 6583
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Ordinance 6584

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ORD 6584
CLOSE & ABANDON
ALLEY IN
PARKVIEW ADDITION
(INCLUDE IN REPLAT
OF SURROUNDING
PROPERTY)

Ordinance 6585

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF 0.238 ACRES, BEING A PART OF GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, BEING ALL OF LOTS 13, 14, AND 15 IN BLOCK 14 OF CONTINUATION OF W. ELLIOTTS ADDITION, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED AT 800 MAXEY STREET, HERETOFORE ZONED C-1 (RETAIL BUSINESS) DISTRICT; REZONING AND PLACING THE TRACT IN THE R-2F (DUPLEX RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (MANUEL DeJESUS OCHOA, OWNER AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6585
ZONE CHANGE
FOR DUPLEX
(800 MAXEY ST)

Ordinance 6586

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14 AND GRANTING A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOBILE LAUNDRY, CARWASH IN A C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, LOCATED AT 2901 BLOCK TEXOMA PARKWAY, CONSISTING OF 1.119 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT 504, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (SHERMAN NEC TEXOMA & 82, LP OWNER, CLAY CRISTY REPRESENTATIVE; AND EAGLE SURVEYING, LLC., SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6586
SPECIFIC USE PERMIT
FOR AUTO LAUNDRY,
CAR WASH
(2901 BLOCK
TEXOMA PKWY)

Ordinance 6587

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14 AND GRANTING A SPECIFIC USE PERMIT TO ALLOW A SCHOOL, COMMERCIAL OR TRADE IN A M-1 (LIGHT MANUFACTURING) DISTRICT, LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS (STAR MIDWAY, LLC, OWNER, ADAM MCGREGOR PASSAGE EDUCATION, LLC), TENANT/REPRESENTATIVE; AND DAVID PETREE, SURVEYOR); PRESCRIBING CONDITIONS TO THE SPECIFIC USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6587
ZONE CHANGE
FOR SCHOOL
(4800 TEXOMA PKWY)

Council Member Howeth asked why the zoning district was manufacturing.

Mr. Rae said the applicant was not requesting a zone change. Midway Mall is currently in two different zoning districts. The front side of the Mall, on Texoma Parkway, is zoned C-2, and the back side of the Mall is zoned M-1. The M-1 District does allow for that type of driving school.

Council Member Teamann said the request is for the entire building, other than Burlington and Dillard's. He asked if they were using the rest of the building. Mr. Rae said the Specific Use Permit does specify the parking lot and a location inside the Mall that they will be using.

Council Member Teamann asked if there were any requirements for 18-wheelers parking in the parking lot. He asked if any fencing or cover was required. Mr. Rae said, since the property was zoned M-1, it is a compatible use for truck storage, and would be permitted. The owner for the Mall did indicate that he doesn't want semi-trucks driving all over the parking lot, because it would tear it up. He would like them on City streets as soon as possible.

Ordinance 6588

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SHERMAN'S ZONING ORDINANCE/CODE OF ORDINANCES CHAPTER 14, TO REZONE A TRACT OF LAND CONSISTING OF BEING 28.665 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, LOCATED IN THE 4441 WEST HOUSTON STREET, HERETOFORE ZONED R-A (RESIDENTIAL AGRICULTURE) DISTRICT; REZONING AND PLACING THE TRACT IN THE MF-15 (MULTI-FAMILY RESIDENTIAL) DISTRICT ZONING CLASSIFICATION, (CHARLES BRANCH, OWNERS; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6588
ZONE CHANGE
FOR MULTI-FAMILY
DEVELOPMENT
(4441 W. HOUSTON ST)

Council Member Howeth asked about the two citizens that expressed concerns about the traffic from this zone change, during the Planning and Zoning Commission Meeting. She said it is close to a school, and asked if the staff was concerned.

