

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, DECEMBER 7, 2015
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY DEPUTY MAYOR JASON SOFEY**
- A. 3. INVOCATION BY DEPUTY MAYOR JASON SOFEY**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2015**

Oath of Office

- B. 1. OATH OF OFFICE**

Public Hearing

- C. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5915**
Extending the Corporate Limits of Said City so as to Annex 186.244 Acres of Land along West Lamberth Road, Carriage Estates Road, Norwood Road, Carriage Circle, Shady Oaks Circle, and Shady Oaks Lane, Adjacent to the Sherman City Limits, and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Plan
- C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5916**
Authorizing the Conveyance of an Oil, Gas and Mineral Lease to Roff Oil and Gas, Ltd., Covering and Affecting Two Tracts of Land Described Herein, in the City of Sherman, Grayson County, Texas, Pursuant to the Terms and Conditions of this Ordinance
- C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5917**
Amending Article II of the Home Rule Charter, entitled "City Council", at Sections 9, 11, 12 and 13

- C. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5918**
Amending Article III of the Home Rule Charter, entitled "Nominations and Elections", at Section 4, entitled "Determination of Election Results"
- C. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5919**
Amending Article IV of the Home Rule Charter, entitled "Administrative Departments", at Section 1, entitled "General Provisions"
- C. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5920**
Amending Article V of the Home Rule Charter, entitled "Finance Administration", at Sections 3, 4, 8, 10 and 12
- C. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5921**
Amending Article VI of the Home Rule Charter, entitled "Taxation", at Section 4, entitled "Payment of Taxes"
- C. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5922**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- C. 9. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5923**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Construction, Equipment Sales, Service, Rental and Repair Shop and Yard (Crane Service) and Truck Repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District at 3111 South US Highway 75, being Lots 1 and 2, Block 1, Bryan Luckett Addition; Bryan Luckett, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- C. 10. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5924**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 2125 Little Lane, being 0.852 acres in the J.B. McAnair Survey, Abstract No. 763 (Northstar Bank of Texas, Owners; Hoyte Ridlehuber, Prospective Buyer; Ben Dye, Representative; and Underwood Drafting and Surveying, Surveyors)

Close Public Hearing and Consider Adoption of Ordinances

- C. 11. **TABLED AT THE AUGUST 3, 2015 CITY COUNCIL MEETING:**
ADOPTION OF ORDINANCE NO. 5889
Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", Article 4.14, entitled "Alcoholic Beverages", at Division 2, entitled "Lawful Consumption", Section 4.14.034, entitled "Hours of Operation", and at Division 3, entitled "Unlawful Consumption", Section 4.14.066, entitled "Sale of Alcoholic Beverages During Extended Hours by Private Club Permittee", to Provide for Extended Hours for the Sale of Alcohol pursuant to the Texas Alcoholic Beverage Code
- C. 12. **ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5915, 5916, 5917, 5918, 5919, 5920, 5921, 5922, 5923, 5924 and 5889
- C. 13. **CONSENT AGENDA**
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Requests to Advertise

- D. 1. *** REQUEST TO ADVERTISE**
Electronic Document Management Services
- D. 2. *** REQUEST TO ADVERTISE**
Annual Supply of Chemicals

Other Business

- E. 1. **OTHER BUSINESS**
Receive Presentation on a Number of Transportation Related Issues in the City of Sherman
- E. 2. **OTHER BUSINESS**
Discussion of the City of Sherman's Texas Main Street and Tourism Programs
- E. 3. *** OTHER BUSINESS**
Consider Request of Downtown Sherman Preservation & Revitalization to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, April 16, 2016
- E. 4. *** OTHER BUSINESS**
Consider Request of the Neighborhood Recreational Committee to Temporarily Close Certain Streets for the 2016 Dr. Martin Luther King, Jr. Day Parade on Saturday, January 16, 2016

E. 5. * *OTHER BUSINESS*

Final Plat Approval of the Risk Addition, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor (2810 Texoma Parkway)

E. 6. * *OTHER BUSINESS*

Final Plat Approval of the Replat of a Part of Lot 5, Block One, Midway Industrial Park Addition, being 53.192 acres in the J.B. Shannon Survey, Abstract No. 1085, also being a Replat of a Part of Lot 5, Block 1, Midway Industrial Park Addition; Datavault Joint Venture, Owner; Crannell, Crannell & Martin Engineering, Engineer; and Underwood Drafting and Surveying, Surveyor (2945 Fallon Drive)

E. 7. * *OTHER BUSINESS*

Replat Approval of Lots 1 & 2, Block 1, State Highway 91 North Addition, being Lots 1 and 2, Block 1, State Highway 91 North Addition, containing 2.431 acres; Barbara Brown, Owner; Kyle Boothe, Bluestone Partners, LLC, Contractor/Representative; and Underwood Drafting and Surveying, Surveyor (4009 and 4015 Texoma Parkway)

E. 8. * *OTHER BUSINESS*

Approval of the 2015 Ad Valorem Tax Roll Value and Tax Levy

F. CITIZEN REQUESTS

G. MEDIA QUESTIONS

Consider Board/Commission Appointments

**H. 1. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**

(a) Council Audit Committee (3)

**H. 2. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**

(a) Investment Committee (2)

**H. 3. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**

(a) Tax Reinvestment Committee (2)

- H. 4. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**
(a) Tax Increment Financing Board #1 (3)
- H. 5. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**
(a) Tax Increment Financing Board #2 (3)
- H. 6. TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**
(a) Tax Increment Financing Board #3 (3)
- I. COUNCIL COMMENTS**

Executive Session

J. 1. EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's 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:
(a) Receive the City Attorney's Briefing on Pending or Contemplated Litigation |
| Section 551.074 | Personnel Matters:
(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:
(1) Greater Texoma Utility Authority (GTUA) Board of Directors (2)
(b) Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee |
| Section 551.087 | Deliberation Regarding Economic Development Negotiations:
(a) 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 |

The Council reconvenes into General Session

K. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on December 3, 2015 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 3rd day of December, 2015
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

David Plyler

Deputy Mayor

Jason Sofey

Council Members

Kevin Couch, Council-At-Large, PL #1

Jason Sofey, Council-At-Large, PL #2

Lawrence Davis, Council – District #1

Terrence R. Steele, Council – District #2

Tom Watt, Council – District #3

Tammy Johnson, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. 4.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2015

Attachments

November 16, 2015

Canvass Tally Sheets

Grayson County Election Reports

STATE OF TEXAS §
 November 16, 2015
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 November 16, 2015.

MEMBERS PRESENT: MAYOR CARY WACKER; DEPUTY MAYOR DAVID PLYLER.
 COUNCIL MEMBERS DAVIS, JOHNSON, SOFEY, STEELE,
 WATT.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Ryan Johnson.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 2, 2015. Council Member Watt moved to approve the Minutes as presented; Second by Council Member Sofey. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

DECLARE RESULTS OF NOVEMBER 3, 2015 REGULAR AND SPECIAL MUNICIPAL ELECTIONS
CANVASS OF ELECTION RETURNS

Mayor Wacker canvassed the Election returns of the November 3, 2015 Regular and Special Municipal Elections by reading the number of early votes, Election Day votes, and total votes received for each candidate, for Proposition 1, and for Charter Amendment 1.

CANVASS OF
ELECTION RETURNS

The detail of the Election returns are maintained in the permanent record file entitled "Elections" in the Office of the City Clerk. The canvass statistics are attached and made a part of these Minutes. (Exhibit A)

Mayor Wacker asked for a motion accepting Resolution 6039, declaring the official results of the November 3, 2015 Regular and Special Municipal Elections.

RESOLUTION NO. 6039 – DECLARING THE RESULTS OF THE NOVEMBER 3, 2015 REGULAR AND SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 3, 2015 REGULAR AND SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS.

RES 6039
DECLARING
ELECTION RESULTS

COUNCIL MINUTES – NOVEMBER 16, 2015

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6039, as presented. Second by Council Member Davis.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RECOGNITION OF OUTGOING COUNCIL MEMBERS

Mayor Wacker recognized Council Member Ryan Johnson for his service to the City and presented him with a plaque listing his dates of service.

Council Member Johnson thanked God for allowing him the opportunity to serve the City and the grace and wisdom he has provided to make these tough decisions. He thanked his family for their sacrifice, adding that he has missed soccer games and evenings with his family.

He also thanked his colleagues on the City Council saying it had been a pleasure working with them. He felt they had many projects that were put forward that would set the stage for the City future growth. He also thanked the City staff and said there are great employees working for the City and a great leadership team in place.

Deputy Mayor Plyler presented a plaque and gavel to Mayor Cary Wacker listing the dates of her service. He also presented her with a bouquet of white roses.

Mayor Wacker said it had been an overwhelming day and she thanked Deputy Mayor Plyler for the recognition. She said she was able to thank some people at the reception held earlier in her honor.

She thanked her fellow Council Members and the City staff that have made everything so easy because they work so well together in Sherman. She said her service had been a privilege and a blessing in her life. She thanked everyone for the opportunity to serve as Sherman's Mayor.

OATH OF OFFICE

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Linda Ashby, City Clerk, administered the Oath of Office to the following Council-elect positions.

Mayor	David Plyler
Council Member, At-Large, Place 1	Kevin Couch
Council Member, At-Large, Place 2	Jason Sofey

A Certificate of Election was presented to each of the newly sworn-in Council Members. The new members were seated at the Council table.

**RECOGNITION OF
OUTGOING
COUNCIL MEMBERS**

OATH OF OFFICE

COUNCIL MINUTES – NOVEMBER 16, 2015

NEW COUNCIL SEATED

MEMBERS PRESENT: Mayor David Plyler.
Council Members Couch, Davis,
Sofey, Steele, Watt.

MEMBERS ABSENT: None.

PUBLIC HEARING

Mayor Plyler called for the second public hearing concerning the annexation of 186.244 acres of land adjacent to the Sherman City Limits and in the City's Extra Territorial Jurisdiction:

ANNEXATION
CARRIAGE HOUSE
ESTATES

Robby Hefton, City Manager, explained that this is the second public hearing for the proposed annexation of Carriage Estates and surrounding areas. The final action will be at the December 7, 2015 Council Meeting, where there will be a public hearing on the actual ordinance.

Sylvia Hema, 262 Shady Oaks Circle

Ms. Hema spoke against the proposed annexation of the Shady Oaks Subdivision. She said it is really just Carriage Estates and some residents of Lamberth Estates that want to be annexed into the City.

She said Shady Oaks Circle and Shady Oaks Lane are comprised of 12 houses. Looking at the petition for annexation, these 12 residents were "steamrolled" by the 100 plus residents of Carriage Estates that were in favor of annexation.

She asked that the residents of Shady Oaks Subdivision have their own petition, and in fact, she felt that each subdivision should have their own petition. She said it is possible to have "an island of land" that is not inside the City limits. Ms. Hema asked that the City "leave them alone."

She said the majority of residents in the Shady Oaks Subdivision do not want to be annexed. It doesn't benefit them. They have no water problem. They are happy with their services. Ms. Hema said if they become City residents, it's the same price, the only difference is that they will owe \$700 to \$800 a year in City taxes, which they don't want to pay.

She asked that the City remove the Shady Oaks Subdivision from the proposed annexation or that they allow them to have their own petition. She said if 50% of her Subdivision wants to be annexed, then that is fine and she will go alone with it.

Ms. Hema also said she has contacted the City Attorney to determine what the laws are that gives the City the right to annex someone without them having any choice. He has not returned her call.

She asked for answers to her question about if the City has the right to annex someone without their consent. She said they are happy with their services and don't want to pay the additional taxes. Ms. Hema said their water doesn't come from the same system and is already City water that is sold to a "rebiller" who bills them for their fee.

Mayor Plyler asked the City staff to respond to Ms. Hema with her options concerning the proposed annexation.

No other citizens appeared before the City Council to discuss the proposed annexation.

Mayor Plyler introduced Ordinance 5913 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

ORD 5913
REAUTHORIZATION
OF STREET SALES
TAX

No citizens appeared before the City Council to discuss Ordinance 5913.

Mayor Plyler introduced Ordinance 5914 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 A MARRIOTT COURTYARD HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 4344 LOY LAKE ROAD, BEING LOT 2, BLOCK 1, AMERISTATE PLAZA (SHERMAN HOTELS, LLC, OWNER; RAJ PATEL, REPRESENTATIVE; RICHARD HUMISTON, ARCHITECT; AND GRAY ROCK CONSULTING, CIVIL ENGINEER AND LANDSCAPE ARCHITECT); 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 5914
SUP FOR
MARRIOTT
COURTYARD HOTEL
(4344 LOY LAKE RD)

Vickie Woodard, Sherman Hotels, LLC

Ms. Woodard appeared representing Sherman Hotels, LLC, and their request for a Specific Use Permit for a hotel. The luxury hotel will be approximately 73,000 square feet and will add 117 hotel rooms and over 3,400 square feet of meeting space to the City.

No other citizens appeared before the City Council to discuss Ordinance 5914.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5913

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONCERNING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER.

ORD 5913
REAUTHORIZATION
OF STREET SALES
TAX

Ordinance 5914

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 MARRIOTT COURTYARD HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 4344 LOY LAKE ROAD, BEING LOT 2, BLOCK 1, AMERISTATE PLAZA (SHERMAN HOTELS, LLC, OWNER; RAJ PATEL, REPRESENTATIVE; RICHARD HUMISTON, ARCHITECT; AND GRAY ROCK CONSULTING, CIVIL ENGINEER AND LANDSCAPE ARCHITECT); 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 5914
SUP FOR
MARRIOTT
COURTYARD HOTEL
(4344 LOY LAKE RD)

ACTION TAKEN.

Motion by Council Member Sofey to approve Ordinance Nos. 5913 and 5914, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6040 – RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2015B (CITY OF SHERMAN PROJECT), APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY FOR BENEFIT OF THE CITY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2015B (CITY OF SHERMAN PROJECT), APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY FOR THE BENEFIT OF THE CITY.

RES 6040
WATER TREATMENT
PLANT EXPANSION
& ELEVATED WATER
STORAGE TANK

COUNCIL MINUTES – NOVEMBER 16, 2015

Drew Satterwhite, General Manager, Greater Texoma Utility Authority, explained that the request is for a \$27.31 million bond issue on behalf of the City of Sherman, for the expansion of the Water Treatment Plant and a new Elevated Water Storage Tank on the southwest side of Sherman.

The funds are being pursued through the Texas Water Development Board's Drinking Water State Revolving Fund. This fund offers a 1.25% interest rate reduction. The interest rate received on the bond issue is 1.46% on a 20 year term. Mr. Satterwhite said they are very pleased to receive this rate.

The Water Development Board estimates that the City could save approximately \$3.76 million over the life of the loan by utilizing this Drinking Water Program. They anticipate a December 17, 2015 closing date.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6040, as presented. Second by Council Member Sofey.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6041 – AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION TO FUND THE PURCHASE OF FIFTY-FIVE (55) BODY-WORN CAMERAS AND STORAGE SERVERS FOR LAW ENFORCEMENT USE WITHIN THE CITY OF SHERMAN POLICE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY

**RES 6041
BODY CAMERAS
FOR POLICE DEPT.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE OFFICE OF THE GOVERNOR – CRIMINAL JUSTICE DIVISION TO FUND THE PURCHASE OF FIFTY-FIVE (55) BODY-WORN CAMERAS AND STORAGE SERVERS FOR LAW ENFORCEMENT USE WITHIN THE CITY OF SHERMAN POLICE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY.

Otis Henry, Police Chief, said the State has opened up the grant application process, however the City does not know the dollar amount that will be awarded. He asked for permission from the City Council to make application for the grant.

If the City is awarded the grant, at that time they will ask permission from the Council to pursue the purchase.

COUNCIL MINUTES – NOVEMBER 16, 2015

ACTION TAKEN.

Motion by Council Member Sofey to approve Resolution No. 6041, as presented. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6042 – AUTHORIZING THE PURCHASE OF A 2015 PIERCE IMPEL PUMPER FOR THE SHERMAN FIRE DEPARTMENT FROM SIDDONS-MARTIN EMERGENCY GROUP THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC)

**RES 6042
FIRE PUMPER**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2015 PIERCE IMPEL PUMPER FOR THE SHERMAN FIRE DEPARTMENT FROM SIDDONS-MARTIN EMERGENCY GROUP THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC).

Danny Jones, Fire Chief, explained that they are requesting to purchase a 2015 Pierce Fire Truck to replace a 2000 model Freightliner that has almost 180,000 miles. If approved, they will keep the Freightliner until the new truck arrives and will then dispose of it by City policy.

The staff is proposing to pay the entire amount at the time of purchase, which will allow the City to save over \$22,000 off the purchase price. Council Member Watt verified that the staff planned to take advantage of the savings.

ACTION TAKEN.

Motion by Council Member Davis to approve Resolution No. 6042, as presented. Second by Council Member Couch.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6043 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FRISCO FOR THE PURCHASE OF UNIFORMS AND PROTECTIVE CLOTHING FOR USE WITHIN THE SHERMAN FIRE DEPARTMENT

**RES 6043
FIRE DEPT.
UNIFORMS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF FRISCO FOR THE PURCHASE OF UNIFORMS AND PROTECTIVE CLOTHING FOR USE WITHIN THE SHERMAN FIRE DEPARTMENT.

CONSENT AGENDA.

RESOLUTION NO. 6044 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY

**RES 6044
RESIDENTIAL TAX
ABATEMENT
(1516 S.**

RESIDENCE AT 1516 SOUTH MONTGOMERY STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUPID INVESTMENTS FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1516 SOUTH MONTGOMERY STREET. CONSENT AGENDA.

MONTGOMERY)

REQUEST TO ADVERTISE

LEASE-PURCHASE FINANCING OF VARIOUS PIECES OF CAPITAL EQUIPMENT

Mark Gibson, Director of Utilities, explained that the staff is proposing to lease-purchase several pieces of larger equipment for excavation and construction on the utilities. Currently the City has small to medium size equipment that is used to minimize damage to homeowner's yards and to City streets.

REQ TO ADVERTISE
LEASE-PURCHASE
OF VARIOUS
PIECES OF CAPITAL
EQUIPMENT

This larger equipment will allow the City to undertake larger construction projects. The City currently does have employees that can operate this larger equipment, however they do propose to add one three-man crew, exclusively for the construction projects. This crew would be supplemented as needed from the current distribution crews.

By hiring the extra three-man crew, the staff would not have to take a crew out of service for construction projects. This is what has been done in the past on projects such as the Travis Street storm sewer.

Some advantages of this program would be that the City would have total control over the projects from inception to completion; timing, including a possible two to three month bid process; the ability to complete an urgent project in a timely manner; and the use of the large equipment and crew to repair any major infrastructure; and it will probably be cheaper for the City.

Mr. Gibson said the City can purchase the materials as cheap as any contractor and since the City is not trying to make a profit, the cost should be cheaper.

Council Member Davis asked how much the Travis Street project cost. Mr. Hefton said it cost about \$240,000 for the City to complete the project and the bid received was \$400,000.

Mr. Gibson added that there are currently several major projects in the Capital Improvement Program or in the projected future plans for which this equipment could be used.

Mr. Hefton said the proposed equipment would cost about \$800,000, but the plan is to also hire the new crew. In order

to “ramp up” and complete these six to ten major projects, the City will need the additional manpower to expedite the construction of these critical projects.

The staff has estimated that this plan will save the City an estimated \$3 million to \$4 million over the next four or five years by completing the projects in-house. This projected savings will pay for the purchase of the equipment and the cost of adding the crew.

ACTION TAKEN.

Motion by Council Member Sofey to approve the request to advertise for the lease-purchase financing of various pieces of capital equipment, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

HARRISON ELEVATED TANK PAINTING IMPROVEMENTS

The City Council approved the request to advertise for bids for the repair and painting of the Harrison elevated storage tank. The protective coatings on the interior and exterior of the tank are at the end of their useful life.