Mr. Rae said they did ask the applicant to provide a traffic study, and they did. Matthew Lee said an in-house traffic study was completed. It determined that a deceleration lane was needed, which would be a left turning lane entering the development. He said they would need to coordinate with the Texas Department of Transportation, because they control that highway. The developer will have to do whatever they require.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to adopt Ordinance Nos. 6583, 6584, 6585, 6586, 6587, and 6588, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7056 -- APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE ONE (GMP 1.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN PROJECT

RES 7056
36" WEST SHERMAN
WATER MAIN
PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO AWARD THE GUARANTEED MAXIMUM PRICE ONE (GMP 1.00) FOR GARNEY COMPANIES, INC. FOR THE 36-INCH WEST SHERMAN WATER MAIN.

Tom Pruitt, Utility Engineer, said bids were open on two pre-bid packages, to move forward with the 36" West Sherman Water Main Project as quickly as possible. This would allow the contractor to move forward with construction.

The City will concur with the Greater Texoma Utility Authority, which met earlier today to award the bid.

COUNCIL MINUTES – APRIL 17, 2023

Council Member Holland asked about the expected timeline for the project. Mr. Pruitt said the procurement will be immediately.

Deputy Mayor Stevenson asked how many bids there were. Mr. Pruitt said there were two bidders on the procurement.

Clint Philpott, Assistant City Manager, said they also bid the pipe, however there was only one bidder that could meet the schedule. The other two bidders could not meet the schedule. It was determined that the City could afford a little longer schedule, so they decided not to award the pipe bid. Those are being rebid, in the hope of obtaining better competitive bids, to save some money.

He added that these are “big contracts” so they are spreading out the costs to get the project done in time, but to also save money.

Council Member Marroquin asked how long the bids last, since the price is changing so quickly. Mr. Pruitt said Garney Companies has assured the City that would not be happening. He said, normally a bid is guaranteed for 69 days. Mr. Philpott said they would order the supplies as soon as it is approved.

Council Member Teamann said the price was originally \$1.1 million, and the elevated price is \$1.6 million. Mr. Pruitt said the original price with Garney was \$588,000, and they are adding the price of materials, at \$1.1 million.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7056, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7057 -- AUTHORIZING EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT, INCLUDING, WITHOUT LIMITATION, FIRST AMENDMENT TO BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT PHASE #1 REIMBURSEMENT AGREEMENT

A RESOLUTION OF THE CITY COUNCIL OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT, INCLUDING, WITHOUT LIMITATION, FIRST AMENDMENT TO BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT PHASE #1 REIMBURSEMENT AGREEMENT.

Mr. Philpott said the Bel Air Village Public Improvement District was originally created in December of 2020, and reimburses the developer for public infrastructure costs, through a tax assessment.

Based on market conditions, they calculated that they could afford about \$7.2 million of reimbursement, out of the PID for improvements. The total PID was almost \$9 million, so in April

**RES 7057
FIRST AMENDMENT
TO BEL AIR VILLAGE
PID PHASE #1
REIMBURSEMENT
AGREEMENT**

COUNCIL MINUTES – APRIL 17, 2023

2022, with home prices increasing, the Council approved an ordinance that allowed the PID to collect those taxes, up to \$9.1 million.

This amendment is the reimbursement agreement that allows the PID to reimburse the developer for those costs. Basically, it's a "clean-up" on those items.

ACTION TAKEN.

Motion by Council Member Dobbs to approve Resolution No. 7057, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7058 -- AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE AKC REUNITE ADOPT A K-9 COP MATCHING GRANT FOR THE FUNDING PURCHASE OF A K-9 DOG FOR THE SHERMAN POLICE DEPARTMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO AKC REUNITE ADOPT A K-9 COP MATCHING GRANT FOR FUNDING THE PURCHASE OF A K-9 DOG FOR THE SHERMAN POLICE DEPARTMENT.

CONSENT AGENDA.

RES 7058
GRANT FOR
PURCHASE OF
POLICE K-9

REQUEST TO ADVERTISE

SALE OF APPROXIMATELY 12 ACRES OF LAND LOCATED IN THE 2400-2500 BLOCKS OF SOUTH EAST STREET IN SHERMAN'S EXTRA-TERRITORIAL JURISDICTION (ETJ)

Mr. Rae said there is approximately 12 acres that the City owns, in the southeast portion of Sherman, adjacent to the old police shooting range. Development is now occurring around it, and the staff feels it would be a good time to post the land for sale.

If approved, the staff will wait until the property is annexed and the survey is complete, to advertise it for sale.

Deputy Mayor Stevenson confirmed that the property is owned by the City, but we still must request annexation from "ourselves." Mr. Rae confirmed that the property is in the vicinity of Shark Tooth Park.

ACTION TAKEN.

Motion by Council Member Howeth to approve the Request to Advertise for the sale of approximately 12 acres of land, located in the 2400 to 2500 blocks of South East Street, in Sherman's Extra-Territorial Jurisdiction, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

REQ TO ADVERTISE
SALE OF PROPERTY
IN ETJ
(2400-2500 BLOCKS
OF S. EAST ST)

CHANGE ORDER

CHANGE ORDER NO. 1 FOR PROFESSIONAL SERVICES
AGREEMENT WITH M. ARTHUR GENSLE JR. & ASSOCIATES,
INC FOR ADDITIONAL SERVICES

CHANGE ORDER
CITY HALL NEEDS
ASSESSMENT

Zach Flores, Executive Director of Public Safety, said on the original contract with Gensler, they worked together to narrow the scope down tremendously because they were on a “fact-finding” mission to determine the feasibility of building a new City Hall, not actually building a new City Hall. They were trying to get enough information for the Council to make a decision.

They reached a point where they need to increase the scope of the project, to bring back the project for the Council’s discussion in June 2023.

Council Member Dobbs confirmed that the City has paid \$137,000 so far, and this change order would increase it by about \$48,000.

Council Member Teamann said they were doing a needs assessment, so the Council can make an educated discussion on whether or not a new City Hall is needed. He said there is a need, but where does that need lie. He said the Council hasn’t heard back from them yet, and he asked if there was really a “change of scope” or did they run out of time and money to make it happen.

Mr. Flores said there is a change of scope. The staff talked to them about the need, and they have discussed the number of people and the space needed within the building, but now they are looking at a “campus environment,” which might include some streets that might close or move, and things outside the building. Previously they were looking at the building itself, now it includes things outside the building, such as streets and park issues.

Deputy Mayor Stevenson asked that, if the Council approves this additional \$48,000, they will have an opinion for the Council in June 2023. Mr. Flores said they will give the City a number, based upon the needs that are determined. Then the Council will consider whether or not that number is palpable.

Council Member Teamann said he thought they would assess the space needs for the number of people needed. Robby Hefton, City Manager, said they are currently “scoping the project now, both the building and the campus. The intention is to have the information available for the Council at the Budget Workshop.

ACTION TAKEN.

Motion by Council Member Howeth to approve Change Order No. 1, with M. Arthur Gensler Jr. & Associates, Inc, for a Professional Services Agreement, to include additional information in the space needs assessment for a new City Hall, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CHANGE ORDER NO. 1 FOR CONTRACT WITH EMR ELEVATOR
FOR CYLINDER REPLACEMENT

CHANGE ORDER
OLD POLICE DEPT
ELEVATOR REPAIR

Chuck Carlisle, Facilities Manager, said this change order relates to the modernization of the elevator at the old Police Department. The project was originally approved on August 1, 2022. They were nearing the end of the project and testing the elevator, when it dropped, indicating a weakened cylinder. During the test, they overloaded the elevator, and it was a "slow drop."

Mr. Carlisle contacted several elevator repair companies and received one response, from EMR Elevator. The change order for the repair is \$50,025. Mayor Plyler asked about the procedure for repair of the cylinder.