**HARRISON
ELEVATED TANK
PAINTING**

The project is included in the current Capital Improvement Program.

CONSENT AGENDA.

OTHER BUSINESS

RECEIVE REPORT FROM DIRECTOR OF TOURISM LAUREN ROTH

TOURISM REPORT

Lauren Roth, Tourism Director, updated the City Council on the tourism program and their upcoming events. They have raised enough money to purchase a new Christmas tree this year. The tree will be purchased from Christmas Designers, a local company.

The tree is a 26 foot tree, with a four foot topper. It will be located on the Grayson County Court House grounds and will be installed on Saturday, November 28, 2015.

The Christmas Parade and Snowflake Festival will be held Saturday, December 5, 2015. In the past, the parade has been held on Friday night, but this year it will be moved to Saturday, to allow for more festivities during the day.

Events will include a Breakfast with Santa in the morning, the Snowflake Festival during the day, and the tree lighting and parade during the evening.

Lights on the Lake and Hot Summer Nights are also in the planning stages. A contract has been signed with the same fireworks company that was used last year and the entertainment has been confirmed.

Ms. Roth said Keep Sherman Beautiful recently had a trash pick-up planned, but it was rained out. The event has been moved to the Spring. Volunteers have signed up to help clean up Sherman.

The Parks and Recreation Department recently held an “It’s My Park Day” and Austin College volunteers planted almost 40 trees in a couple of Sherman parks.

Steve Ayers, Director of Community and Support Services, added that Sherman has been selected as a Texas Main Street City. The staff has been looking at how that will partner with the Tourism Department and the budgetary impact on the City. A presentation will be made to the City Council at a future meeting with a proposal on how that program will be handled.

CONSIDER DIRECTING THE PLANNING & ZONING COMMISSION TO REVIEW THE F.M. HIGHWAY 1417 OVERLAY DISTRICT AND SPECIFIC PROVISIONS OF THE GENERAL ZONING ORDINANCE

**F.M. HWY 1417
OVERLAY DIST.**

Mr. Hefton said during the summer, the City Council discussed the need to review the zoning ordinance, especially along FM 1417, because of the amount of development between US Hwy 75 and US Hwy 82. What was not discussed, was the impact this review might have on other zoning issues.

He asked the City Council to request that the Planning and Zoning Commission review whatever needs to be reviewed which might include zoning issues that would affect the entire City. These issues would be brought back to the City Council at a later date for discussion.

Council Member Sofey asked if the concern was land use? He said there is already an Overlay District in place that is pretty “tight.”

Scott Shadden, Director of Development Services, said one question that arose when the consultant reviewed the Overlay District was permitted uses in Commercial Districts and in C-2 Districts, and maybe moving some of those uses into the Specific Use Permit list.

He said the request is to ask the Planning and Zoning Commission to review the rules and make a recommendation to the City Council. Mr. Hefton added that the main objective is to clean some things up in the ordinance. He said it won’t be a comprehensive review of the zoning ordinance. He asked for latitude in reviewing, with a broader scope than was originally discussed with the Council.

Council Member Steele asked if this was strictly for the FM 1417 area. Mr. Hefton said it originated when the staff began looking at FM 1417, but the proposal will include both FM

1417 and maybe some adjustments for the overall City within the C-1, C-2 zoning classifications.

He felt it would be limited in scope and probably not venture into the residential districts, but it would be more than just looking at the Overlay District issues.

Council Member Steele said he would like to review the Blalock Overlay District, especially the back part of the properties that are owned by the Sherman Economic Development Corporation. He felt there should be some “spec” buildings and added that SEDCO had some concerns about types of “spec” buildings that they could construct. Council Member Steele said the area doesn’t have enough building space.

Mr. Hefton said they will review the impact that the general zoning ordinance might have on the Blalock Overlay District. He felt there might be additional discussion needed on the issue. They will also include the FM 1417 Overlay District and the general zoning ordinances that may affect the other issues.

Council Member Davis asked how long the process would take. Mr. Shadden said they should be ready in the first quarter of 2016.

**CONSIDER CANCELLATION OF THE DECEMBER 21, 2015
REGULAR CITY COUNCIL MEETING**

CANCEL CITY
COUNCIL MEETING

Mr. Hefton said historically the staff has reviewed items that need to be considered by Council and has determined that there are no items that would be imperative to be considered on the December 21, 2015 City Council Meeting. He asked the City Council to consider whether or not they wanted to meet during the week of Christmas.

ACTION TAKEN.

Motion by Council Member Sofey to cancel the December 21, 2015 Regular City Council Meeting, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

**APPROVE QUARTERLY INVESTMENT REPORT FOR
QUARTER ENDED SEPTEMBER 30, 2015**

QUARTERLY
INVESTMENT REPORT

The City Council approved the Quarterly Investment Report for the quarter ended September 30, 2015. As of September 30, the portfolio was in compliance with applicable State laws and the Investment Policy.

The operating investment portfolio had a book value of about \$17.8 million, decreasing by about \$2.1 million from the prior quarter due to maturities and called agency bonds. The underlying investments were adequately diversified among four different types of securities.

COUNCIL MINUTES – NOVEMBER 16, 2015

This portfolio is appropriately liquid and its weighted-average maturity was about 490 days, up slightly from 485 days last period. The portfolio yield of 0.739% for the quarter is higher than the benchmark yield of 0.33%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

CONSENT AGENDA.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (3)

ACTION TAKEN.

Motion by Council Member Couch to appoint Rhonda Luckett, Michael Waitt, and Ben Crouse to the Parks and Recreation Advisory Board for a term from November 17, 2015 to November 17, 2017. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL AUDIT COMMITTEE (3)

INVESTMENT COMMITTEE (2)

TAX REINVESTMENT COMMITTEE (2)

TAX INCREMENT FINANCING BOARD #1

TAX INCREMENT FINANCING BOARD #2

TAX INCREMENT FINANCING BOARD #3

Mayor Plyler explained that Items G-2 through G-7 were Council staffed boards and he proposed that appointments to these boards be considered on December 7, 2015 after an appointment is made to fill the vacant District 4 Council Member position.

ACTION TAKEN.

Motion by Council Member Steele to table appointments to the Council Audit Committee, the Investment Committee, the Tax Reinvestment Committee, Tax Increment Financing Board #1, Tax Increment Financing Board #2, and the Tax Increment Financing Board #3 until the December 7, 2015 Council Meeting. Second by Council Member Sofey.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

PARKS & REC
BOARD

COUNCIL AUDIT
COMMITTEE
(TABLED)
INVESTMENT
COMMITTEE
(TABLED)
TAX REINVESTMENT
COMMITTEE
(TABLED)
TAX INCREMENT
FINANCING BOARD
#1
(TABLED)
TAX INCREMENT
FINANCING BOARD
#2
(TABLED)
TAX INCREMENT
FINANCING BOARD
#3
(TABLED)

CITIZENS REQUESTS

There were no citizen's requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

COMMEND STAFF

Council Member Sofey commended the City staff on thinking outside what they normally do and finding ways to save money by purchasing equipment to complete projects in house. By spending money, the City will be able to save money long term.

CONGRATULATIONS TO DAVID PLYLER

Council Member Davis congratulated David Plyler on his election as Mayor. He also congratulated Council Member Sofey and Council Member Couch on their election and for giving their time and talent to help the City. He said Sherman is blessed to have people that will "step up" and run for office to serve the citizens.

THANKS TO CITIZENS

Council Member Couch thanked the citizens who voted and let their voice be heard. He said he looks forward to getting to work.

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.

SECTION 551.074

PERSONNEL MATTERS:

CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
GRAYSON CENTRAL APPRAISAL
DISTRICT (GCAD) BOARD OF
DIRECTORS (1)

GREATER TEXOMA UTILITY
AUTHORITY (GTUA) BOARD OF
DIRECTORS (2)

TEXOMA COUNCIL OF
GOVERNMENTS (TCOG)
GOVERNING BODY (1)

TEXOMA AREA SOLID WASTE
AUTHORITY (TASWA) BOARD OF
DIRECTORS (1)

CITIZENS REQUESTS

MEDIA QUESTIONS

COMMEND STAFF

**CONGRATULATIONS
TO DAVID PLYLER**

**THANKS TO
CITIZENS**

EXECUTIVE SESSION

DELIBERATE THE APPOINTMENT,
EMPLOYMENT, EVALUATION,
REASSIGNMENT, DUTIES,
DISCIPLINE OR DISMISSAL OF A
PUBLIC OFFICER OR EMPLOYEE

SECTION 551.087

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

On Motion duly made and carried, the Open Meeting
recessed and reconvened in Executive Session at 5:47 p.m.

On Motion duly made and carried, the Executive Session
recessed at 6:54 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

COUNCIL ELECTION OF DEPUTY MAYOR

Mayor Plyler asked for nominations for the Office of the
Deputy Mayor.

**DEPUTY MAYOR
ELECTION**

ACTION TAKEN.

Motion by Council Member Davis to nominate Council
Member Jason Sofey to serve as Deputy Mayor, for a
term from November 17, 2015 to November 8, 2016.
Second by Council Member Watt.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 6045 – CASTING VOTES TO ELECT A
CANDIDATE TO SERVE AS A MEMBER OF THE GRAYSON
CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, CASTING VOTES TO ELECT
CANDIDATES TO SERVE AS MEMBERS OF THE GRAYSON
CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution
No. 6045, as presented and pool the City's 253 votes with
the Sherman Independent School District's candidate.
Second by Council Member Davis.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

**RES 6045
APPRAISAL DISTRICT
BOARD APPOINTMENT**

TEXOMA COUNCIL OF GOVERNMENTS (TCOG)
GOVERNING BODY (1)

TCOG GOVERNING
BODY

ACTION TAKEN.

Motion by Council Member Couch to appoint Council Member Tom Watt to the Texoma Council of Governments Governing Body for a term from November 17, 2015 to November 2016. Second by Council Member Sofey.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

TEXOMA AREA SOLID WASTE AUTHORITY (TASWA)
BOARD OF DIRECTORS (1)

TASWA BOARD
OF DIRECTORS

ACTION TAKEN.

Motion by Council Member Sofey to appoint Mayor David Plyler to the Texoma Area Solid Waste Authority Board of Directors for a term from November 17, 2015 to November 2016. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

APPOINTMENT TO FILL UNEXPIRED DISTRICT 4 TERM ON
THE CITY COUNCIL

APPOINTMENT TO
FILL UNEXPIRED
COUNCIL TERM

ACTION TAKEN.

Motion by Council Member Davis to appoint Tammy Johnson to fill the unexpired District 4 City Council term vacated when Deputy Mayor David Plyler was elected Mayor. The appointment will be to serve until the next Regular Municipal Election in November 2016. Second by Council Member Sofey.

VOTING AYE: Couch, Davis, Sofey, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:56 p.m.

MAYOR

CITY CLERK

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 3, 2015 Registered Voters 20,311 City Ballots Cast 1,989 Percentage Voted 9.79 %

PRECINCTS	101	102	103	104	106	108	301	302	303	304	305	405	408	409	TOTAL
Early Ballots Cast	104	40	0	0	0	0	59	180	2	154	0	23	2	213	777
Reg. Ballots Cast	168	89	0	0	0	0	71	238	1	231	0	19	5	390	1,212
Total Ballots Cast	272	129	0	0	0	0	130	418	3	385	0	42	7	603	1,989
Registered Voters	3,786	2,493	0	0	0	0	1,556	4,967	21	2,864	0	493	17	4,114	20,311
% of registered voters casting ballots by precinct	7.18 %	5.17 %	0 %	0 %	0 %	0 %	8.35 %	8.42 %	14.29 %	13.44 %	0 %	8.52 %	41.18 %	14.66 %	9.79 %

Voter Statistics

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Mayor			
David Plyler	627	1,003	1,630
Council Member, At-Large, Place 1			
Kevin Couch	424	653	1,077
Robert Shannon	255	424	679
Council Member, At-Large, Place 2			
Jason Sofey	501	745	1,246
Joshua Shelton	198	341	539

Prepared by Linda Ashby, City Clerk, Sherman, Texas

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Proposition 1 - Reauthorization of Street Sales Tax (1/8%)			
For	670	1,071	1,741
Against	83	115	198
Charter Amendment No. 1			
For	638	966	1,604
Against	91	160	251

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 3, 2015 Registered Voters 20,311 City Ballots Cast 2,989 Percentage Voted 9.79 %

PRECINCTS	101	102	103	104	106	108	301	302	303	304	305	405	408	409	TOTAL
Early Ballots Cast	104	40	0	0	0	0	59	180	2	154	0	23	2	213	777
Reg. Ballots Cast	168	89	0	0	0	0	71	238	1	231	0	19	5	390	1,212
Total Ballots Cast	272	129	0	0	0	0	130	418	3	385	0	42	7	603	1,989
Registered Voters	3,786	2,493	0	0	0	0	1,556	4,967	21	2,864	0	493	17	4,114	20,311
% of registered voters casting ballots by precinct	7.18 %	5.17 %	0 %	0 %	0 %	0 %	8.35 %	8.42 %	14.29 %	13.44 %	0 %	8.52 %	41.18 %	14.66 %	9.79 %

Voter Statistics by Precincts

PRECINCTS	101	102	103	104	106	108	301	302	303	304	305	405	408	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Mayor																	
David Plyler	219	89	0	0	0	0	102	343	3	319	0	38	7	510	627	1,003	1,630
Council Member, At-Large, Place 1																	
Kevin Couch	133	42	0	0	0	0	57	215	3	236	0	15	4	372	424	653	1,077
Robert Shannon	114	65	0	0	0	0	50	141	0	110	0	19	1	179	255	424	679
Council Member, At-Large, Place 2179																	
Jason Sofey	158	55	0	0	0	0	75	246	3	277	0	25	4	403	501	745	1,246
Joshua Shelton	88	56	0	0	0	0	40	114	0	78	0	11	1	151	198	341	539
Proposition 1 - Reauthorization of Street sales Tax (1/8%)																	
For	230	104	0	0	0	0	108	361	3	354	0	35	6	540	670	1,071	1,741
Against	35	20	0	0	0	0	21	45	0	22	0	6	0	49	83	115	198

PRECINCTS	101	102	103	104	106	108	301	302	303	304	305	405	408	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Charter Amendment No. 1																	
For	217	98	0	0	0	0	94	333	3	319	0	34	7	499	638	966	1,604
Against	40	21	0	0	0	0	26	52	0	44	0	5	0	63	91	160	251

Prepared by Linda Ashby, City Clerk, Sherman, Texas

SUMMARY REPT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:08 AM

Report EL45A Page 001

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
PRECINCTS COUNTED (OF 36)	36	100.00				
BALLOTS CAST - TOTAL.	7,899		60	2,800	5,037	2
Mayor CITY OF SHERMAN						
Vote for 1						
(WITH 9 OF 9 PRECINCTS COUNTED)						
David Plyler	1,630	100.00	17	610	1,003	0
Total	1,630		17	610	1,003	0
Council Member, At-Large, Place 1 CITY OF SHERMAN						
Vote for 1						
(WITH 9 OF 9 PRECINCTS COUNTED)						
Kevin Couch.	1,077	61.33	5	419	653	0
Robert Shannon.	679	38.67	12	243	424	0
Total	1,756		17	662	1,077	0
Council Member, At-Large, Place 2 CITY OF SHERMAN						
Vote for 1						
(WITH 9 OF 9 PRECINCTS COUNTED)						
Jason Sofey.	1,246	69.80	13	488	745	0
Joshua Shelton.	539	30.20	6	192	341	0
Total	1,785		19	680	1,086	0
CITY OF SHERMAN STREET SALES TAX						
Vote for 1						
(WITH 9 OF 9 PRECINCTS COUNTED)						
For	1,741	89.79	19	651	1,071	0
Against	198	10.21	4	79	115	0
Total	1,939		23	730	1,186	0
CITY OF SHERMAN CHARTER AMENDMENT						
Vote for 1						
(WITH 9 OF 9 PRECINCTS COUNTED)						
For	1,604	86.47	11	627	966	0
Against	251	13.53	9	82	160	0
Total	1,855		20	709	1,126	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0001-01

0001 PRECINCT 101

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	272		6	98	168	0
Mayor CITY OF SHERMAN						
Vote for 1						
David Plyler	219	100.00	2	80	137	0
Total	219		2	80	137	0
Council Member, At-Large, Place 1 CITY OF SHERMAN						
Vote for 1						
Kevin Couch.	133	53.85	2	54	77	0
Robert Shannon.	114	46.15	2	36	76	0
Total	247		4	90	153	0
Council Member, At-Large, Place 2 CITY OF SHERMAN						
Vote for 1						
Jason Sofey.	158	64.23	1	67	90	0
Joshua Shelton.	88	35.77	3	24	61	0
Total	246		4	91	151	0
CITY OF SHERMAN STREET SALES TAX						
Vote for 1						
For	230	86.79	2	86	142	0
Against	35	13.21	3	10	22	0
Total	265		5	96	164	0
CITY OF SHERMAN CHARTER AMENDMENT						
Vote for 1						
For	217	84.44	0	84	133	0
Against	40	15.56	5	9	26	0
Total	257		5	93	159	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0002-01

0002 PRECINCT 102

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	129		2	38	89	0

Mayor CITY OF SHERMAN

Vote for 1

David Plyler	89	100.00	1	25	63	0
Total	89		1	25	63	0

Council Member, At-Large, Place 1 CITY OF SHERMAN

Vote for 1

Kevin Couch.	42	39.25	1	9	32	0
Robert Shannon.	65	60.75	1	21	43	0
Total	107		2	30	75	0

Council Member, At-Large, Place 2 CITY OF SHERMAN

Vote for 1

Jason Sofey.	55	49.55	1	19	35	0
Joshua Shelton.	56	50.45	0	13	43	0
Total	111		1	32	78	0

CITY OF SHERMAN STREET SALES TAX

Vote for 1

r	104	83.87	2	31	71	0
ainst	20	16.13	0	5	15	0
Total	124		2	36	86	0

CITY OF SHERMAN CHARTER AMENDMENT

Vote for 1

For	98	82.35	1	30	67	0
Against	21	17.65	1	5	15	0
Total	119		2	35	82	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0019-01

0019 PRECINCT 301

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	130		4	55	71	0
Mayor CITY OF SHERMAN						
Vote for 1						
David Plyler	102	100.00	4	39	59	0
Total	102		4	39	59	0
Council Member, At-Large, Place 1 CITY OF SHERMAN						
Vote for 1						
Kevin Couch.	57	53.27	0	24	33	0
Robert Shannon.	50	46.73	1	23	26	0
Total	107		1	47	59	0
Council Member, At-Large, Place 2 CITY OF SHERMAN						
Vote for 1						
Jason Sofey.	75	65.22	4	28	43	0
Joshua Shelton.	40	34.78	0	21	19	0
Total	115		4	49	62	0
CITY OF SHERMAN STREET SALES TAX						
Vote for 1						
For	108	83.72	3	43	62	0
Against	21	16.28	1	11	9	0
Total	129		4	54	71	0
CITY OF SHERMAN CHARTER AMENDMENT						
Vote for 1						
For	94	78.33	2	36	56	0
Against	26	21.67	1	16	9	0
Total	120		3	52	65	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0020-01

0020 PRECINCT 302

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	418		7	173	238	0
Mayor CITY OF SHERMAN						
Vote for 1						
David Plyler	343	100.00	5	141	197	0
Total	343		5	141	197	0
Council Member, At-Large, Place 1 CITY OF SHERMAN						
Vote for 1						
Kevin Couch.	215	60.39	0	91	124	0
Robert Shannon.	141	39.61	5	54	82	0
Total	356		5	145	206	0
Council Member, At-Large, Place 2 CITY OF SHERMAN						
Vote for 1						
Jason Sofey.	246	68.33	2	97	147	0
Joshua Shelton.	114	31.67	3	52	59	0
Total	360		5	149	206	0
CITY OF SHERMAN STREET SALES TAX						
Vote for 1						
For	361	88.92	7	150	204	0
Against	45	11.08	0	18	27	0
Total	406		7	168	231	0
CITY OF SHERMAN CHARTER AMENDMENT						
Vote for 1						
For	333	86.49	5	147	181	0
Against	52	13.51	2	17	33	0
Total	385		7	164	214	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0021-01

0021 PRECINCT 303

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	90		1	32	57	0

Mayor CITY OF SHERMAN

Vote for 1

David Plyler	3	100.00	0	2	1	0
Total	3		0	2	1	0

Council Member, At-Large, Place 1 CITY OF SHERMAN

Vote for 1

Kevin Couch.	3	100.00	0	2	1	0
Robert Shannon.	0		0	0	0	0
Total	3		0	2	1	0

Council Member, At-Large, Place 2 CITY OF SHERMAN

Vote for 1

Jason Sofey.	3	100.00	0	2	1	0
Joshua Shelton.	0		0	0	0	0
Total	3		0	2	1	0

CITY OF SHERMAN STREET SALES TAX

Vote for 1

For	3	100.00	0	2	1	0
Against	0		0	0	0	0
Total	3		0	2	1	0

CITY OF SHERMAN CHARTER AMENDMENT

Vote for 1

For	3	100.00	0	2	1	0
Against	0		0	0	0	0
Total	3		0	2	1	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0022-01

0022 PRECINCT 304

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	385		1	153	231	0
Mayor CITY OF SHERMAN						
Vote for 1						
David Plyler	319	100.00	0	130	189	0
Total	319		0	130	189	0
Council Member, At-Large, Place 1 CITY OF SHERMAN						
Vote for 1						
Kevin Couch.	236	68.21	0	103	133	0
Robert Shannon.	110	31.79	0	40	70	0
Total	346		0	143	203	0
Council Member, At-Large, Place 2 CITY OF SHERMAN						
Vote for 1						
Jason Sofey.	277	78.03	0	114	163	0
Joshua Shelton.	78	21.97	0	30	48	0
Total	355		0	144	211	0
CITY OF SHERMAN STREET SALES TAX						
Vote for 1						
For	354	94.15	0	135	219	0
Against	22	5.85	0	14	8	0
Total	376		0	149	227	0
CITY OF SHERMAN CHARTER AMENDMENT						
Vote for 1						
For	319	87.88	0	130	189	0
Against	44	12.12	0	17	27	0
Total	363		0	147	216	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0032-01

0032 PRECINCT 405

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL.	42		0	23	19	0

Mayor CITY OF SHERMAN

Vote for 1

David Plyler	38	100.00	0	19	19	0
Total	38		0	19	19	0

Council Member, At-Large, Place 1 CITY OF SHERMAN

Vote for 1

Kevin Couch.	15	44.12	0	8	7	0
Robert Shannon.	19	55.88	0	8	11	0
Total	34		0	16	18	0

Council Member, At-Large, Place 2 CITY OF SHERMAN

Vote for 1

Jason Sofey.	25	69.44	0	19	6	0
Joshua Shelton.	11	30.56	0	2	9	0
Total	36		0	21	15	0

CITY OF SHERMAN STREET SALES TAX

Vote for 1

For	35	85.37	0	18	17	0
Against	6	14.63	0	4	2	0
Total	41		0	22	19	0

CITY OF SHERMAN CHARTER AMENDMENT

Vote for 1

For	34	87.18	0	19	15	0
Against	5	12.82	0	2	3	0
Total	39		0	21	18	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0035-01

0035 PRECINCT 408

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL	94		0	38	56	0

Mayor CITY OF SHERMAN

Vote for 1

David Plyler	7	100.00	0	2	5	0
Total	7		0	2	5	0

Council Member, At-Large, Place 1 CITY OF SHERMAN

Vote for 1

Kevin Couch	4	80.00	0	1	3	0
Robert Shannon	1	20.00	0	1	0	0
Total	5		0	2	3	0

Council Member, At-Large, Place 2 CITY OF SHERMAN

Vote for 1

Jason Sofey	4	80.00	0	1	3	0
Joshua Shelton	1	20.00	0	1	0	0
Total	5		0	2	3	0

CITY OF SHERMAN STREET SALES TAX

Vote for 1

For	6	100.00	0	2	4	0
Against	0		0	0	0	0
Total	6		0	2	4	0

CITY OF SHERMAN CHARTER AMENDMENT

Vote for 1

For	7	100.00	0	2	5	0
Against	0		0	0	0	0
Total	7		0	2	5	0

PREC REPORT-GROUP DETAIL

Grayson County, Texas
Special Election
November 3, 2015

UNOFFICIAL RESULTS

Run Date:11/10/15 10:11 AM

Report EL30A Page 0036-01

0036 PRECINCT 409

	TOTAL VOTES	%	EV MAIL	EV IN PERSON	ED IN PERSON	PROVISIONAL
BALLOTS CAST - TOTAL	603		6	207	390	0

Mayor CITY OF SHERMAN

Vote for 1

David Plyler	510	100.00	5	172	333	0
Total	510		5	172	333	0

Council Member, At-Large, Place 1 CITY OF SHERMAN

Vote for 1

Kevin Couch	372	67.51	2	127	243	0
Robert Sharinon	179	32.49	3	60	116	0
Total	551		5	187	359	0

Council Member, At-Large, Place 2 CITY OF SHERMAN

Vote for 1

Jason Sofey	403	72.74	5	141	257	0
Joshua Shelton	151	27.26	0	49	102	0
Total	554		5	190	359	0

CITY OF SHERMAN STREET SALES TAX

Vote for 1

For	540	91.68	5	184	351	0
Against	49	8.32	0	17	32	0
Total	589		5	201	383	0

CITY OF SHERMAN CHARTER AMENDMENT

Vote for 1

For	499	88.79	3	177	319	0
Against	63	11.21	0	16	47	0
Total	562		3	193	366	0



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

OATH OF OFFICE

Issue:

The official Statement of Appointed Officer has been filed with the Sherman City Clerk; and Tammy Johnson, the newly appointed member of the City Council, may take the Oath of Office as required by law.

Background:

Pursuant to the City Charter, Article X, Section 4, all elected or appointed officers shall, before entering upon the duties of their respective office, take and subscribe to the official oath prescribed by the Constitution of the State of Texas. The Oath of Office shall be administered by the City Clerk.

Origination:

The Oath of Office presentation originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with taking the Oath of Office.

Staff Recommendation:

It is recommended that Ms. Johnson take the Oath of Office.

Alternatives:

There is no viable alternative.

Attachments

Oath of Office

OATH OF OFFICE

I, State your name

DO SOLEMNLY SWEAR,

THAT I WILL FAITHFULLY

EXECUTE THE DUTIES

OF State you position

IN THE CITY OF SHERMAN

OF THE STATE OF TEXAS

AND WILL TO THE BEST OF MY ABILITY

PRESERVE, PROTECT, AND DEFEND

THE CONSTITUTION AND LAWS

OF THE UNITED STATES

AND OF THIS STATE

SO HELP ME GOD.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 12/07/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5915

Extending the Corporate Limits of Said City so as to Annex 186.244 Acres of Land along West Lamberth Road, Carriage Estates Road, Norwood Road, Carriage Circle, Shady Oaks Circle, and Shady Oaks Lane, Adjacent to the Sherman City Limits, and in the City of Sherman's Extra Territorial Jurisdiction;
Providing for a Municipal Plan

Issue:

To introduce, hold a public hearing, and consider adoption of the annexation ordinance that extends the City of Sherman's corporate limits so as to annex 186.244 acres of land adjacent to the Sherman city limits and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its October 5th meeting, the City Council approved the schedule for annexation of this property, which set public hearings for the November 2nd and November 16th regular Council meetings and this December 7th regular Council meeting. The first and second public hearings were held on November 2nd and November 16th as scheduled.

Origination:

City Council

Financial Consideration:

The additional property taxes raised from this annexation are estimated at about \$100,000 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council introduce, hold the public hearing, and consider adoption of the ordinance for annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 5915

Facility Plan

Annexation Schedule

Field Notes

Location Map

ORDINANCE NO. 5915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX 186.244 ACRES OF LAND ALONG WEST LAMBERTH ROAD, CARRIAGE ESTATES ROAD, NORWOOD ROAD, CARRIAGE CIRCLE, SHADY OAKS CIRCLE, AND SHADY OAKS LANE, ADJACENT TO THE SHERMAN CITY LIMITS, AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 43 of the Texas Local Government Code and Article X, Section 12 of the City Charter of Sherman, Texas, an incorporated City, authorizes the annexation of territory, subject to the laws of this State; and

WHEREAS, the procedures proscribed in Chapter 43 of the Texas Local Government Code, the City Charter of the City of Sherman, Texas, and any other applicable laws have been duly followed with respect to the territory described in Section 1 of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the limits of the City of Sherman, Texas, shall be extended so as to hereinafter include within the corporate limits of said City, being more particularly described in Exhibit "A".

SECTION 2. That the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Sherman and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

SECTION 3. That the Service Plan for the annexed area is adopted and attached to this Ordinance and incorporated for all purposes.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

EXHIBIT "A"

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, Being a part of the William Thompson Survey, Abstract No. 1209; F. Bacon Survey, Abstract No. 120; J. H. Vaden Survey, Abstract No. 1288 and J. B. McAnair Survey, Abstract No 763 also being all of Lamberth Road Estates, an addition to the Grayson County, Texas as recorded in Volume 5, Page 26, Plat Records, Grayson County, Texas , a part of Shady Oaks Subdivision as recorded in Volume 8, Page 27, of said plat records; a part of Carriage House Estates, an addition to the County of Grayson as recorded in Volume 5, Page 24 of said plat records and that tract of land conveyed to Ann L. Coats as recorded in Volume 5438, Page 852, Real Property Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a the northwest corner of Lot 21 of said Lamberth Road Estates;

Thence North 87°20'55" East with the north line of said addition, a distance of 1,413.35 feet to the southwest corner of Block 2 of said Shady Oaks Addition;

Thence with the westerly lines of said Shady Oaks Addition the following calls and distances:

1. North 04°26'32" West, a distance of 129.94 feet to a point,
2. North 87°14'39" East, a distance of 359.65 feet to a point,
3. North 04°09'00" West, a distance of 63.84 feet to a point,
4. North 88°58'50" East, a distance of 24.45 feet to a point,
5. North 04°16'22" West, a distance of 432.28 feet to the northwest corner of said addition;

Thence North 85°16'25" East with the north line of said addition, a distance of 466.31 feet to the northwest corner of Lot 6, Block 3 of said addition;

Thence with the west line of said Lot 6 the following calls and distances;

1. South 04°43'35" East, a distance of 69.22 feet to a point,
2. North 85°40'20" East, a distance of 27.52 feet to a point;
3. South 53°55'51" East, a distance of 81.69 feet to a point in a private roadway easement for Shady Oaks Circle as shown on Plat of said Shady Oaks Addition;

Thence southeasterly with said easement and a non tangent curve to the right having a radius of 50.00 feet, (chord bears South 32°18'34" East, 92.96 feet) an arc distance of 194.82 feet to a point in the east line of Lot 4, Block 3 of said addition;

Thence South 10°41'18" East, a distance of 230.05 feet to the southeast corner of said Lot 4;

Thence with the southerly and easterly line of said addition the following calls and distances:

1. South 74°39'45" West, a distance of 175.00 feet to a point,
2. South 15°47'06" East, a distance of 177.65 feet to a point,
3. South 83°26'24" West, a distance of 47.87 feet to a point,
4. South 87°21'38" West, a distance of 466.93 feet to a point,
5. South 08°09'26" East, a distance of 888.15 feet to a point,
6. South 10°15'38" East, a distance of 214.22 feet to a point at the southeast corner of said addition;

Thence South 89°02'33" West, a distance of 647.84 feet to a point;

Thence South 00°43'33" East, a distance of 363.10 feet to a point;

Thence South 89°07'00" West, a distance of 366.42 feet to a point;

Thence South 10°57'53" West, a distance of 93.58 feet to a point;

Thence South 14°38'10" West, a distance of 118.52 feet to a point;

Thence southeasterly, with a non tangent curve to the left having a radius of 1,174.90 feet, (chord bears South 47°26'59" East, 951.89 feet) an arc distance of 980.06 feet to a point in the southeast corner of said Carriage House Estates;

Thence South 77°27'32" West, a distance of 587.94 feet to the northeast corner of said Ann L. Coats tract of land;

Thence South 00°45'46" East with the east line of said Ann L. Coats tract of land , a distance of 76.00 feet to a point;

Thence South 77°27'32" West with the south line of said Ann L. Coats Tract of land, a distance of 48.44 feet to a point in the east line of said Carriage House Estates;

Thence South 01°07'20" East with said east line, a distance of 3,296.79 feet to the northeast corner of 6.8 acre tract of land conveyed to Clint and Sunni Hayes as recorded in Volume 4944, Page 243 of said Real Property Records:

Thence with the north line of said Hayes tract the following calls and distances:

1. South 88°59'21" West, a distance of 20.00 feet to a point,
2. South 81°04'07" West, a distance of 232.66 feet to a point,
3. South 87°16'24" West, a distance of 200.00 feet to a point,
4. North 84°12'18" West, a distance of 219.48 feet to a point,
5. North 62°22'39" West, a distance of 136.89 feet to a point,
6. North 42°42'02" West, a distance of 244.73 feet to a point,
7. South 59°56'55" West, a distance of 279.53 feet to a point,
8. South 02°42'40" West, a distance of 106.19 feet to a point in the south line of said Carriage House Estates;

Thence with the southerly and westerly lines of said Carriage House Estates the following calls and distances:

1. North 78°50'48" West, a distance of 51.83 feet to a point,
2. South 75°22'59" West, a distance of 50.09 feet to a point,
3. North 52°49'49" West, a distance of 115.28 feet to a point,
4. North 18°29'24" West, a distance of 51.18 feet to a point,
5. North 15°02'26" East, a distance of 103.49 feet to a point,
6. North 15°44'23" West, a distance of 61.56 feet to a point,
7. North 38°40'16" West, a distance of 265.28 feet to a point,
8. North 73°12'59" West, a distance of 52.00 feet to a point,
9. North 03°54'38" West, a distance of 120.41 feet to a point,
10. North 64°26'15" West, a distance of 366.13 feet to a point,

11. North 03°38'06" West, a distance of 104.02 feet to a point,
12. North 69°41'32" East, a distance of 139.19 feet to a point,
13. North 34°15'50" West, a distance of 103.23 feet to a point,
14. North 09°10'46" West, a distance of 143.06 feet to a point,
15. North 44°49'14" East, a distance of 50.00 feet to a point,
16. North 89°14'14" East, a distance of 39.87 feet to a point,
17. North 84°55'43" East, a distance of 57.45 feet to a point,
18. North 25°47'41" West, a distance of 70.50 feet to a point,
19. North 52°02'45" East, a distance of 72.88 feet to a point,
20. South 30°41'00" East, a distance of 62.49 feet to a point,
21. South 08°10'52" West, a distance of 29.08 feet to a point,
22. North 63°05'17" East, a distance of 59.20 feet to a point,
23. South 82°02'10" East, a distance of 35.00 feet to a point,
24. North 05°28'49" East, a distance of 85.00 feet to a point,
25. South 70°27'07" East, a distance of 60.58 feet to a point,
26. North 88°02'18" East, a distance of 52.39 feet to a point,
27. North 35°37'32" West, a distance of 54.85 feet to a point,
28. North 59°59'40" West, a distance of 52.76 feet to a point,
29. North 24°24'30" East, a distance of 38.00 feet to a point,
30. North 82°37'16" East, a distance of 66.70 feet to a point,
31. South 22°24'32" East, a distance of 72.57 feet to a point,
32. South 76°46'15" East, a distance of 27.49 feet to a point,
33. North 37°44'41" East, a distance of 101.55 feet to a point,
34. North 19°41'09" West, a distance of 52.28 feet to a point,
35. North 29°03'05" East, a distance of 119.87 feet to a point,
36. North 64°34'26" East, a distance of 119.72 feet to a point,
37. North 35°24'26" East, a distance of 69.00 feet to a point,
38. North 03°53'00" East, a distance of 450.15 feet to a point,
39. North 28°37'02" East, a distance of 565.22 feet to a point,
40. North 25°08'25" West, a distance of 247.64 feet to a point,
41. North 03°27'41" West, a distance of 623.91 feet to a point,
42. North 04°55'57" West, a distance of 2.31 feet to a point,
43. North 14°08'57" East, a distance of 1,293.96 feet to a point in the southerly line of said Lamberth Road Estates;

Thence South 88°57'18" West with the south line of said addition, a distance of 262.37 feet to the southwest corner of said Lamberth Road Estates;

Thence North 01°25'59" West with the west line of said Lamberth Road Estates, a distance of 1,039.21 feet to the POINT OF BEGINNING and containing 186.244 acres of land.

City of Sherman

Municipal Service Plan

Carriage House Estates, Lamberth Road Estates, Shady Oaks

INTRODUCTION:

The annexation is the site of approximately 150 properties along Lamberth Road, Carriage Estates Road, Norwood Road, Carriage Circle, Shady Oaks Circle, and Shady Oaks Lane lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: All roads shall be accepted in current as-is conditions and shall be maintained by City of Sherman. Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon

annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. All areas will be annexed as an R-A on the effective date of the annexation ordinance.

CAPITAL IMPROVEMENTS:

WATER SERVICE: The City of Sherman is in the process of obtaining a CCN at this time. Upon receiving the CCN and completion of the annexation, the City of Sherman will perform the following water utility improvements:

- Extend all water mains according to existing City policy
- Install fire hydrants in accordance with City of Sherman Subdivision Ordinance requirements and Sherman Fire Department practices
- Make connections between new water mains and new water meters.

SEWER SERVICE: All properties within the annexation area are served by individual and privately owned septic systems. Therefore, the City of Sherman will not provide sewer services to this area.

ANNEXATION SCHEDULING PLAN

**Annexation of
Carriage House Estates; Plat Recorded 2/18/1976, Vol 5, Pg 24 and
Replat Recorded 4/29/1976, Vol 5, Pg 25
Lamberth Road Estates; Plat Recorded 3/16/1976, Vol 5, Pg 26
Shady Oaks Subdivision; Plat Recorded 11/3/1987, Vol 8, Pg 127
Unplatted Properties on Montclair Drive**

- Wednesday, October 21, 2015..... Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
- Thursday, October 22, 2015..... Post notice on City's website, newspaper and City Hall for City Council's 1st Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
- Thursday, October 29, 2015..... Post notice of 1st Public Hearing under the Open Meetings Act.
- Monday, November 2, 2015..... City Council's 1st Public Hearing on intent to annex and service plan.* (Regular Meeting)
- Thursday, November 5, 2015..... Post notice on City's website, newspaper and City Hall for City Council's 2nd Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
- Thursday, November 12, 2015..... Post notice of 2nd Public Hearing under the Open Meetings Act.
- Monday, November 16, 2015..... City Council's 2nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
- Thursday, December 3, 2015..... Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.
- Monday, December 7, 2015..... City Council Public Hearing for introduction and consideration of adoption of annexation ordinance. (Regular Council Meeting)

* If more than twenty adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one of the public hearings must be held in the area to be annexed.

UNDERWOOD

DRAFTING & SURVEYING, INC.