Deputy Mayor Stevenson asked about the turnaround time for the repair. Mr. Carlisle said it should be repaired by the end of April 2023.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Change Order No. 1, with EMR Elevator, for the Cylinder Replacement of the Elevator at the old Police Department, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN
ECONOMIC DEVELOPMENT CORPORATION PRESIDENT KENT
SHARP

SEDCO QUARTERLY
PROGRESS REPORT

Kent Sharp, Sherman Economic Development President, presented the quarterly progress report on their activities. He introduced April Day, Executive Assistant, and said they are fully staffed again.

He reiterated that the mission of SEDCO is to grow and diversify the economy of Sherman and the surrounding area, through the addition of new jobs and investment of primary employers.

SEDCO received the Texas Economic Development Council's 2022 Economic Excellence Recognition Award, which is a really big award. There are approximately 780 Economic Development Council's in Texas, and about 40 awards were given out.

Mr. Sharp said he and Mark England, President of GlobiTech and GlobalWafers, visited the Governor's Mansion in recognition of Governor Greg Abbott receiving the 11th consecutive Governor's Cup.

SEDCO also hosted the Sherman Women-Owned and Minority-Owned kick-off event, to compile a directory, network, and make connections with new resources. He said 84 people attended, and they were extremely pleased with that number.

There were nine applicants for the 2023 Raising Innovative Sherman Entrepreneurs (RISE) Challenge. Program partners with SEDCO for the event, include Austin College, PQD Design & Manufacturing, and Grayson Small Business Center for Development. Four of the nine applicants advanced to Round 2, and then Round 3.

Three finalists were chosen to receive a RISE award, and the winners, and their award amounts, will be announced April 21, 2023, at the RISE Awards ceremony at Austin College.

During the next quarter, SEDCO will continue with business attraction, and business retention and expansion. A representative will attend the Industrial Asset Management Council's Spring Forum, and the staff will attend a Taiwan Delegation Meeting, hosted by the Dallas Regional Chamber. SEDCO will also co-host the AMP End of Year Event and the RISE Awards Ceremony. Mr. Sharp outlined other conferences the staff would attend, and briefed the Council on the status of other projects.

Mr. Sharp added that they are currently working five active projects, and if those projects come to fruition, they will represent about \$4 billion in capital expenditures, and generate about 5,200 jobs.

They have also restarted business retention and expansion efforts since COVID shut them down.

During the last quarter, SEDCO approved the following projects, s Second Amendment and Restated Performance Agreement for 903 Brewers; an amended and Restated Performance Agreement with GlobalWafers; the sale of land in Progress Park III to Arctic Bracing, LLC; authorizing and approving a real estate sales contract, right of first refusal, and right of repurchase for the sale and conveyance of property at the corner of Howe Drive and Dorsett Drive, to HPI Acquisition, LLC; and a \$109,702.88 incentive to Eaton B-Line for a \$1,990,096 capital investment in a new hydraulic turret and tooling, which will create up to 35 new jobs over five years.

APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDED MARCH 31, 2023

The City Council approved the Quarterly Investment Report for the quarter ended March 31, 2023. A separate report was also included for the debt proceeds, which is required by the Investment Policy.

The total operating portfolio book value of about \$41.6 million increased by about \$12.5 million from the previous quarter, due to purchases of \$3 million in U.S. Agency Securities, \$1 million in U.S. Treasury Notes, \$4.8 million in State of Texas political subdivision obligations, \$1.5 million in Certificates of Deposit, \$2.5 million in Local Government Investment Pools (LGIP), and \$0.5 million in deposits into an FDIC Insured Investment Account, combined with maturities of \$0.8 million of State of Texas political subdivision obligations.

**QUARTERLY
INVESTMENT
REPORT**

The underlying investments were adequately diversified among six different types of securities. The portfolio's weighted-average maturity of 412 days increased from 397 days last quarter. The portfolio yield of 3.35% was 129 basis points below our benchmark 1-year Constant Maturity Treasury Index. Book value slightly exceeds market value (\$0.6 million).