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, Being a part of the William Thompson Survey, Abstract No. 1209; F. Bacon Survey, Abstract No. 120; J. H. Vaden Survey, Abstract No. 1288 and J. B. McAnair Survey, Abstract No 763 also being all of Lamberth Road Estates, an addition to the Grayson County, Texas as recorded in Volume 5, Page 26, Plat Records, Grayson County, Texas, a part of Shady Oaks Subdivision as recorded in Volume 8, Page 27, of said plat records; a part of Carriage House Estates, an addition to the County of Grayson as recorded in Volume 5, Page 24 of said plat records and that tract of land conveyed to Ann L. Coats as recorded in Volume 5438, Page 852, Real Property Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a the northwest corner of Lot 21 of said Lamberth Road Estates;

Thence North $87^{\circ}20'55''$ East with the north line of said addition, a distance of 1,413.35 feet to the southwest corner of Block 2 of said Shady Oaks Addition;

Thence with the westerly lines of said Shady Oaks Addition the following calls and distances:

1. North $04^{\circ}26'32''$ West, a distance of 129.94 feet to a point,
2. North $87^{\circ}14'39''$ East, a distance of 359.65 feet to a point,
3. North $04^{\circ}09'00''$ West, a distance of 63.84 feet to a point,
4. North $88^{\circ}58'50''$ East, a distance of 24.45 feet to a point,
5. North $04^{\circ}16'22''$ West, a distance of 432.28 feet to the northwest corner of said

addition;

Thence North $85^{\circ}16'25''$ East with the north line of said addition, a distance of 466.31 feet to the northwest corner of Lot 6, Block 3 of said addition;

Thence with the west line of said Lot 6 the following calls and distances;

1. South $04^{\circ}43'35''$ East, a distance of 69.22 feet to a point,
2. North $85^{\circ}40'20''$ East, a distance of 27.52 feet to a point;
3. South $53^{\circ}55'51''$ East, a distance of 81.69 feet to a point in a private roadway easement for Shady Oaks Circle as shown on Plat of said Shady Oaks Addition ;

Thence southeasterly with said easement and a non tangent curve to the right having a radius of 50.00 feet, (chord bears South $32^{\circ}18'34''$ East, 92.96 feet) an arc distance of 194.82 feet to a point in the east line of Lot 4, Block 3 of said addition;

Thence South $10^{\circ}41'18''$ East, a distance of 230.05 feet to the southeast corner of said Lot 4;

Thence with the southerly and easterly line of said addition the following calls and distances:

1. South $74^{\circ}39'45''$ West, a distance of 175.00 feet to a point,
2. South $15^{\circ}47'06''$ East, a distance of 177.65 feet to a point,
3. South $83^{\circ}26'24''$ West, a distance of 47.87 feet to a point,
4. South $87^{\circ}21'38''$ West, a distance of 466.93 feet to a point,
5. South $08^{\circ}09'26''$ East, a distance of 888.15 feet to a point,
6. South $10^{\circ}15'38''$ East, a distance of 214.22 feet to a point at the southeast corner of said addition;

Thence South $89^{\circ}02'33''$ West, a distance of 647.84 feet to a point;

Thence South 00°43'33" East, a distance of 363.10 feet to a point;

Thence South 89°07'00" West, a distance of 366.42 feet to a point;

Thence South 10°57'53" West, a distance of 93.58 feet to a point;

Thence South 14°38'10" West, a distance of 118.52 feet to a point;

Thence southeasterly, with a non tangent curve to the left having a radius of 1,174.90 feet, (chord bears South 47°26'59" East, 951.89 feet) an arc distance of 980.06 feet to a point in the southeast corner of said Carriage House Estates;

Thence South 77°27'32" West, a distance of 587.94 feet to the northeast corner of said Ann L. Coats tract of land;

Thence South 00°45'46" East with the east line of said Ann L. Coats tract of land , a distance of 76.00 feet to a point;

Thence South 77°27'32" West with the south line of said Ann L. Coats Tract of land, a distance of 48.44 feet to a point in the east line of said Carriage House Estates;

Thence South 01°07'20" East with said east line, a distance of 3,296.79 feet to the northeast corner of 6.8 acre tract of land conveyed to Clint and Sunni Hayes as recorded in Volume 4944, Page 243 of said Real Property Records:

Thence with the north line of said Hayes tract the following calls and distances:

1. South 88°59'21" West, a distance of 20.00 feet to a point,
2. South 81°04'07" West, a distance of 232.66 feet to a point,
3. South 87°16'24" West, a distance of 200.00 feet to a point,
4. North 84°12'18" West, a distance of 219.48 feet to a point,
5. North 62°22'39" West, a distance of 136.89 feet to a point,
6. North 42°42'02" West, a distance of 244.73 feet to a point,
7. South 59°56'55" West, a distance of 279.53 feet to a point,
8. South 02°42'40" West, a distance of 106.19 feet to a point in the south line of said Carriage House Estates;

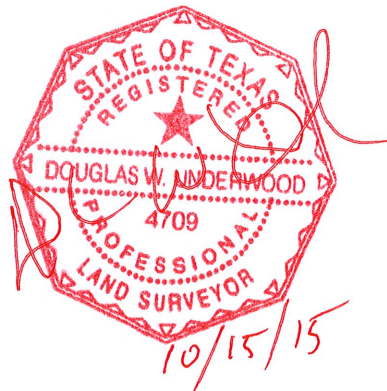
Thence with the southerly and westerly lines of said Carriage House Estates the following calls and distances:

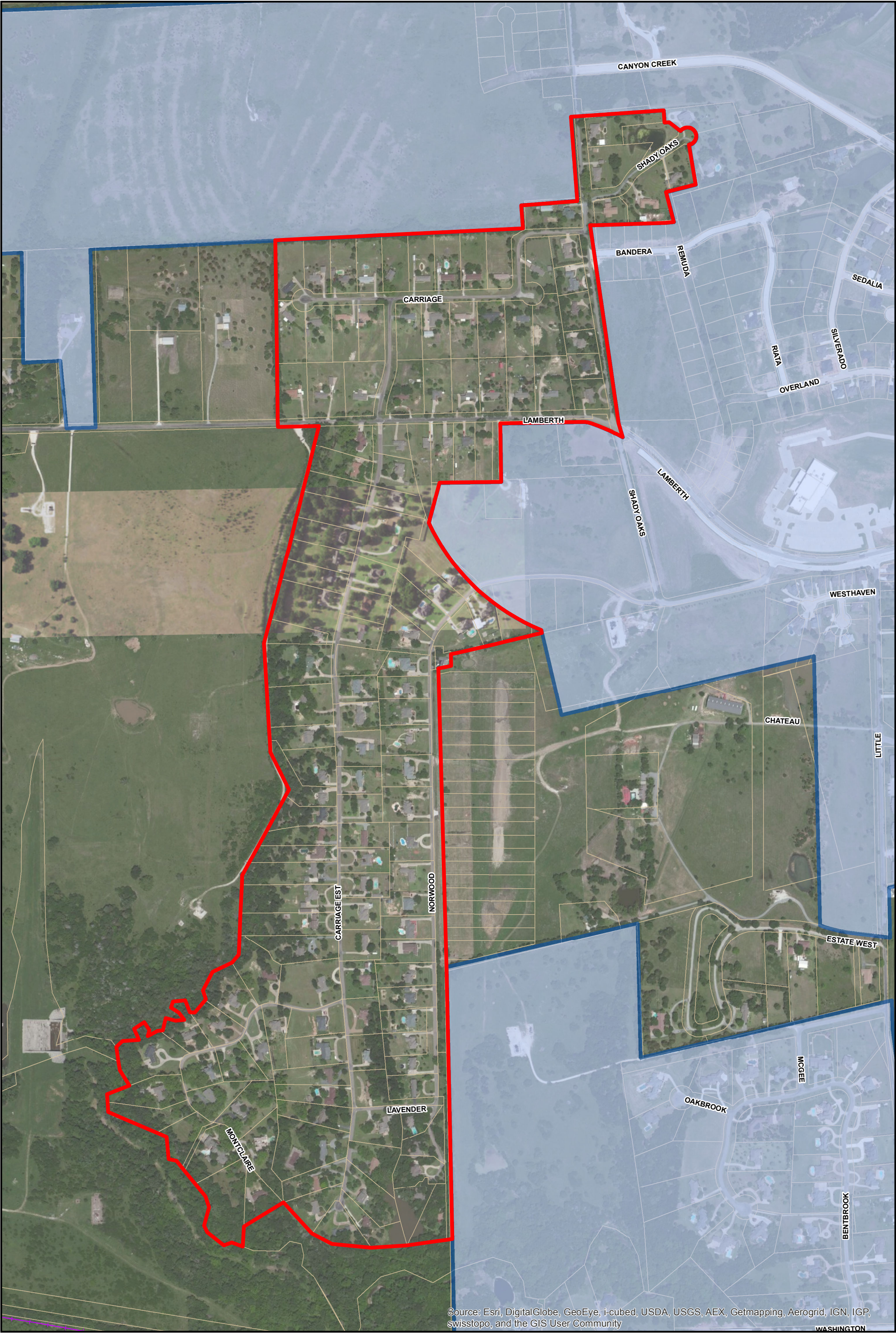
1. North 78°50'48" West, a distance of 51.83 feet to a point,
2. South 75°22'59" West, a distance of 50.09 feet to a point,
3. North 52°49'49" West, a distance of 115.28 feet to a point,
4. North 18°29'24" West, a distance of 51.18 feet to a point,
5. North 15°02'26" East, a distance of 103.49 feet to a point,
6. North 15°44'23" West, a distance of 61.56 feet to a point,
7. North 38°40'16" West, a distance of 265.28 feet to a point,
8. North 73°12'59" West, a distance of 52.00 feet to a point,
9. North 03°54'38" West, a distance of 120.41 feet to a point,
10. North 64°26'15" West, a distance of 366.13 feet to a point,
11. North 03°38'06" West, a distance of 104.02 feet to a point,
12. North 69°41'32" East, a distance of 139.19 feet to a point,
13. North 34°15'50" West, a distance of 103.23 feet to a point,
14. North 09°10'46" West, a distance of 143.06 feet to a point,

15. North 44°49'14" East, a distance of 50.00 feet to a point,
16. North 89°14'14" East, a distance of 39.87 feet to a point,
17. North 84°55'43" East, a distance of 57.45 feet to a point,
18. North 25°47'41" West, a distance of 70.50 feet to a point,
19. North 52°02'45" East, a distance of 72.88 feet to a point,
20. South 30°41'00" East, a distance of 62.49 feet to a point,
21. South 08°10'52" West, a distance of 29.08 feet to a point,
22. North 63°05'17" East, a distance of 59.20 feet to a point,
23. South 82°02'10" East, a distance of 35.00 feet to a point,
24. North 05°28'49" East, a distance of 85.00 feet to a point,
25. South 70°27'07" East, a distance of 60.58 feet to a point,
26. North 88°02'18" East, a distance of 52.39 feet to a point,
27. North 35°37'32" West, a distance of 54.85 feet to a point,
28. North 59°59'40" West, a distance of 52.76 feet to a point,
29. North 24°24'30" East, a distance of 38.00 feet to a point,
30. North 82°37'16" East, a distance of 66.70 feet to a point,
31. South 22°24'32" East, a distance of 72.57 feet to a point,
32. South 76°46'15" East, a distance of 27.49 feet to a point,
33. North 37°44'41" East, a distance of 101.55 feet to a point,
34. North 19°41'09" West, a distance of 52.28 feet to a point,
35. North 29°03'05" East, a distance of 119.87 feet to a point,
36. North 64°34'26" East, a distance of 119.72 feet to a point,
37. North 35°24'26" East, a distance of 69.00 feet to a point,
38. North 03°53'00" East, a distance of 450.15 feet to a point,
39. North 28°37'02" East, a distance of 565.22 feet to a point,
40. North 25°08'25" West, a distance of 247.64 feet to a point,
41. North 03°27'41" West, a distance of 623.91 feet to a point,
42. North 04°55'57" West, a distance of 2.31 feet to a point,
43. North 14°08'57" East, a distance of 1,293.96 feet to a point in the southerly line of said Lamberth Road Estates;

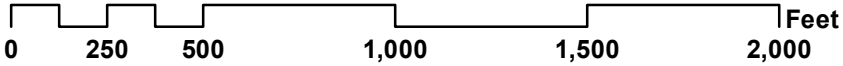
Thence South 88°57'18" West with the south line of said addition, a distance of 262.37 feet to the southwest corner of said Lamberth Road Estates;

Thence North 01°25'59" West with the west line of said Lamberth Road Estates , a distance of 1,039.21 feet to the POINT OF BEGINNING and containing 186.244 acres of land.





Annexation of Approximately 200 Acres in the ETJ





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 12/07/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5916

Authorizing the Conveyance of an Oil, Gas and Mineral Lease to Roff Oil and Gas, Ltd., Covering and Affecting Two Tracts of Land Described Herein, in the City of Sherman, Grayson County, Texas, Pursuant to the Terms and Conditions of this Ordinance

Issue:

The conveyance of an oil, gas and mineral lease to Roff Oil and Gas, Ltd., covering two tracts of land within the Sherman city limits

Background:

Roff Oil and Gas, Ltd. has approached the City of Sherman with the desire to pool acreage from City property to reach a combined acreage large enough to permit drilling. They have no current plans to drill on City property and expressed so in the lease document. Roff will still have to apply for and receive the necessary permits to drill.

Origination:

City Attorney Brandon Shelby
Fuller-Bedrock Consulting, Inc., representing Roff Oil and Gas, Ltd.

Financial Consideration:

The authorization of this lease agreement would result in a payment to the City of Sherman of \$250.00 per acre and a 3/16 royalty from future production.

Staff Recommendation:

It is recommended that the City Council authorize the execution of the Lease Agreement with Roff Oil and Gas, Ltd.

Alternatives:

The City of Sherman could choose not to enter into this lease agreement.

Attachments

Ordinance No. 5916

Oil, Gas and Mineral Lease

Memorandum of Oil and Gas Lease

ORDINANCE NO. 5916

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CONVEYANCE OF AN OIL, GAS AND MINERAL LEASE TO ROFF OIL AND GAS, LTD., COVERING AND AFFECTING TWO TRACTS OF LAND DESCRIBED HEREIN, IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, PURSUANT TO THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas has determined that it is desirable for the City to convey certain property for mineral leasing, such property described as follows:

All of the oil, gas and minerals which are owned by the City of Sherman underlying the area designated by the tracts of land described as follows:

Two tracts of land situated in Grayson County, Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being the same land described as follows:

Tract One: 3.0539 acres of land more or less, situated in Grayson County, Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, being described as follows, to wit: BEGINNING at a point on the North line of Kerr Street, where it is intersected by the West line of North Broughton Street; THENCE West 502 feet along the North line of Kerr Street; THENCE North parallel with the East line of East Street, 265 feet to the intersection of the South line of Evergreen Street; THENCE East with the South line of Evergreen Street, 502 feet to the intersection of the West line of North Broughton Street; THENCE South 265 feet to the BEGINNING, being a piece of land fronting 265 feet on North Broughton and 502 feet on Kerr and Evergreen Streets, together with all rights and interests in and to adjoining and adjacent streets, alleys, easements, vacated lands, strips of land and right of ways.

Tract Two: Lot No. One (1), Lot No. Two (2) and Lot No. Three (3) in Block 9, of the Kerr's Nursery Addition, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 138, Page 151, of the Plat Records of Grayson County, Texas, together with all rights and interests in and to adjoining and adjacent streets, roads, alleys, easements, vacated lands, strips of land and right of ways.

No surface operations will be conducted on this property without Lessor's consent.

WHEREAS, the City has received a desirable lease proposal from Roff Oil and Gas, Ltd.;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That all of the above recitals and preambles are found to be true and correct and the same are incorporated herein for all purposes.

SECTION 2. That the Mayor of the City of Sherman, Texas, David Plyler, be and is hereby authorized to execute for and in behalf of the City of Sherman, Texas, an oil, gas and mineral lease with Roff Oil and Gas, Ltd., said lease covering the above described property for a period of three (3) years, said lease to provide for a retention of 3/16 royalties and a lease bonus of Two Hundred Fifty Dollars and No Cents (\$250.00) per acre, said lease to be a non-drilling lease, and such further considerations contained therein, said lease to be attached hereto and incorporated herein for all purposes.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

OIL, GAS AND MINERAL LEASE (PAID-UP LEASE)

THIS AGREEMENT made this 1st day of December, 2015 between City of Sherman, Grayson County, Texas, a municipal corporation, Lessor, and Roff Oil and Gas, Ltd., 600 Travis, Suite 77002, Houston, Texas 73013, Lessee.

1. Lessor in consideration of a cash bonus paid, or the royalties herein provided, and of the agreement of Lessee herein contained, hereby grants, leases and lets exclusively unto Lessee the lands subject thereto for the purpose of investigating (including geophysical/tests and surveys), exploring for, developing, drilling, producing, and marketing oil and gas (including all gases, liquids hydrocarbons and their respective constituent elements), along with all hydrocarbon and non hydrocarbon substances produced in association therewith, which lands are located in Grayson County, Texas and described as follows:

Two tracts of land situated in Grayson County, Texas, being a part of the J. B. McNair Survey, Abstract No. 763, and being the same land described as follows:

Tract One: 3.0539 acres of land more or less, situated in Grayson County, Texas, being a part of the J. B. McNair Survey, Abstract No. 763, being described as follows, to wit: BEGINNING at a point on the North line of Kerr Street, where it is intersected by the West line of North Broughton Street; THENCE West 502 feet along the North line of Kerr Street; THENCE North parallel with the East line of East Street, 265 feet to the intersection of the South line of Evergreen Street; THENCE East with the South line of Evergreen Street, 502 feet to the intersection of the West line of North Broughton Street; THENCE South 265 feet to the BEGINNING, being a piece of land fronting 265 feet on North Broughton and 502 feet on Kerr and Evergreen Streets, together with all rights and interests in and to adjoining and adjacent streets, alleys, easements, vacated lands, strips of land and right of ways. **Tract Two:** Lot No. One (1), Lot No. Two (2) and Lot No. Three (3) in Block 9, of the Kerr's Nursery Addition, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 138, Page 151, of the Plat Records of Grayson County, Texas, together with all rights and interests in and to adjoining and adjacent streets, roads, alleys, easements, vacated lands, strips of land and right of ways.

No surface operations will be conducted on this property without Lessor's consent.

~~In addition to the above-described leased premises, this lease also covers and includes all accretions and any small strips or parcels of land now or hereafter owned by Lessor which are contiguous or adjacent to the above-described leased premises, and, in consideration of the aforementioned cash bonus, Lessor agrees to execute at Lessee's request any additional or supplemental instruments for a more complete or accurate description of the land so covered.~~

2. This lease, which is a "paid-up" lease requiring no rentals, shall be in force for a primary term of three (3) years from this date (called "primary term") and for as long thereafter as oil or gas or other substances covered hereby are produced in paying quantities from the leased premises or from lands pooled therewith or this lease is otherwise maintained in effect pursuant to the provisions hereof.

3. Royalties on oil, gas and other substances produced and saved hereunder shall be paid by Lessee to Lessor as follows: (a) For oil and other liquid hydrocarbons separated at Lessee's separator facilities, the royalty shall be three-sixteenths of such production, to be delivered at Lessee's option to Lessor at the wellhead or to Lessor's credit at the oil purchaser's transportation facilities, provided that Lessee shall have the continuing right to purchase such production at the wellhead market price then prevailing in the same field (or if there is no such price then prevailing in the same field, then in the nearest field in which there is such a prevailing price) for production of similar grade and gravity; (b) for gas (including casinghead gas) and all other substances covered hereby, the royalty shall be three-sixteenths of the proceeds realized by Lessee from the sale thereof, less a proportionate part of ad valorem taxes and production, severance, or other excise taxes and the costs incurred by Lessee in delivering, processing or otherwise marketing such gas or other substances, provided that Lessee shall have the continuing right to purchase such production at the prevailing wellhead market price paid for the production of similar quality in the same field (or if there is no such price then prevailing in the same field, then in the nearest field in which there is such a prevailing price) pursuant to comparable purchase contracts entered into on the same or nearest preceding date as the date on which Lessee commences its purchases hereunder; and (c) if at the end of the primary term or any time thereafter one or more wells on the leased premises or lands pooled therewith are capable of producing oil or gas or other substances covered hereby in paying quantities, but such well or wells are either shut-in or production therefrom is not being sold by Lessee, such well or wells shall nevertheless be deemed to be producing in paying quantities for the purpose of maintaining this lease. If for a period of 90 consecutive days such well or wells are shut-in or production therefrom is not being sold by Lessee, then Lessee shall pay shut-in royalty of one dollar per acre then covered by this lease, such payment to be made to Lessor or to Lessor's credit in the depository designated below, on or before the end of said 90-day period and thereafter on or before each anniversary of the end of said 90-day period while the well or wells are shut-in or production therefrom is not being sold by Lessee; provided that if this lease is otherwise being maintained by operations, or if production is being sold by Lessee from another well or wells on the leased premises or lands pooled therewith, no shut-in royalty shall be due until the end of the 90-day period next following cessation of such operations or production. Lessee's failure to properly pay shut-in royalty shall render Lessee liable for the amount due, but shall not operate to terminate this lease.

4. All shut-in royalty payments under this lease shall be paid or tendered to Lessor _____ DIRECTLY _____ at _____, which shall be Lessor's depository agent for receiving payments regardless of changes in the ownership of said land. All payments or tenders may be made in currency, or by check or by draft and such payments or tenders to Lessor or to the depository by deposit in the US Mails in a stamped envelope addressed to the depository or to the Lessor at the last address known to Lessee shall constitute proper payment. If the depository should liquidate or be succeeded by another institution, or for any reason fail to refuse to accept payment hereunder, Lessor shall, at Lessee's request, deliver to Lessee a proper recordable instrument naming another institution as depository agent to receive payments.

5. If Lessee drills a well which is incapable of producing in paying quantities (hereinafter called "dry hole") on the leased premises or lands pooled therewith, or if all production (whether or not in paying quantities) permanently ceases from any cause, including a revision of unit boundaries pursuant to the provisions of Paragraph 6 or the action of any governmental authority, then in the event this lease is not otherwise being maintained in force it shall nevertheless remain in force if Lessee commences operations for reworking an existing well or for drilling an additional well or for otherwise obtaining or restoring production on the leased premises or lands pooled therewith within 90 days after completion of operations on such dry hole or within 90 days after such cessation of all production. If at the end of the primary term, or at any time thereafter, this lease is not otherwise being maintained in force but Lessee is then engaged in drilling, reworking or any other operations reasonably calculated to obtain or restore production therefrom, this lease shall remain in force so long as any one or more of such operations are prosecuted with no cessation of more than 90 consecutive days, and if any such operations result in the production of oil or gas or other substances covered hereby, as long thereafter as there is production in paying quantities from the leased premises or lands pooled therewith. After completion of a well capable of producing in paying quantities hereunder, Lessee shall drill such additional wells on the leased premises or lands pooled therewith as a reasonably prudent operator would drill under the same or similar circumstances to (a) develop the leased premises as to formations then capable of producing in paying quantities on the leased premises or lands pooled therewith, or (b) to protect the leased premises from uncompensated drainage by any well or wells located on other lands not pooled therewith. There shall be no covenant to drill exploratory wells or any additional wells except as expressly provided herein.

6. Lessee shall have the continuing and recurring right, but not the obligation, to pool, unitize or otherwise combine all or any part of the leased premises or interest therein with any other lands, leases or interests, as to any or all depths or zones, and as to any or all covered minerals, either before or after the commencement of production, whenever Lessee deems it necessary or proper to do so in order to prudently explore, develop or operate the lease premises, whether or not similar pooling authority exists with respect to such other land, leases or interests. The unit formed by such pooling for an oil well which is not a horizontal completion shall not exceed 80 acres plus a maximum acreage of 10%, and for an oil well which is a horizontal completion or a gas well shall not shall not exceed 640 acres, plus a maximum acreage tolerance of 10%; provided that a larger unit may be formed for an oil well or gas well or horizontal completion to conform to any well spacing or density pattern that may be prescribed or permitted by any governmental authority having jurisdiction over such matters. For the purpose of the foregoing, the terms "oil well" and "gas well" shall have the meanings prescribed by applicable law or the appropriate governmental authority, or, if no definition is so prescribed, "oil well" means a well with an initial gas-oil ratio of less than 100,000 cubic feet per barrel and "gas well" means a well with an initial gas-oil ratio of 100,000 cubic feet or more per barrel, based on 24-hour production test conducted under normal producing conditions using standard lease separator facilities or equivalent testing equipment. The term "horizontal completion" shall mean an oil well or a gas well in which the horizontal component of the gross completion interval exceeds one hundred (100) feet in length. Lessee may pool, unitize or combine land covered by this lease or any portions thereof, as above provided as to oil in any one or more strata and as to gas in any

one or more strata. Units formed by pooling as to any stratum or strata need not conform in size or area with units formed as to any other stratum or strata, and oil units need not conform as to area with gas units. In exercising its pooling rights hereunder, Lessee shall file of record a written declaration describing the unit and stating the effective date of pooling unless provided otherwise in such declaration. Lessee wholly at its option may exercise its authority to pool, unitize or combine either before or after commencing Operations for or completing an oil or gas well on lands lying within a unit and any unit may include, but is not required to include, lands or leases upon which a well producing or capable of producing oil or gas in paying quantities has theretofore been completed, or upon which Operations have theretofore been commenced. Production, drilling or reworking operations anywhere on a unit which includes all or any part of the leased premises shall be treated as if it were production, drilling or reworking operations on the leased premises, except that the production on which Lessor's royalty is calculated shall be that proportion of the total unit production which the net acreage covered by this lease and included in the unit bears to the total gross acreage in the unit, but only to the extent such proportion of unit production is sold by Lessee. Pooling in one or more instances shall not exhaust Lessee's pooling rights hereunder, and Lessee shall have the recurring right but not the obligation to revise any unit formed hereunder by expansion or contraction or both, either before or after commencement of production, in order to conform to the well spacing or density pattern prescribed or permitted by the governmental authority having jurisdiction, or to conform to any productive acreage determination made by such governmental authority. In making such a revision, Lessee shall file of record a written declaration describing the revised unit and stating the effective date of revision. To the extent any portion of the leased premises is included in or excluded from the unit by virtue of such revision, the proportion of unit production on which royalties are payable hereunder shall thereafter be adjusted accordingly. In the absence of production in quantities from a unit or upon permanent cessation thereof, Lessee may terminate the unit by filing of record a written declaration describing the unit and stating the date of termination. Pooling hereunder shall not constitute a cross-conveyance of interests.

7. If Lessor owns less than the full mineral estate in all or any part of the leased premises, the royalties and shut-in royalties payable hereunder for any well on any part of the leased premises or lands pooled therewith shall be reduced to the proportion that Lessor's interest in such part of the leased premises bears to the full mineral estate in such part of the leased premises.

8. The interest of either Lessor or Lessee hereunder may be assigned, devised or otherwise transferred in whole or in part, by area and/or by depth or zone, and the rights and obligations hereunder shall extend to their respective heirs, devisees, executors, administrators, successors and assigns. No change in Lessor's ownership shall have the effect of reducing the rights or enlarging the obligations of Lessee hereunder, and no change in ownership shall be binding on Lessee until 60 days after Lessee has been furnished the original or certified or duly authenticated copies of the documents establishing such change of ownership to the satisfaction of Lessee or until Lessor has satisfied the notification requirements contained in Lessee's usual form of division order. In the event of the death of any person entitled to shut-in royalties hereunder, Lessee may pay or tender such shut-in royalties to the credit of the decedent or decedent's estate in the depository designated above. If at any time two or more persons are entitled to such shut-in royalties hereunder, Lessee may pay or tender such shut-in royalties to such persons or to their credit in the depository, either jointly or separately in proportion to the interest which each owns. If Lessee transfers its interest hereunder in whole or in part Lessee shall be relieved of all obligations thereafter arising with respect to the transferred interest, and failure of the transferee to satisfy such obligations with respect to the transferred interest shall not affect the rights of Lessee with respect to any interest not so transferred. If Lessee transfers to a full or undivided interest in all or any portion of the area covered by this lease, the obligation to pay or tender shut-in royalties hereunder shall be divided between Lessee and the transferee in proportion to the net acreage interest in this lease then held by each.

9. Lessee may, at any time and from time to time, deliver to Lessor or file of record a written release of this lease as to a full or undivided interest in all or any portion of the area covered by this lease or any depths or zones thereunder, and shall thereupon be relieved of all obligations thereafter arising with respect to the interest so released. If Lessee releases all or an undivided interest in less than all of the area covered hereby, Lessee's obligation to pay or tender shut-in royalties shall be proportionately reduced in accordance with the net acreage interest retained hereunder.

~~10. In exploring for, developing, producing and marketing oil, gas and other substances covered hereby on the leased premises or lands pooled or unitized herewith, in primary and/or enhanced recovery, Lessee shall have the right of ingress and egress along with the right to conduct such operations on the leased premises as may be reasonably necessary for such purposes, including but not limited to geophysical operations, the drilling of wells, and the construction and use of roads, canals, pipelines, tanks, water wells, disposal wells, injection wells, pits, electric and telephone lines, power stations, and other facilities deemed necessary by Lessee to discover, produce, store, treat and/or transport production. Lessee may use in such operations, free of cost, any oil, gas, water and/or other substances produced on the leased premises, except water from Lessor's wells or ponds. In exploring, developing, producing or marketing from the leased premises or lands pooled therewith, the ancillary rights granted herein shall apply (a) to the entire leased premises described in Paragraph 1 above, notwithstanding any partial release or other partial termination of this lease; and (b) to any other lands in which Lessor now or hereafter has authority to grant such rights in the vicinity of the leased premises or lands pooled therewith. When requested by Lessor in writing, Lessee shall bury its pipelines below ordinary plow depth on cultivated lands. No well shall be located less than 300 feet from any house or barn now on the leased premises or other lands used by Lessee hereunder, without Lessor's consent, and Lessee shall pay for damage caused by its operations to buildings and other improvements now on the leased premises or such other lands, and to commercial timber and growing crops thereon. Lessee shall have the right at any time to remove its fixtures, equipment and materials, including well casing, from the leased premises or such other lands during the term of this lease or within a reasonable time thereafter.~~

11. Lessee's obligations under this lease, whether express or implied, shall be subject to all applicable laws, rules, regulations and orders of any governmental authority having jurisdiction including restrictions on the drilling and production of wells, and the price of oil, gas, and other substances covered hereby. When drilling, reworking, production or other operations are prevented or delayed by such law, rules, regulations or orders, or by inability to obtain necessary permits, equipment, services, material, water, electricity, fuel, access or easements, or by fire, flood, adverse weather conditions, war, sabotage, rebellion, insurrection, riot, strike or labor disputes, or by inability to obtain a satisfactory market for production or failure of purchasers or carriers to take or transport such production, or by any other cause not reasonably within Lessee's control, this lease shall not terminate because of such prevention or delay, and at Lessee's option the period of such prevention nor delay shall be added to the term hereof. Lessee shall not be liable for breach of any express or implied covenants of this lease when drilling, production or other operations are so prevented, delayed or interrupted.

12. In the event that Lessor, during the primary term of this lease, receives a bona fide offer which Lessor is willing to accept from any party offering to purchase from Lessor a lease covering any or all of the substances covered by this lease and covering all or a portion of the land described herein, with the lease becoming effective upon expiration of this lease, Lessor hereby agrees to notify Lessee in writing of said offer immediately, including in the notice the name and address of the offeror, the price offered and all other pertinent terms and conditions of the offer. Lessee, for a period of thirty days after receipt of the notice, shall have the prior and preferred right and option to purchase the lease or part thereof or interest therein, covered by the offer at the price and according to the terms and conditions specified in the offer.

13. No litigation shall be initiated by Lessor with respect to any breach or default by Lessee hereunder, for a period of at least 90 days after Lessor has given Lessee written notice fully describing the breach or default, and then only if Lessee fails to remedy the breach or default, within such period. In the event the matter is litigated and there is a final judicial determination that a breach or default has occurred, this lease shall not be forfeited or canceled in whole or in part unless Lessee is given a reasonable time after said judicial determination to remedy the breach or default and Lessee fails to do so.

~~14. Lessor hereby warrants and agrees to defend title conveyed to Lessee hereunder, and agrees that Lessee at Lessee's option may pay and discharge any taxes, mortgages or liens existing, levied or assessed on or against the leased premises. If Lessee exercises such option, Lessee shall be subrogated to the rights of the party to whom payment is made, and, in addition to its other rights, may reimburse itself out of any royalties or shut-in royalties otherwise payable to Lessor hereunder. In the event Lessee is made aware of any claim inconsistent with Lessor's title, Lessee may suspend the payment of royalties and shut-in royalties hereunder, until Lessee has been furnished satisfactory evidence that such claim has been resolved.~~

15. This lease may be executed in counterparts, each of which shall be considered an original for all purposes.

IN WITNESS WHEREOF, this lease is executed to be effective as of the date first written above, but upon execution shall be binding on the signatory and signatory's heirs, devisees, executors, administrators, successors and assigns, whether or not this lease has been executed by all parties hereinabove named as Lessor.

LESSOR (WHETHER ONE OR MORE)

Representative for the City of Sherman,
Grayson County, Texas

LESSOR

Title

ACKNOWLEDGMENT

STATE OF TEXAS }
 }
COUNTY OF GRAYSON }

This instrument was acknowledged before me on the _____ day of _____, 2015 by _____, who did personally appear as _____ for the City of Sherman, Grayson County, Texas, and he did acknowledge to me that he executed the foregoing instrument on behalf of and for the benefit of said City for the purposes and consideration therein expressed and in the capacity therein stated.

Notary Signature _____

Printed Name _____

Notary Public, State of _____ TEXAS

My Commission Expires _____

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

MEMORANDUM OF OIL AND GAS LEASE

STATE OF TEXAS }
 } **KNOWN ALL MEN BY THESE PRESENTS:**
COUNTY OF GRAYSON }

Reference is made to that certain Oil, Gas and Mineral Lease dated December 1, 2015, by and between City of Sherman, Grayson County, Texas, a municipal corporation ("Lessor") and Roff Oil and Gas, Ltd., 600 Travis, Suite 7070, Houston, TX 77002 ("Lessee"), under the terms of which Lessee was granted an Oil, Gas and Mineral Lease with respect to the following described land, which land is located in the County of Grayson, State of Texas, to-wit:

Two tracts of land situated in Grayson County, Texas, being a part of the J. B. McNair Survey, Abstract No. 763, and being the same land described as follows:

Tract One: 3.0539 acres of land more or less, situated in Grayson County, Texas, being a part of the J. B. McNair Survey, Abstract No. 763, being described as follows, to wit: BEGINNING at a point on the North line of Kerr Street, where it is intersected by the West line of North Broughton Street; THENCE West 502 feet along the North line of Kerr Street; THENCE North parallel with the East line of East Street, 265 feet to the intersection of the South line of Evergreen Street; THENCE East with the South line of Evergreen Street, 502 feet to the intersection of the West line of North Broughton Street; THENCE South 265 feet to the BEGINNING, being a piece of land fronting 265 feet on North Broughton and 502 feet on Kerr and Evergreen Streets, together with all rights and interests in and to adjoining and adjacent streets, alleys, easements, vacated lands, strips of land and right of ways.

Tract Two: Lot No. One (1), Lot No. Two (2) and Lot No. Three (3) in Block 9, of the Kerr's Nursery Addition, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 138, Page 151, of the Plat Records of Grayson County, Texas, together with all rights and interests in and to adjoining and adjacent streets, roads, alleys, easements, vacated lands, strips of land and right of ways.

This lease conveys no surface rights. No surface operations will be conducted on this property without Lessor's consent.

Subject to the provisions contained in the Oil, Gas and Mineral Lease referenced above, the lease is for a primary term of three (3) years from December 1, 2015 and shall continue as long thereafter as oil or gas is produced from the Leased Premises or land pooled therewith, or the Lease is otherwise maintained, all as more particularly set out in said oil and gas lease of even date herewith to which reference is hereby made for all purposes including further description of the terms, provisions and conditions of the lease.

Lessor grants, leases, and lets exclusively unto Lessee the Property upon and subject to the terms and conditions set forth in the lease. The Lessor for the purpose of acknowledging in the public records the existence of said lease executes this Memorandum of Lease.

IN WITNESS WHEREOF, this instrument is executed as of the date of each party's acknowledgment below, but to be effective as of the date hereinabove first written. This instrument may be executed in multiple counterparts.

LESSOR:

Representative for the City of Sherman, Grayson
County, Texas

Title

ACKNOWLEDGMENT

STATE OF TEXAS }
 }
COUNTY OF GRAYSON }

This instrument was acknowledged before me on the _____ day of _____, 2015 by _____, who did personally appear as _____ for the City of Sherman, Grayson County, Texas, and he did acknowledge to me that he executed the foregoing instrument on behalf of and for the benefit of said City for the purposes and consideration therein expressed and in the capacity therein stated.

Notary Signature _____

Printed Name _____

My Commission Expires

Notary Public, State of Texas



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 12/07/2015

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5917

Amending Article II of the Home Rule Charter, entitled "City Council", at Sections 9, 11, 12 and 13

Issue:

Amending the City Charter at Article II, Sections 9, 11, 12 and 13 as permitted by Proposition No. 11 and Proposition No. 3

Background:

At the June 15, 2015 City Council meeting, Mayor Cary Wacker appointed, with the City Council's approval, Deputy Mayor David Plyler, Councilman Jason Sofey, and Councilman Lawrence Davis to a Charter Review Commission. This Commission worked with the City Manager and City Attorney on several proposed Charter Amendments, one of which was submitted to the voters at the November 3, 2015 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article II, Section 9, simplifying language to require election related meetings to be held in accordance with the Texas Election Code. The ordinance also amends the City Charter at Article II, Sections 11, 12 and 13 to change the title "Director of Public Records" to "Officer of Public Records" to comply with Article IV, Section 1 of the City Charter.

Origination:

Charter Review Commission and City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendments to the City Charter.

Alternatives:

The Council could choose not to adopt the ordinance.

Attachments

Ordinance No. 5917

Charter Amendments Summary - 2015

ORDINANCE NO. 5917

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE II OF THE HOME RULE CHARTER, ENTITLED “CITY COUNCIL”, AT SECTIONS 9, 11, 12 AND 13; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

WHEREAS, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

WHEREAS, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

WHEREAS, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Article II, Section 9 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE II. CITY COUNCIL

Section 9. Rules of procedure and meetings.

(a) Meetings. The first meeting of each newly elected council shall take place ~~on the first Tuesday following its election and qualification as provided by law~~ *in accordance with the Texas Election Code*. Thereafter, the city council will hold regular meetings on the first and third Mondays of each month, excluding holidays, at its discretion. Special and emergency meetings may be held on the call of the mayor or of four (4) or more council members. All meetings shall be open to the public in accordance with the Texas Open Meetings Act, except for lawfully

conducted executive sessions, the discussions of which shall be confidential. All final action shall be noticed on the agenda and decided in a public meeting.

(b) Rules and journal. The council shall determine its own rules and order of business except that, upon the request of any member, Roberts Rules of Order shall be followed for the designated issue. There shall be kept a detailed journal of its proceedings, which shall be a public record.

(c) Voting. The council shall determine its own rules for voting except that, upon the request of any member, a roll call vote shall be required for the issue being considered. Four (4) members of the council shall constitute a quorum. No action of the council except as otherwise provided in this charter shall be valid or binding unless adopted by the affirmative vote of the majority of council members present and voting.

SECTION 2. That Article II, Section 11 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE II. CITY COUNCIL

Section 11. Ordinances, resolutions, motions and/or orders in general.

(a) Form. Ordinances may pertain to matters regulating persons or property and have the force of local law. Each proposed ordinance shall be introduced in written or printed form, and shall not contain more than one subject, which shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which monies are to be appropriated. The enacting clause of all ordinances passed by the council shall be: "Be it ordained by the City Council of the City of Sherman." The enacting clause of all ordinances submitted by the initiative shall be: "Be it ordained by the people of the City of Sherman."

When any proposed ordinance, resolution, motion and/or order, or other thing duly presented for action by the city council shall be finally acted upon, such action shall be binding as the final action of the city thereupon until the same shall be amended or repealed in some legal manner authorized and provided by this charter.