The debt proceeds portfolio balance of \$13.2 million had decreased by about \$3.3 million due to payments for capital projects. The portfolio includes a Local Government Investment Pool, and FDIC insured investment account and U.S. Agencies. The portfolio's weighted-average maturity of 86 days increased from 80 days last quarter. The portfolio yield of 3.62% was 112 basis points below the benchmark yield for this portfolio, the 4-week Constant Maturity Index of 4.74%. Book value approximated market value.

CONSENT AGENDA.

FINAL PLAT OF TEXOMA VET HOSPITAL, CONSISTING OF 2.354 ACRES IN THE A. HUME SURVEY, ABSTRACT NO. 522, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT; KENNETH AND MARY LAWRENCE, OWNER AND WINDROSE LAND SERVICES, SURVEYOR (5005 NORTH FM 1417 (HERITAGE PARKWAY))

The City Council approved the Final Plat of Texoma Vet Hospital, a 2.354 acre tract, located at 5005 North FM 1417. The property is currently zone C-2 (General Commercial) District, and the owner would like to plat the property into one lot for commercial development.

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

APPROVE FINAL PLAT
TEXOMA VET
HOSPITAL
(5005 N. FM 1417)

REPLAT OF ROCKHILL CORNER ADDITION, CONSISTING OF 1.985 ACRES, BEING A PART OF THE WILLIAM C. ATCHISON SURVEY, ABSTRACT NO. 23, BEING ALL OF LOT 7, BLOCK ONE OF CHOCTAW ESTATES NO. II AND CURRENTLY IN THE ETJ (EXTRATERRITORIAL JURISDICTION); ROBERT AND NANCY DOBBS, OWNER; HELVEY-WAGNER SURVEYING, INC., SURVEYOR (121 ROCKPORT ROAD)

The City Council approved the Replat of Rockhill Corner Addition, a 1.985 acre tract, located at 121 Rockport Road, in the City's Extraterritorial Jurisdiction. The owner would like to plat 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. SUBJECT TO STAFF REVIEW LETTER.

APPROVE REPLAT
ROCKHILL CORNER
ADDITION
(ETJ)

FINAL PLAT OF HICKORY HILL GARDEN APARTMENTS ADDITION, LOTS 1 AND 2, BLOCK 1, CONSISTING OF 22.330 ACRES IN THE RALSTON W. ADAMS SURVEY, ABSTRACT NO. 18 AND CURRENTLY ZONED PD (PLANNED DEVELOPMENT) DISTRICT; SHERMAN HICKORY HILL, LLC, OWNER AND BOHLER ENGINEERING, SURVEYOR (2100-2300 BLOCK WEST LAMBERTH ROAD)

APPROVE FINAL PLAT
HICKORY HILL
GARDEN APARTMENTS
ADDITION
(2100-2300 BLOCK
W. LAMBERTH RD)

COUNCIL MINUTES – APRIL 17, 2023

The City Council approved the Final Plat of Hickory Hill Garden Apartments Addition, a 22.330 acre tract, located in the 2100 to 2300 blocks of West Lamberth Road. The property is currently zoned PD (Planned Development) District, and the owner would like to plat the property into one lot for commercial development.

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

PUBLIC HEARING AND REPLAT FOR FIELDER ADDITION, CONSISTING OF 0.492 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, BEING A PART OF BLOCK 29, CHAFFIN'S SECOND ADDITION AND CURRENTLY ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT; PAUL TERRELL, LA CIMA CONTRACTING, OWNER; AND COPLEY LAND SURVEYING, SURVEYOR (1104 EAST CHAFFIN STREET)

The City Council approved the Replat for Fielder Addition, a 0.492 acre tract, located at 1104 East Chaffin Street. The property is currently zoned R-6(Single-Family Residential) District. The owner would like to Plat 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. SUBJECT TO STAFF REVIEW LETTER.