Any ordinance which repeals or amends an existing ordinance or part of the City Code shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate the matter to be omitted by enclosing it in brackets or by strikeout type, and shall indicate new matter by underscoring or by italics.

If the provisions of two (2) or more ordinances adopted or approved at the same meeting conflict, the ordinance receiving the highest affirmative vote shall prevail.

(b) Procedure affecting ordinances only. An ordinance may be introduced by any city council member by causing the proposed caption to be read and adopted at any regular or special meeting of the council after a public hearing, provided that prior to adoption the ~~director~~ officer of public records shall distribute a copy to each council member and to the manager, shall file a

reasonable number of copies in the office of the ~~director~~ *officer* of public records and such other public places as the council may designate, and shall publish the caption of the ordinance one time, together with a notice setting out the time and place for a public hearing thereon. The public hearing shall follow the publication by at least a seventy-two (72) hour notice, in accordance with the Texas Open Meetings Act, and may be adjourned from time to time. The public hearing shall be held where all persons interested shall have an opportunity to be heard. Immediately after the hearing, the council may adopt the ordinance with or without amendments or reject it but, if it is amended as to any matter of substance that is not within the scope of the published caption, the council may not adopt it until the amended caption of the ordinance or its amended sections have been published and a new public hearing has been held. Adoption shall occur upon the affirmative vote of the members present and voting, and the ordinance shall take effect immediately upon the signature of the mayor, the deputy mayor or automatically seven (7) days after its adoption, unless otherwise provided by law or by its own terms.

(c) Resolutions, motions and orders. Matters pertaining to city policy, administration or directing action to be taken may be made by a resolution or motion and order and shall be adopted and take effect immediately upon the majority vote of the members present and voting. Resolutions shall be written, assigned a sequential number, and kept as a permanent record by the city clerk. Motions and orders may be oral and their subject matter shall be recorded in the minutes.

(d) “Publish” defined. As used in this section, the term “publish” means to print one time or as required by law in one or more newspapers of general circulation in the city:

- (1) the ordinance, or a brief summary thereof, and
- (2) the places where copies of it have been filed, and the times when they are available for public inspection.

(e) Emergency ordinance. The city council may meet in an emergency meeting because of an imminent threat to public health and safety or an unforeseen combination of circumstances that calls for immediate action, in accordance with the Texas Open Meetings Act. The council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, issue time warrants or revenue bearing warrants, grant, renew or extend a franchise, or authorize the borrowing of money except as provided by subsection 5(b), Article V. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of a majority of the members present and voting shall be required for adoption. After its adoption, the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption, or at such later time as it may specify. Every emergency ordinance except one made pursuant to Article V, subsection 5(b), or made to regulate the rates charged by any public utility for its services, shall automatically stand repealed as of the ninety-first day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in

this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of an emergency ordinance.

(f) The foregoing provisions relating to the passage of ordinances or resolutions shall not apply to an ordinance or resolution calling a bond election, an ordinance or resolution canvassing the returns of a bond election, an ordinance authorizing the issuance of bonds which have previously been authorized by the qualified electors, or to an ordinance authorizing the issuance of refunding bonds. Nor shall said provisions apply to ordinances or resolutions giving notice of intention to issue time warrants or certificates of obligation or to ordinances authorizing same within the amounts provided for elsewhere in this charter. And, provided further, the aforementioned ordinances and resolutions may be passed, approved and adopted on one reading.

SECTION 3. That Article II, Section 12 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE II. CITY COUNCIL

Section 12. Code of technical regulations.

The council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally, except that:

- (a) The requirements of Article II, Section 11 for distribution and filing of copies of the ordinance shall be construed to include copies of the code of technical regulations, as well as of the adopting ordinance, and
- (b) A copy of each adopted code of technical regulations, as well as of the adopting ordinance, shall be authenticated and recorded by the ~~director~~ *officer* of public records pursuant to Article II, Section 13.

Copies of any adopted code of technical regulations shall be made available by ~~the director of public records for distribution or for purchase at a reasonable price~~ *Development Services and on-line.*

SECTION 4. That Article II, Section 13 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE II. CITY COUNCIL

Section 13. Authentication and recording; codification and printing.

(a) Authentication and recording. The ~~director~~ *officer* of public records shall authenticate by his or her signature and record in full in a properly indexed book kept for the purpose all ordinances, resolutions, motions and orders adopted by the council.

(b) Codification. Within three (3) years after adoption of this charter, and at least every ten (10) years thereafter, the council shall provide for the preparation of a general codification of all city ordinances having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be published promptly in bound or looseleaf form *and electronically*, together with this charter and any amendments thereto, pertinent provisions of the constitution, and other laws of the State of Texas, and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the Sherman City Code. Copies of the code shall be furnished to city officers, placed in libraries and public offices for free public reference and made available ~~for purchase by the public at a reasonable price fixed by the council~~ *on-line*.

(c) Printing of ordinances. The council shall cause each ordinance having the force and effect of law, and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Sherman City Code and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect, and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution, and other laws of the State of Texas, or the codes of technical regulations and other rules and regulations.

SECTION 5. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 6. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

2015 Charter Amendments

Passed - November 2015 Election	Council Approval (Prop 11 & 3) – Dec 7, 2015
<u>Article IV. Section 5. Legal Officer</u> City Attorney reports directly to City Manager	<u>Article II. Section 9</u> <u>Article III. Section 4</u> Simplifies language to require election related meetings to be held in accordance with the Texas Election Code
	<u>Article II. Sections 11, 12, 13</u> <u>Article V. Sections 3</u> Changes <i>Director of Public Records</i> to <i>Officer of Public Records</i> to comply with Article IV. Section 1
	<u>Article II. Sections 12, 13</u> <u>Article V. Section 4, 8, 10</u> <u>Article VI. Section 4</u> Modifies sources of availability of public records (Charter, codes, code of ordinances, budget, audit reports, and CIP) to include internet/website
	<u>Article IV. Section 1</u> Authorizes City Manager and Council to establish, modify, and/or abolish City departments by ordinance.
	<u>Article V. Section 12</u> Condenses/simplifies requirement of City depository to comply with Government Code Chapter 2257 and provide continuous, secure online access to city accounts
	<u>Article VI. Section 4</u> Allows for payment of ad valorem taxes at a location designated by the City



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 4.

Meeting Date: 12/07/2015

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5918

Amending Article III of the Home Rule Charter, entitled "Nominations and Elections", at Section 4, entitled "Determination of Election Results"

Issue:

Amending the City Charter at Article III, Section 4 as permitted by Proposition No. 11 and Proposition No. 3

Background:

At the June 15, 2015 City Council meeting, Mayor Cary Wacker appointed, with the City Council's approval, Deputy Mayor David Plyler, Councilman Jason Sofey, and Councilman Lawrence Davis to a Charter Review Commission. This Commission worked with the City Manager and City Attorney on several proposed Charter Amendments, one of which was submitted to the voters at the November 3, 2015 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article III, Section 4, simplifying language to require election related meetings to be held in accordance with the Texas Election Code.

Origination:

Charter Review Commission and City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendments to the City Charter.

Alternatives:

The Council could choose not to adopt the ordinance.

Attachments

Ordinance No. 5918

Charter Amendments Summary - 2015

ORDINANCE NO. 5918

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE III OF THE HOME RULE CHARTER, ENTITLED “NOMINATIONS AND ELECTIONS”, AT SECTION 4, ENTITLED “DETERMINATION OF ELECTION RESULTS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

WHEREAS, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

WHEREAS, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

WHEREAS, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Article III, Section 4 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE III. NOMINATIONS AND ELECTIONS

Section 4. Determination of election results.

(a) Elections and declaring results. The returns of every municipal election shall be delivered forthwith by the election judges to the city clerk. The council shall canvass the returns, certify the qualifications of the candidates, and declare the official results of the election ~~not later than the first regular meeting following the delivery of such returns to the city clerk in accordance with the Texas Election Code.~~ The qualified person for the office of mayor receiving a majority of the qualified votes polled at this election shall thereupon be declared by the council to have

been elected. The qualified person for the office of council member, for their place or district, receiving the greatest number of qualified votes polled at this election shall thereupon be declared by the council to have been elected. In the event no candidate receives a majority vote for the office of mayor or a tie vote occurs for the office of council member, based upon the qualified votes polled at such regular election for the office for which he or she is a candidate, the council shall immediately order a special election to be held ~~not less than ten (10) days nor more than twenty (20) days after the results of the regular election shall have been declared in accordance with the Texas Election Code.~~ At such special election, the two candidates receiving the highest number of votes for the office of mayor at the regular election and the candidates receiving a tie vote at the regular election for the office of council member shall be submitted for the election, and the candidate receiving the majority of votes at such special election for the position for which he or she was a candidate shall be declared duly elected.

(b) Notification and qualification of city officers. It shall be the duty of the ~~director~~ *officer* of public records to promptly notify all persons elected or appointed to office of their election or appointment. Any officer elected or appointed must qualify by taking and subscribing his or her oath of office within thirty (30) days; otherwise, the office shall be vacant.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

2015 Charter Amendments

Passed - November 2015 Election	Council Approval (Prop 11 & 3) – Dec 7, 2015
<u>Article IV. Section 5. Legal Officer</u> City Attorney reports directly to City Manager	<u>Article II. Section 9</u> <u>Article III. Section 4</u> Simplifies language to require election related meetings to be held in accordance with the Texas Election Code
	<u>Article II. Sections 11, 12, 13</u> <u>Article V. Sections 3</u> Changes <i>Director of Public Records</i> to <i>Officer of Public Records</i> to comply with Article IV. Section 1
	<u>Article II. Sections 12, 13</u> <u>Article V. Section 4, 8, 10</u> <u>Article VI. Section 4</u> Modifies sources of availability of public records (Charter, codes, code of ordinances, budget, audit reports, and CIP) to include internet/website
	<u>Article IV. Section 1</u> Authorizes City Manager and Council to establish, modify, and/or abolish City departments by ordinance.
	<u>Article V. Section 12</u> Condenses/simplifies requirement of City depository to comply with Government Code Chapter 2257 and provide continuous, secure online access to city accounts
	<u>Article VI. Section 4</u> Allows for payment of ad valorem taxes at a location designated by the City



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 5.

Meeting Date: 12/07/2015

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5919

Amending Article IV of the Home Rule Charter, entitled "Administrative Departments", at Section 1, entitled "General Provisions"

Issue:

Amending the City Charter at Article IV, Section 1 as permitted by Proposition No. 11 and Proposition No. 3

Background:

At the June 15, 2015 City Council meeting, Mayor Cary Wacker appointed, with the City Council's approval, Deputy Mayor David Plyler, Councilman Jason Sofey, and Councilman Lawrence Davis to a Charter Review Commission. This Commission worked with the City Manager and City Attorney on several proposed Charter Amendments, one of which was submitted to the voters at the November 3, 2015 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article IV, Section 1, authorizing the City Manager and City Council to establish, modify and/or abolish City departments by ordinance.

Origination:

Charter Review Commission and City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendments to the City Charter.

Alternatives:

The Council could choose not to adopt the ordinance.

Attachments

Ordinance No. 5919

Charter Amendments Summary - 2015

ORDINANCE NO. 5919

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE IV OF THE HOME RULE CHARTER, ENTITLED “ADMINISTRATIVE DEPARTMENTS”, AT SECTION 1, ENTITLED “GENERAL PROVISIONS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

WHEREAS, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

WHEREAS, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

WHEREAS, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Article IV, Section 1 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE IV. ADMINISTRATIVE DEPARTMENTS

Section 1. General provisions.

~~(a) Administrative departments. There are hereby created the following administrative departments:~~

~~(1) Department of physical services.~~

~~(2) Department of law enforcement services.~~

~~(3) — Department of emergency services.~~

~~(4) — Department of financial services.~~

~~Additional administrative City departments may be established, modified and/or abolished by ordinance upon the recommendation of the city manager.~~

~~The council, by ordinance, may create, change, and abolish offices, departments, or agencies other than the offices, departments, or agencies established by this charter.~~

The city clerk shall be known as the officer of public records. The city clerk shall also be the officer in charge of the department of public records.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

2015 Charter Amendments

Passed - November 2015 Election	Council Approval (Prop 11 & 3) – Dec 7, 2015
<u>Article IV. Section 5. Legal Officer</u> City Attorney reports directly to City Manager	<u>Article II. Section 9</u> <u>Article III. Section 4</u> Simplifies language to require election related meetings to be held in accordance with the Texas Election Code
	<u>Article II. Sections 11, 12, 13</u> <u>Article V. Sections 3</u> Changes <i>Director of Public Records</i> to <i>Officer of Public Records</i> to comply with Article IV. Section 1
	<u>Article II. Sections 12, 13</u> <u>Article V. Section 4, 8, 10</u> <u>Article VI. Section 4</u> Modifies sources of availability of public records (Charter, codes, code of ordinances, budget, audit reports, and CIP) to include internet/website
	<u>Article IV. Section 1</u> Authorizes City Manager and Council to establish, modify, and/or abolish City departments by ordinance.
	<u>Article V. Section 12</u> Condenses/simplifies requirement of City depository to comply with Government Code Chapter 2257 and provide continuous, secure online access to city accounts
	<u>Article VI. Section 4</u> Allows for payment of ad valorem taxes at a location designated by the City



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 6.

Meeting Date: 12/07/2015

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5920

Amending Article V of the Home Rule Charter, entitled "Finance Administration", at Sections 3, 4, 8, 10 and 12

Issue:

Amending the City Charter at Article V, Sections 3, 4, 8, 10 and 12 as permitted by Proposition No. 11 and Proposition No. 3

Background:

At the June 15, 2015 City Council meeting, Mayor Cary Wacker appointed, with the City Council's approval, Deputy Mayor David Plyler, Councilman Jason Sofey, and Councilman Lawrence Davis to a Charter Review Commission. This Commission worked with the City Manager and City Attorney on several proposed Charter Amendments, one of which was submitted to the voters at the November 3, 2015 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article V, Section 3, to change the title "Director of Public Records" to "Officer of Public Records" to comply with Article IV, Section 1 of the City Charter. The ordinance also amends the City Charter at Article V, Sections 4, 8 and 10, to modify sources for the availability of public records, i.e. City Charter, Codes, Code of Ordinances, Budget, Audit Reports, and CIP, to include the Internet and City's website. In addition, the ordinance amends the City Charter at Article V, Section 12 to condense/simplify the requirement for the City depository to comply with Government Code Section 2257 and provide for continuous, secure online access to City accounts.

Origination:

Charter Review Commission and City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendments to the City Charter.

Alternatives:

The Council could choose not to adopt the ordinance.

Attachments

Ordinance No. 5920

Charter Amendments Summary - 2015

ORDINANCE NO. 5920

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE V OF THE HOME RULE CHARTER, ENTITLED “FINANCE ADMINISTRATION”, AT SECTIONS 3, 4, 8, 10 AND 12; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

WHEREAS, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

WHEREAS, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

WHEREAS, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Article V, Section 3 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE V. FINANCE ADMINISTRATION

Section 3. Budget adoption.

- (a) Proposed budget. The city council shall hold a public hearing on the proposed budget, as required by state law, and shall publish notice of the date, time and place at least five (5) days prior to the hearing.
- (b) Final budget adoption. The city council shall publish notice of the date, time and place at least five (5) days prior to the public hearing at which the final budget is submitted for adoption.

(c) Public record. The proposed budget, the final budget, and all supporting schedules are a public record and shall be filed with the city clerk as the ~~director~~ officer of public records.

SECTION 2. That Article V, Section 4 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE V. FINANCE ADMINISTRATION

Section 4. Council action on budget.

(a) Proceedings on proposed budget after public hearing amending or supplementing budget. After the conclusion of such public hearing, the council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law. Before inserting any additional item or increasing any item of appropriation, it must cause to be published a notice setting forth the nature of the proposed increases and fixing a place and time, not less than five (5) days after publication, at which the council will hold a hearing thereon.

(b) Proceedings on adoption of budget. After such further hearing, the council may insert the additional item or items, and make the increase or increases, to the amount in each case indicated by the published notice, or to a lesser amount but, where it shall increase the total proposed expenditures, it shall also provide for an increase in the total anticipated revenue to at least equal such total proposed expenditures.

(c) Vote required for adoption. The budget shall be adopted by the favorable vote of a majority of the members present and voting.

(d) Date of final adoption; failure to adopt. The budget shall be finally adopted not later than the twenty-fifth day of the last month of the fiscal year. Should the council take no final action on or prior to such day, the budget as submitted by the city manager shall be deemed to have been finally adopted by the council.

(e) Effective date of budget; certification; copies made available. Upon final adoption, the budget shall be in effect for the fiscal year. A copy of the budget, as finally adopted, shall be filed with the ~~director~~ officer of public records, ~~the city library, and shall be made available electronically on the city's website or other appropriate media and may be obtained from the office of public records or from the City's website. The final budget shall be printed, and a reasonable number of copies shall be made available for the use of all offices, agencies, interested persons and civic organizations.~~

(f) Budget establishes appropriations. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

SECTION 3. That Article V, Section 8 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE V. FINANCE ADMINISTRATION

Section 8. Independent audit.

Not less than ninety (90) days prior to the end of each fiscal year, the council shall designate a qualified certified public accountant who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the city government, and shall submit his or her report to the council and to the city manager. The original reports shall be kept among the permanent records of the city, ~~a copy of which shall be accessible for inspection by the public at the city hall, and additional copies shall be filed with the (1) director of public records and (2) Sherman Public Library; and a copy of the audit report shall be available from the finance department, by calling the City, or from the City's website.~~ Such accountant shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. The accountant shall not maintain any accounts or records of the city business, but, within specifications approved by the council, shall post-audit the books and documents kept by the department of finance and any separate or subordinate accounts kept by any other office, department, or agency of the city government. Special audits shall be made when deemed necessary by the council.

SECTION 4. That Article V, Section 10 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE V. FINANCE ADMINISTRATION

Section 10. Council action on capital program.

(a) Notice and hearing. The council shall publish, in one or more newspapers of general circulation in the city, the general summary of the capital program and a notice stating:

- (1) The times and places where copies of the capital program are available for inspection by the public.
- (2) The time and place, not less than two (2) weeks after such publication, for a public hearing on the capital program.

(b) Adoption. The council, by resolution, shall adopt the capital program, with or without amendments, after the public hearing and on or before the twenty-fifth (25th) day of the last month of the current fiscal year. Copies of the capital program, as adopted, shall be public records and shall be ~~made available to the public at suitable places in the city, including the office of the city clerk and the Sherman Public Library~~ *from the office of public records, by calling the City, or from the City's website.*

SECTION 5. That Article V, Section 12 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE V. FINANCE ADMINISTRATION

Section 12. City depository.

(a) All laws of the State of Texas now or hereafter existing which pertain to the selection of city depositories by home rule cities shall apply to the selection of the city depository, save and except as may be validly provided otherwise by this charter or by resolution or ordinance of the city council.

(b) The city depository shall be selected for a period of one year or for such longer period of time as may be determined by the city council by resolution or ordinance.

(c) In determining which application or applications offer the most favorable terms and conditions for the handling of city funds, the city council may give such consideration as it deems appropriate to additional services of value to the city which may be offered by any applicant or applicants.

(d) The city council shall have the right to reject any and all applications and readvertise for applications. If for any reason no application is submitted to act as city depository, or if all applications are declined, or in any other event in which there is no duly selected and qualified city depository, then, in any such case, the city council shall have the power and the duty to deposit the funds of the city with any one or more banking corporations or associations not doing business within the city but doing business in Texas within a radius of seventy-five (75) miles of the city, in such amounts and for such periods of time as may be determined by the city council to be advisable.

~~(e) An applicant selected as city depository shall, within not more than five (5) days next after being so selected, qualify as such:~~

~~(1) By complying and continuing to comply with the applicable laws of Texas relating to the pledge of securities by a city depository in lieu of personal bonds or surety bonds, the securities so pledged to be deposited as directed by the city council, provided that, if the securities so pledged be deposited with a banking corporation or association, such banking corporation or association shall be located in the State of Texas, shall have capital stock and permanent surplus of not less than five hundred thousand dollars (\$500,000.00), shall have no officer or director common with the city depository, and upon receipt of said securities shall immediately issue and deliver nonnegotiable safekeeping receipts to the city depository and the city.~~

~~Any securities deposited in accordance with the foregoing shall be subject to inspection by the city at any time or times deemed advisable by the city. The city depository shall defray all charges of each such custodian bank relating to securities deposited with such custodian bank by the city depository. All securities so pledged shall be approved as to kind and value by the city council.~~

(e) *An applicant selected as city depository shall comply and continue to comply with the applicable laws of Texas relating to the pledge of securities by a city depository including requirements for securing public funds with eligible securities in accordance with Government Code Chapter 2257.*

(f) ~~The city depository shall prepare and file with the director of finance certified monthly reports reflecting the balances in each of the city's accounts in the city depository, as such balances are shown by and on the records of the city depository~~ *provide continuous, secure, online access to the city's accounts.*

(g) As used herein, "city depository" means each city depository if there be more than one.

(h) All money and all other evidences of funds payable to or belonging to the city, received by any department or other agency of the city or by any officer, employee or agent of the city, for or in connection with affairs of the city, shall be transmitted forthwith to the director of finance, who shall deposit the same promptly in the city depository.

(i) All checks, vouchers or warrants for the withdrawal of funds from the city depository shall have affixed thereto the legal signature of both the city manager and the director of finance, or of such other bonded officer or officers of the city as may be designated by the city council.

SECTION 6. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 7. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 8. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

2015 Charter Amendments

Passed - November 2015 Election	Council Approval (Prop 11 & 3) – Dec 7, 2015
<u>Article IV. Section 5. Legal Officer</u> City Attorney reports directly to City Manager	<u>Article II. Section 9</u> <u>Article III. Section 4</u> Simplifies language to require election related meetings to be held in accordance with the Texas Election Code
	<u>Article II. Sections 11, 12, 13</u> <u>Article V. Sections 3</u> Changes <i>Director of Public Records</i> to <i>Officer of Public Records</i> to comply with Article IV. Section 1
	<u>Article II. Sections 12, 13</u> <u>Article V. Section 4, 8, 10</u> <u>Article VI. Section 4</u> Modifies sources of availability of public records (Charter, codes, code of ordinances, budget, audit reports, and CIP) to include internet/website
	<u>Article IV. Section 1</u> Authorizes City Manager and Council to establish, modify, and/or abolish City departments by ordinance.
	<u>Article V. Section 12</u> Condenses/simplifies requirement of City depository to comply with Government Code Chapter 2257 and provide continuous, secure online access to city accounts
	<u>Article VI. Section 4</u> Allows for payment of ad valorem taxes at a location designated by the City



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 7.

Meeting Date: 12/07/2015

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5921

Amending Article VI of the Home Rule Charter, entitled "Taxation", at Section 4, entitled "Payment of Taxes"

Issue:

Amending the City Charter at Article VI, Section 4 as permitted by Proposition No. 11 and Proposition No. 3

Background:

At the June 15, 2015 City Council meeting, Mayor Cary Wacker appointed, with the City Council's approval, Deputy Mayor David Plyler, Councilman Jason Sofey, and Councilman Lawrence Davis to a Charter Review Commission. This Commission worked with the City Manager and City Attorney on several proposed Charter Amendments, one of which was submitted to the voters at the November 3, 2015 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article VI, Section 4, to allow for the payment of ad valorem taxes at a location designated by the City.

Origination:

Charter Review Commission and City Manager

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendments to the City Charter.

Alternatives:

The Council could choose not to adopt the ordinance.

Attachments

Ordinance No. 5921

Charter Amendments Summary - 2015

ORDINANCE NO. 5921

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE VI OF THE HOME RULE CHARTER, ENTITLED "TAXATION", AT SECTION 4, ENTITLED "PAYMENT OF TAXES"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

WHEREAS, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: "To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases"; and

WHEREAS, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: "To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed"; and

WHEREAS, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Article VI, Section 4 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

ARTICLE VI. TAXATION

Section 4. Payment of taxes.

All ad valorem taxes due the City of Sherman shall be payable at ~~the Grayson County Appraisal District~~ *a location designated by the City*, and shall become due on October first of the year of the levy, and shall be paid not later than the following January thirty-first, after which date they shall be deemed delinquent. All sales taxes shall be payable at the times, methods and locations that are prescribed in the general laws of the State. All hotel/motel taxes are payable at the Finance Department of the City. All taxes, other than ad valorem taxes, which are not paid on or

before the date they are due shall be deemed delinquent. All delinquent taxes shall be subject to such penalty and interest as authorized by law.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

2015 Charter Amendments

Passed - November 2015 Election	Council Approval (Prop 11 & 3) – Dec 7, 2015
<u>Article IV. Section 5. Legal Officer</u> City Attorney reports directly to City Manager	<u>Article II. Section 9</u> <u>Article III. Section 4</u> Simplifies language to require election related meetings to be held in accordance with the Texas Election Code
	<u>Article II. Sections 11, 12, 13</u> <u>Article V. Sections 3</u> Changes <i>Director of Public Records</i> to <i>Officer of Public Records</i> to comply with Article IV. Section 1
	<u>Article II. Sections 12, 13</u> <u>Article V. Section 4, 8, 10</u> <u>Article VI. Section 4</u> Modifies sources of availability of public records (Charter, codes, code of ordinances, budget, audit reports, and CIP) to include internet/website
	<u>Article IV. Section 1</u> Authorizes City Manager and Council to establish, modify, and/or abolish City departments by ordinance.
	<u>Article V. Section 12</u> Condenses/simplifies requirement of City depository to comply with Government Code Chapter 2257 and provide continuous, secure online access to city accounts
	<u>Article VI. Section 4</u> Allows for payment of ad valorem taxes at a location designated by the City



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 8.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5922

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Risk Family Partnership, LTD (Owner) and Sartin and Associates, Inc. (Surveyor) concerning the property located at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504, to allow automobile repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District

Background:

The property is located at 2810 Texoma Parkway, north of U.S. Highway 82. At the December 18, 2012, Planning & Zoning Commission Meeting, a Specific Use Permit and site plan approval was granted to allow used automobile sales in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District. An exception was approved to allow existing building finishes in lieu of the required masonry or equivalent on all sides of all buildings visible from the front street right-of-way at the January 22, 2013 Planning and Zoning Commission Meeting. The owner would like to construct a 30' x 40' metal building to be used for automobile repair.

Origination:

Risk Family Partnership LTD (Owner)
Sartin and Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5922

Location Map

Zoning Map

Zoning Photo

Site Plan

Elevations

Surrounding Buildings

Staff Review Letter

P&Z Communication

ORDINANCE NO. 5922

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 AUTOMOBILE REPAIR IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 2810 TEXOMA PARKWAY, BEING 5.21 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504; RISK FAMILY PARTNERSHIP, LTD, OWNER; AND SARTIN AND ASSOCIATES, INC., SURVEYOR; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Risk Family Partnership LTD (Owner) and Sartin and Associates, Inc. (Surveyor) are granted a Specific Use Permit to allow automobile repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2810 Texoma Parkway, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the Reuben Hendrix Survey, Abstract No. 504, being the same 5.208 acre tract of land conveyed by Raymond A. Risk, Sr., to Risk Family Partnership, Ltd. by deed dated June 8, 2008, recorded in Volume 4482, Page 375, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a found ½ inch rebar on the West right-of-way line of State Highway No. 91 and known as Texoma Parkway, (formerly old U.S. Highway 75), said rebar maintaining

the Northeast corner of said 5.208 acre tract, the Southeast corner of a 1.72 acre tract of land conveyed by Mitchell Enterprises, Inc. to Texoma Gun Club, Inc. by deed dated March 8, 2001, recorded in Volume 3042, Page 874, Official Public Records, Grayson County, Texas;

THENCE South 29 deg. 38 min. 00 sec. West, with the West right-of way line of Texoma Parkway, at a distance of 5.6 feet passing a pipe fence post, and continuing for a total distance of 318.10 feet to a found ½ inch rebar maintaining the Northeast corner of an 0.98 acre tract of land conveyed by Jody’s PLZ, Ltd. To Christopher Stephen Hoshek, et al by deed dated March 4, 2005, recorded in Volume 3821, Page 79, Official Public Records, Grayson County, Texas;

THENCE North 59 deg. 37 min. 56 sec. West, with the North line of said 0.98 acre tract, passing its Northwest corner, the Northeast corner of Lot One, Block One of the Dr. Pepper Addition to the City of Sherman, Texas as shown by plat of record in Volume 15, Page 66, Plat Records, Grayson County, Texas, and continuing with the North line of said Dr. Pepper Addition for a total distance of 746.47 feet to a found ½ inch rebar maintaining the Northwest corner of said Dr. Pepper Addition, on the East right-of-way line of the (abandoned) M.K.&T. Railroad;

THENCE North 38 deg. 00 min. 15 sec. East, with the East right-of-way line of said M.K.&T. Railroad, a distance of 312.21 feet to a found ½ inch rebar maintaining the Southwest corner of the above mentioned Texoma Gun Club 1.72 acre tract;

THENCE South 60 deg. 20 min. 15 sec. East, with the South line of said 1.72 acre tract, at approximately 201 feet passing 5.6 feet North of a pipe corner post, and continuing for a total distance of 700.96 feet to the **PLACE OF BEGINNING, and containing 5.21 ACRES OF LAND more or less.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Masonry or equivalent shall be required on the sides of all commercial buildings visible from the front street right-of-way unless an exception is granted.
3. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt
5. All parking shall be on private property and shall not encroach into the Texoma Parkway right-of-way; a parking space is considered to be 9’x20’.
6. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.

10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.
11. Engineering:
12. A plat of the property is required.
13. Drive approaches and sidewalks shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
14. Lot 1 and Lot 2 shall have separate water services.
15. Privately owned and maintained detention in accordance with City criteria is required.
16. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
17. The location of trash receptors must be approved by the Director of Public Works.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

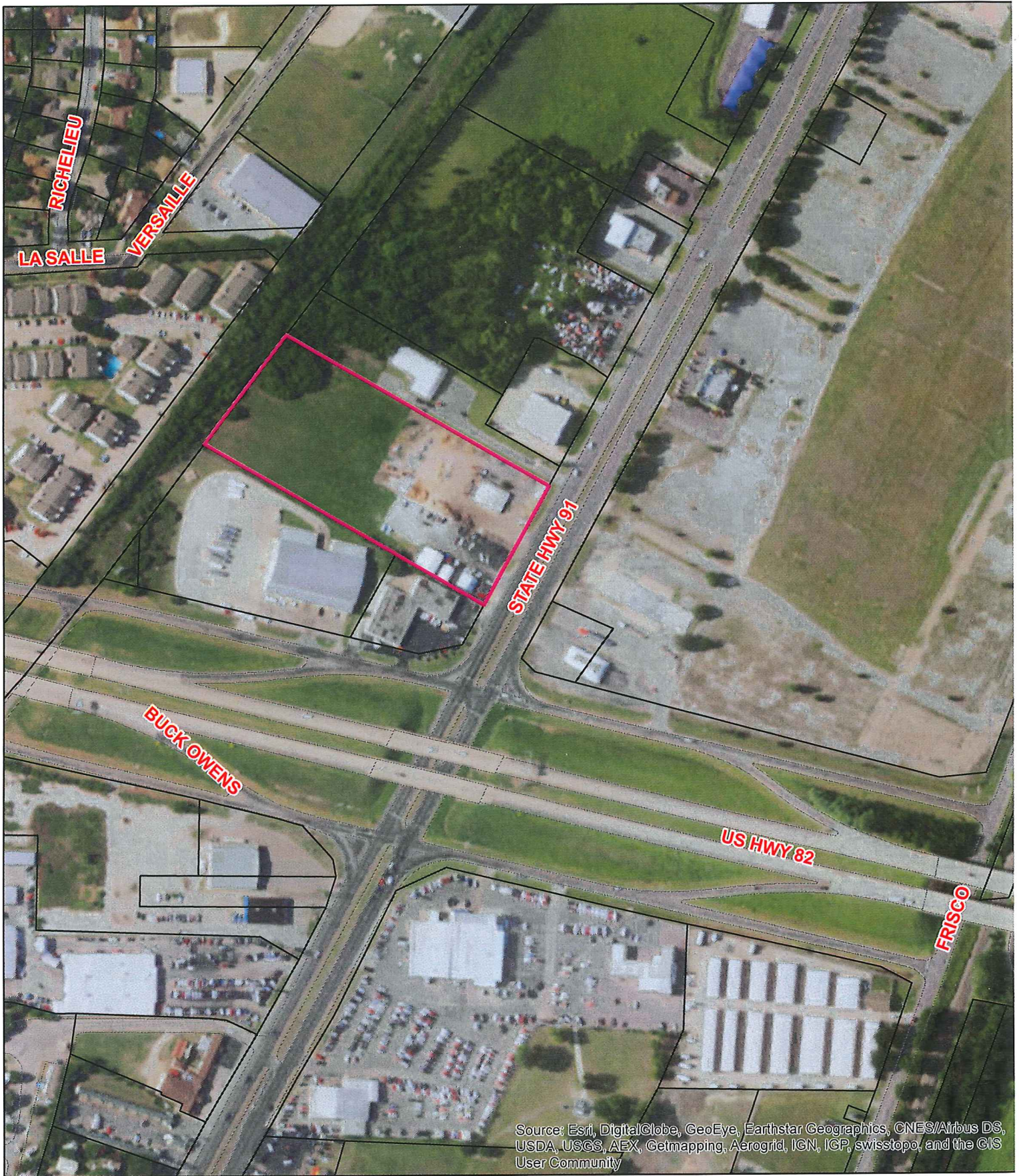
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

2810 Texoma Parkway

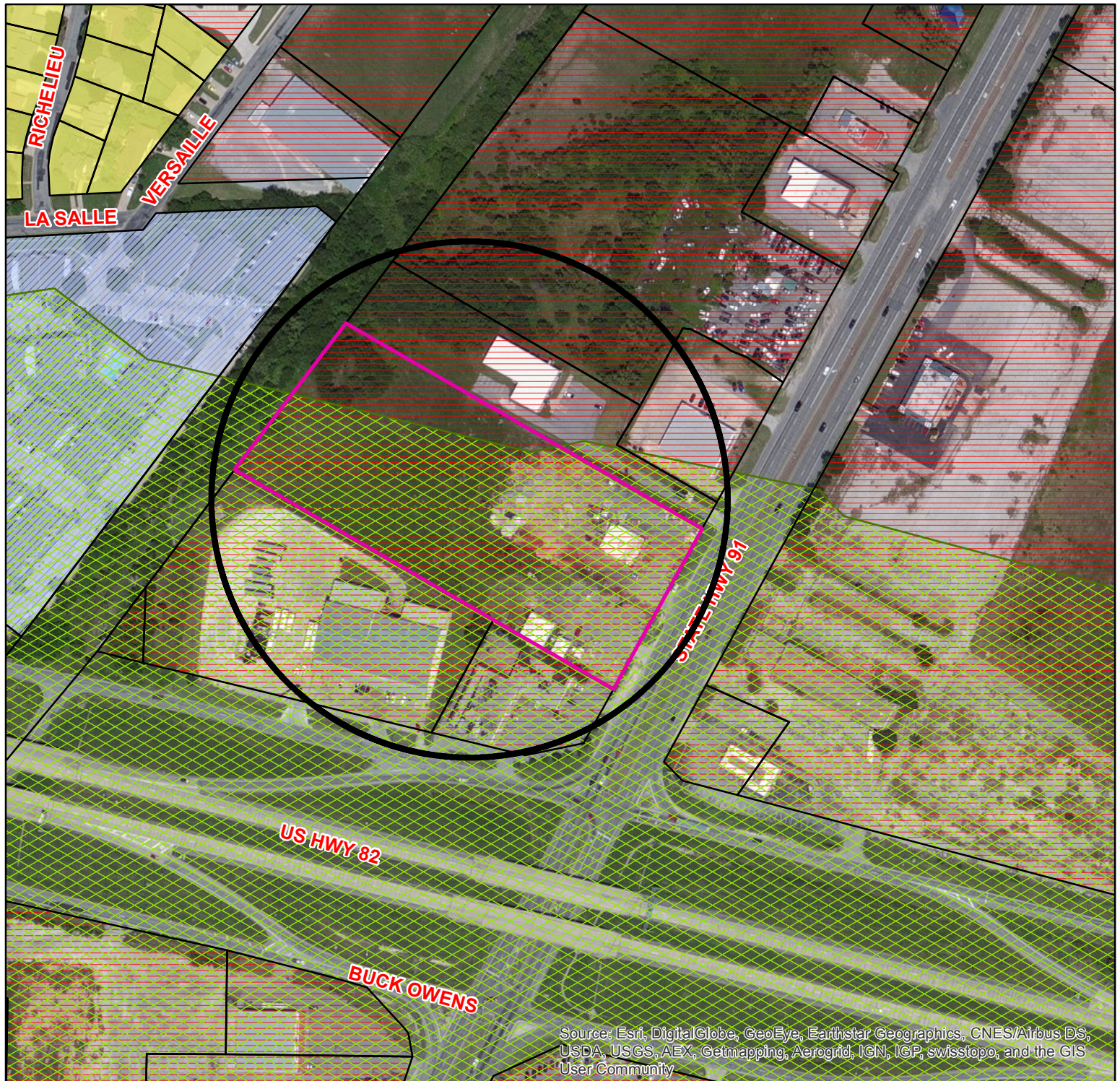
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 292 ft



2810 Texoma Parkway

Legend		
Transportation Corridors Overlay		
HWY_NAME	DISTRICT_NAME	
FM 1417	Arts and Cultural District	C-2 General Commercial District
Sam Rayburn Freeway	Blalock Commercial Overlay District	CO Office District
US Hwy 82 and 75	Central Business District	Lakes
Special Districts Overlay		
	College Park District	M-1 Light Manufacturing District
	Downtown Overlay District	M-1.5 Medium Manufacturing District
	Historic Preservation District	M-2 Heavy Manufacturing District
Zoning Classification		
	BIP Blalock Industrial Park	MH Manufacturing Housing District
	C-1 Retail Business District	R-1 One Family Residential District
		R-2 Multi-Family Residential District
		R-A Single Family Agricultural District
		SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