REPLAT OF OCHOA ADDITION, CONSISTING OF 0.238 ACRES, BEING A PART OF GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, BEING ALL OF LOTS 13, 14, AND 15 IN BLOCK 14 OF CONTINUATION OF W. ELLIOTTS ADDITION AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT; MANUEL DEJESUS OCHOA, OWNER; UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR (800 MAXEY STREET)

The City Council approved the Replat of Ochoa Addition, a 0.238 tract, located at 800 Maxey Street. The property is currently zoned C-1 (Retail Business) District. The owner is requesting a zone change to an R-2F (Duplex Residential) District, and to Plat the property into one lot to build a duplex.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA. SUBJECT TO STAFF REVIEW LETTER.

COUNCIL COMMENTS

HAPPY BIRTHDAY TO COUNCIL MEMBER DOBBS

Council Member Marroquin wished Council Member Dobbs a happy birthday.

HAPPY BIRTHDAY TO COUNCIL MEMBER DOBBS

Council Member Teamann wished Council Member Dobbs a happy birthday.

APPROVE REPLAT
OCHOA ADDITION &
W. ELLIOTTS ADDITION
(800 MAXEY ST)

HAPPY BIRTHDAY
TO COUNCIL MEMBER
DOBBS

HAPPY BIRTHDAY
TO COUNCIL MEMBER
DOBBS

MENTAL HEALTH AWARENESS MONTH

Council Member Teamann recognized a recent meeting for the Mental Health Awareness Month and encouraged people to become involved and learn more about the organization.

MENTAL HEALTH
AWARENESS MONTH

THE CAMP AND POTENTIAL OLYMPIC CONTENDER

Council Member Howeth thanked Mr. Luper and Ms. Lagway for their presentation about The Camp and the young man that is working to compete in the Olympics. She also thanked all their members for their attendance at the Council Meeting.

THE CAMP &
POTENTIAL OLYMPIC
CONTENDER

THE CAMP AND POTENTIAL OLYMPIC CONTENDER

Council Member Holland also thanked Mr. Luper and Ms. Lagway for their presentation. He urged them to continue their work with the young people of Sherman.

THE CAMP &
POTENTIAL OLYMPIC
CONTENDER

SEDCO'S ECONOMIC EXCELLENCE RECOGNITION AWARD

Council Member Dobbs congratulated SEDCO on receiving the Texas Economic Development Council's 2022 Economic Excellence Recognition Award.

SEDCO
RECOGNITION
AWARD

THE CAMP AND POTENTIAL OLYMPIC CONTENDER

Council Member Dobbs recognized The Camp and wished them well in the future.

THE CAMP &
POTENTIAL OLYMPIC
CONTENDER

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Sherman Symphony Orchestra will host the Annual Spring Concert on April 29, 2023, with a performance of "Carmen."
- Sherman's first annual Cinco de Mayo event will be held on May 5, 2023, at 6:00 p.m., in downtown Sherman. The event will feature live music, food, and drink options.
- Craft the Night Away will be held in downtown Sherman on May 14, 2023, at 5:00 p.m. The event will feature adult beverages from area breweries.

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

TEX. GOV'T CODE § 551.071 --

SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

- a) Received legal advice regarding the possible expansion of the Grayson County Jail

TEX. GOV'T CODE § 551.072 --

DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --

DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --

DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 --

DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 --

DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

a) Hospital Project

TEXAS GOV'T CODE § 551.089 --

DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:50 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:28 p.m. and reconvened in Open Meeting.

OPEN MEETING

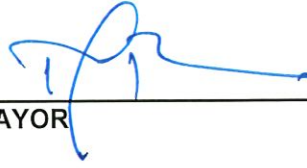
Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:29 p.m.

ADJOURNMENT



MAYOR



CITY CLERK