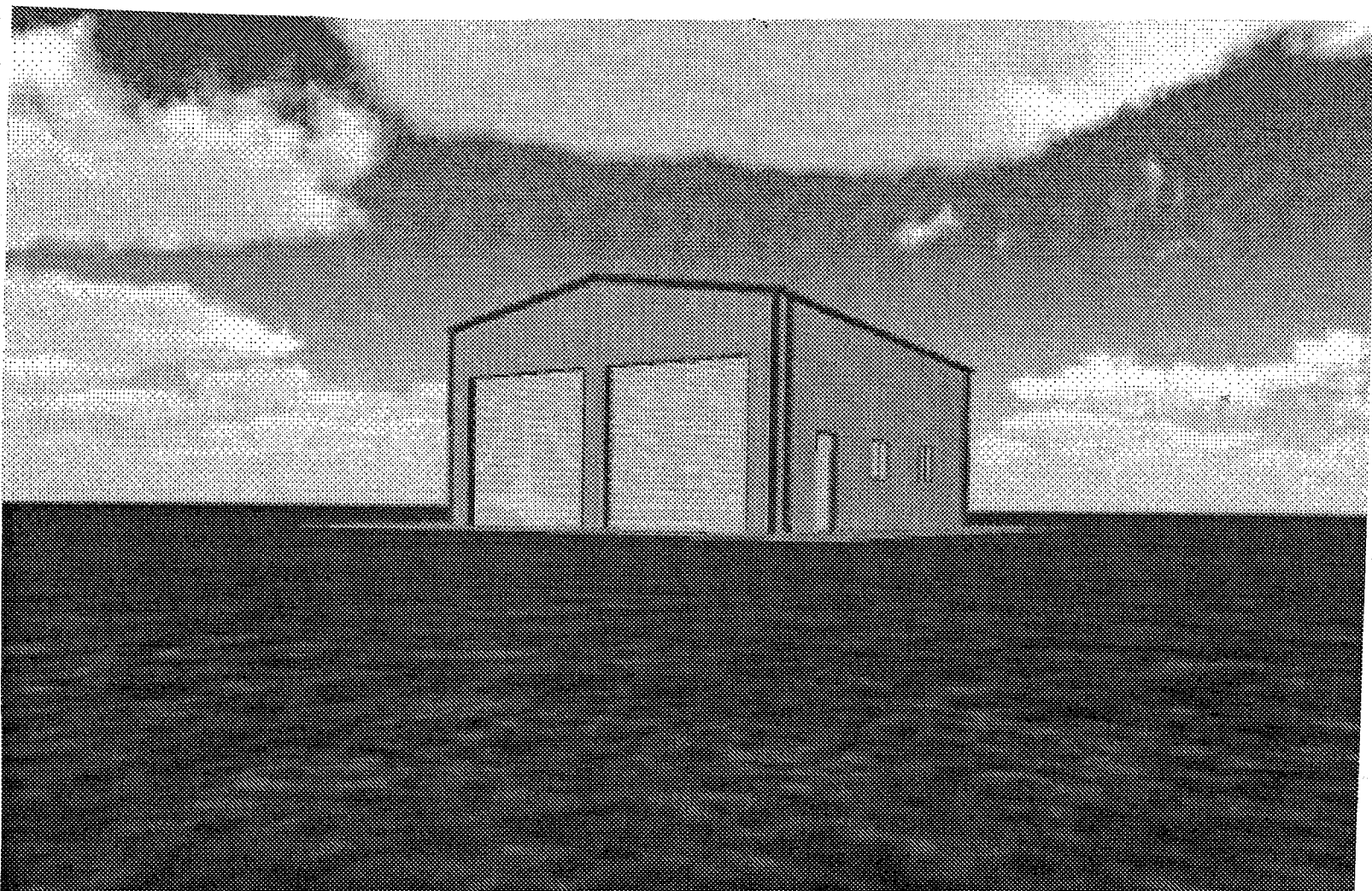


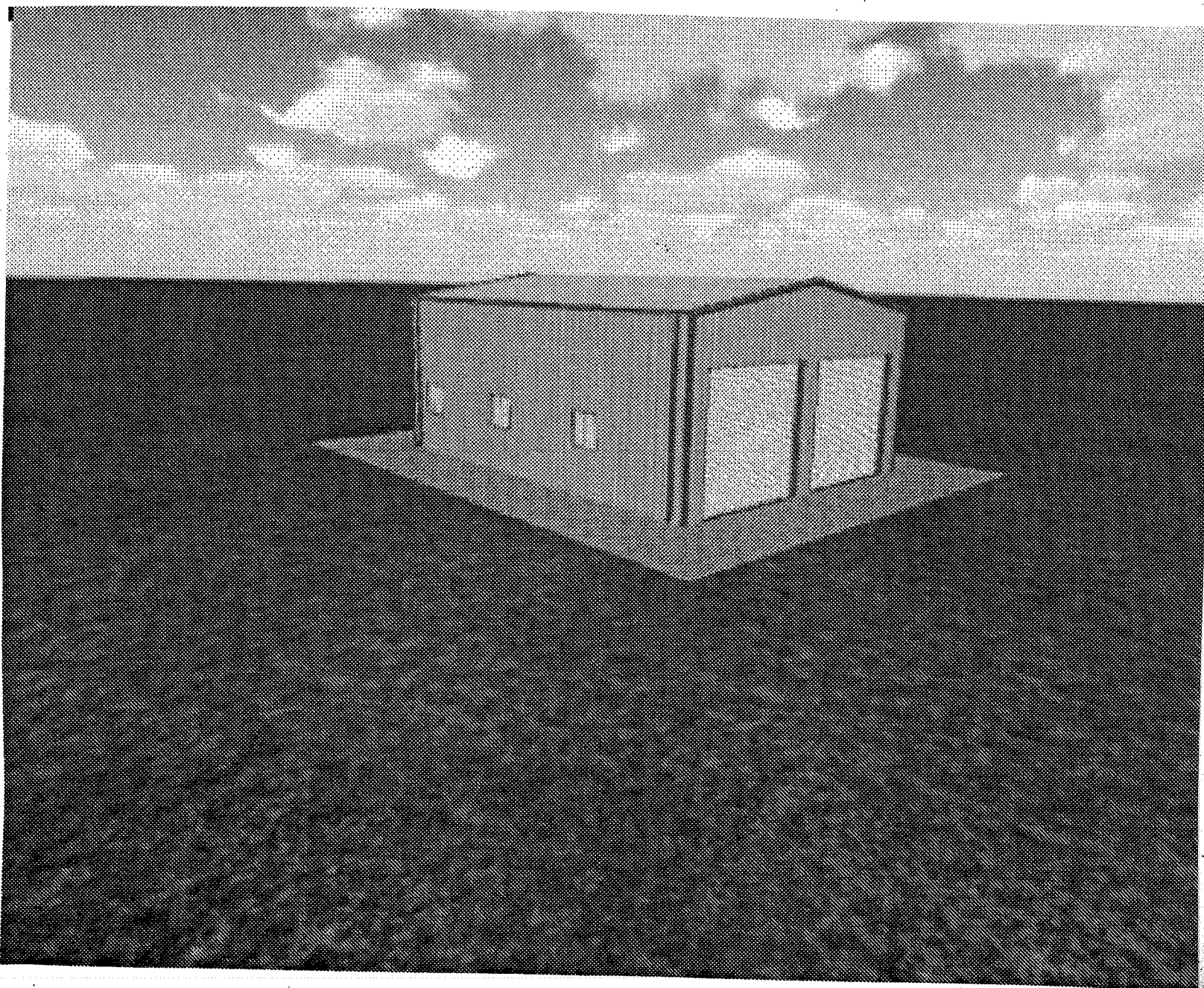
NOT TO SCALE

1 in = 234 ft

2810 Texoma Pkwy.











STAFF REVIEW LETTER

November 12, 2015

Naif Risk
102 S. Crockett
Sherman, Texas 75090

Sartin & Associates, Inc.
PO Box 1843
Sherman, Texas 75091

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow automobile repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District for the property located at 2810 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Masonry or equivalent shall be required on the sides of all commercial buildings visible from the front street right-of-way unless an exception is granted.
3. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt
5. All parking shall be on private property and shall not encroach into the Texoma Parkway right-of-way; a parking space is considered to be 9'x20'.
6. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. A plat of the property is required.
12. Drive approaches and sidewalks shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
13. Lot 1 and Lot 2 shall have separate water services.
14. Privately owned and maintained detention in accordance with City criteria is required.
15. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
16. The location of trash receptors must be approved by the Director of Public Works.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Steve Ayers, Dir. Of Community and Support Services

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Don Keene, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 12.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

2810 TEXOMA PARKWAY

The request of Risk Family Partnership LTD (Owner) and Sartin and Associates, Inc. (Surveyor) concerning the property located at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.8, Subsection (4)(b) and Section 6.5, Subsection (5)(d) to allow a metal facade in lieu of the required masonry requirements for a 30' x 40' building in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Section 8, Subsection (5)(a) to allow automobile repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

Background:

The property is located at 2810 Texoma Parkway, north of U.S. Highway 82. At the December 18, 2012, Planning & Zoning Commission Meeting, a Specific Use Permit and site plan approval was granted to allow used automobile sales in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District. An exception was approved to allow existing building finishes in lieu of the required masonry or equivalent on all sides of all buildings visible from the front street right-of-way at the January 22, 2013 Planning and Zoning Commission Meeting. The owner would like to construct a 30' x 40' metal building to be used for automobile repair.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Risk Family Partnership LTD (Owner)
Sartin and Associates, Inc. (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

9

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Photo
Site Plan
Building Elevations
Buildings in Area
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 9.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5923

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Construction, Equipment Sales, Service, Rental and Repair Shop and Yard (Crane Service) and Truck Repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District at 3111 South US Highway 75, being Lots 1 and 2, Block 1, Bryan Luckett Addition; Bryan Luckett, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Luckett (Owner) and Sartin & Associates (Surveyors) concerning the property located at 3111 South U.S. Highway 75, being Lots 1 & 2, Block 1, Bryan Luckett Addition to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) and truck repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District

Background:

The property is located at 3111 U.S. Highway 75 South between Travis Street and East FM 1417. A Specific Use Permit to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) in a C-2 (General Commercial) District and O-1.1 (Sam Rayburn) Overlay District was granted at the October 6, 2008, City Council Meeting, however the Specific Use Permit went away once the use ceased for more than sixty days. An exception was approved at the October 21, 2008 Planning and Zoning Commission Meeting to allow metal siding on the rear wall of an existing building in lieu of the requirement for exterior wall finishes to be masonry, masonry veneer, or concrete siding.

The owner would like to continue the original use of the property for the crane service and also allow a small trucking company to park six trucks on the east side of the building and use part of the office space in the building. Occasionally they will pull a truck in the east overhead door to perform routine maintenance.

Origination:

Bryan Luckett (Owner)
Sartin & Associates (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter, limiting the number of trucks to six (6), and maintaining a six (6) foot green screen or solid fence.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5923
Location Map
Zoning Map
Zoning Photo
Narrative
Site Plan
Letter from Lucien & Wanda Hines
Staff Review Letter
P&Z Communication

ORDINANCE NO. 5923

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 CONSTRUCTION, EQUIPMENT SALES, SERVICE, RENTAL AND REPAIR SHOP AND YARD (CRANE SERVICE) AND TRUCK REPAIR IN A C-2 (GENERAL COMMERCIAL) DISTRICT, O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AND BLALOCK COMMERCIAL OVERLAY DISTRICT AT 3111 SOUTH US HIGHWAY 75, BEING LOTS 1 AND 2, BLOCK 1, BRYAN LUCKETT ADDITION; BRYAN LUCKETT, OWNER; AND SARTIN AND ASSOCIATES, INC., SURVEYOR; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Bryan Luckett (Owner) and Sartin and Associates, Inc. (Surveyor) are granted a Specific Use Permit to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) and truck repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District at 3111 South U.S. Highway 75, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lots 1 & 2, Block 1, Bryan Luckett Addition.

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1.2 (Sam Rayburn) Overlay District, the Blalock Commercial Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Masonry or equivalent shall be required on the sides of all commercial buildings visible from the front street right-of-way unless an exception is granted.

3. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt
5. All parking shall be on private property and shall not encroach into the access road right-of-way; a parking space is considered to be 9'x20'.
6. A minimum 6' screening device constructed of wood, stone, brick, concrete block or other permanent material; having a completely solid area with no openings; and permanently maintained shall be provided adjacent to the residential district to the east.
7. No cranes shall be stored in an elevated position.
8. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Violation of the conditions of the SUP will terminate the Specific Use Permit.
11. Review the zoning and development ordinance for additional requirements.
12. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

13. Drive approaches and sidewalks shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
14. Privately owned and maintained detention in accordance with City criteria is required.
15. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits
16. The location of trash receptors must be approved by the Director of Public Works.

Planning & Zoning Commission:

17. Limit the number of trucks to six (6)
18. Maintain a six (6) foot green screen or solid fence adjacent to residential.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

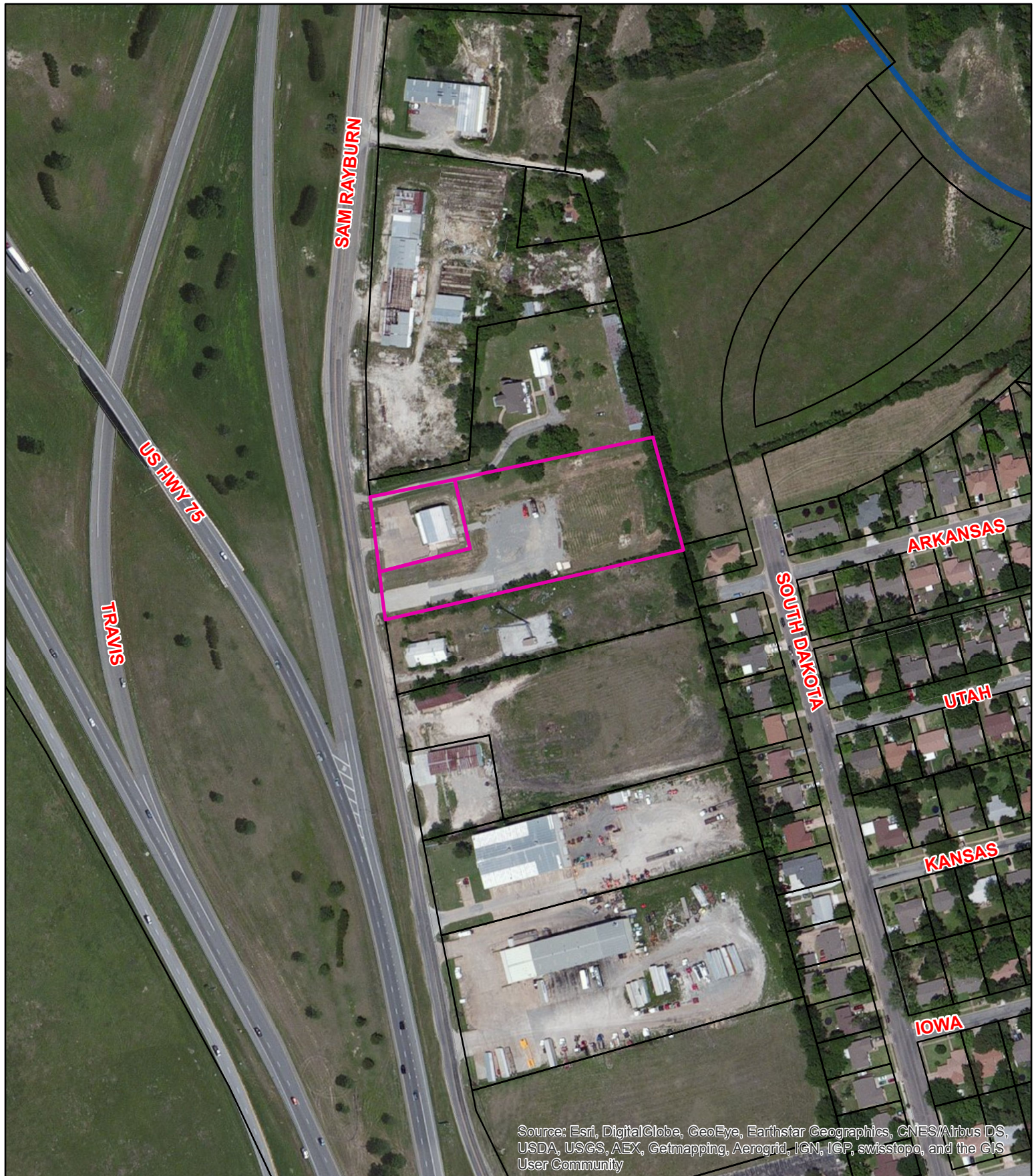
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

3111 S. US Highway 75

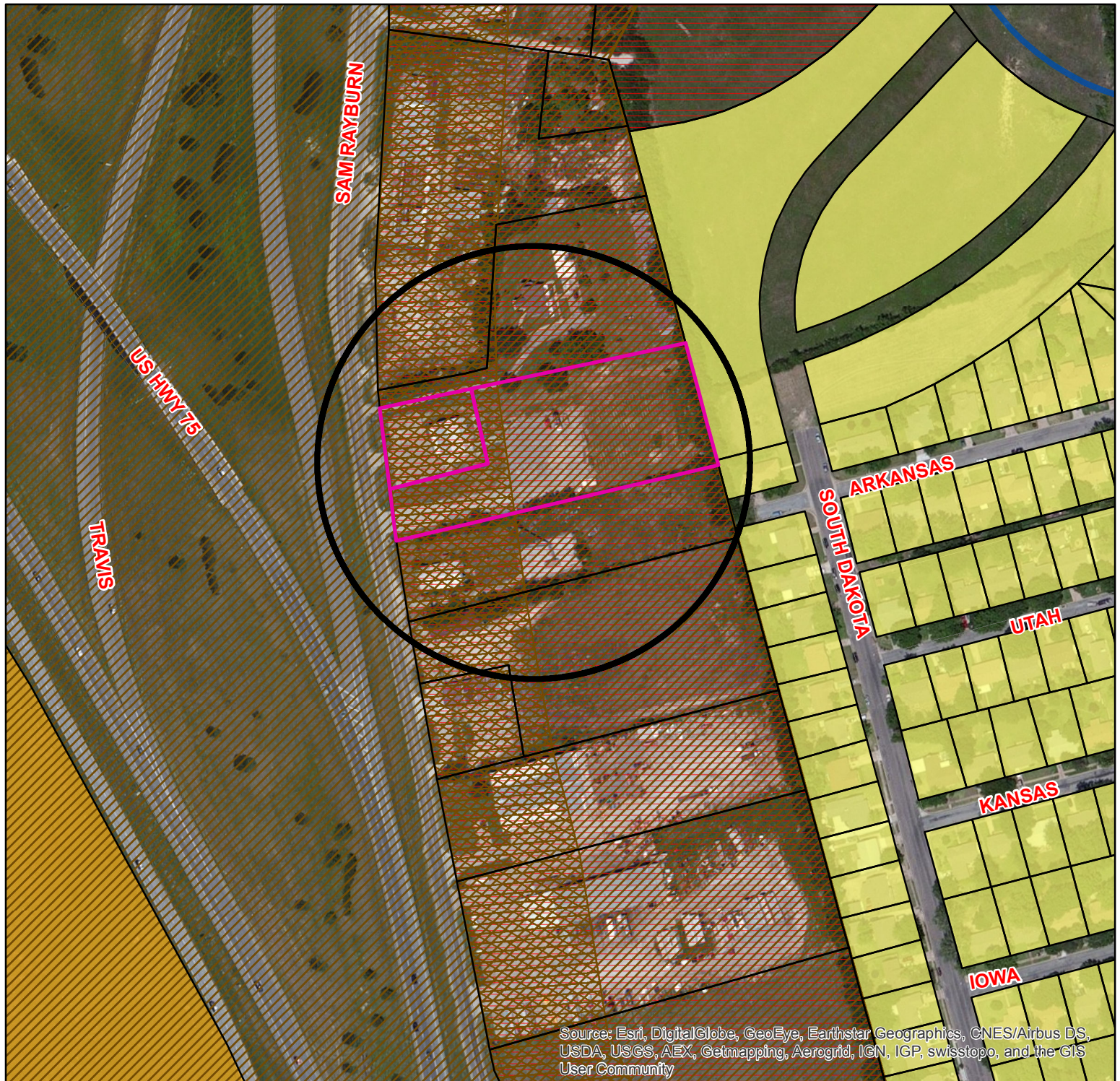
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 234 ft



3111 S. US Highway 75

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



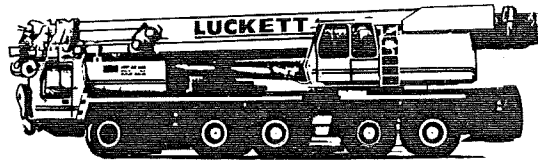
NOT TO SCALE

1 in = 234 ft

3111 S. U.S. Highway 75



LUCKETT CRANE SERVICE, LTD.



P.O. Box 252 • Commerce, Texas 75429-0252 • 903-886-3407
Paris 903-785-3296 • Sherman 903-892-5715

We will continue the original use of the property for crane service. We will also allow a small trucking company to park six trucks on the east side of the building and to use part of the office space in the building. Occasionally they will pull a truck in the east overhead door to perform routine maintenance.

Bryan Lockett

PRESTON KITCHEN SURVEY, ABSTRACT NO. 667

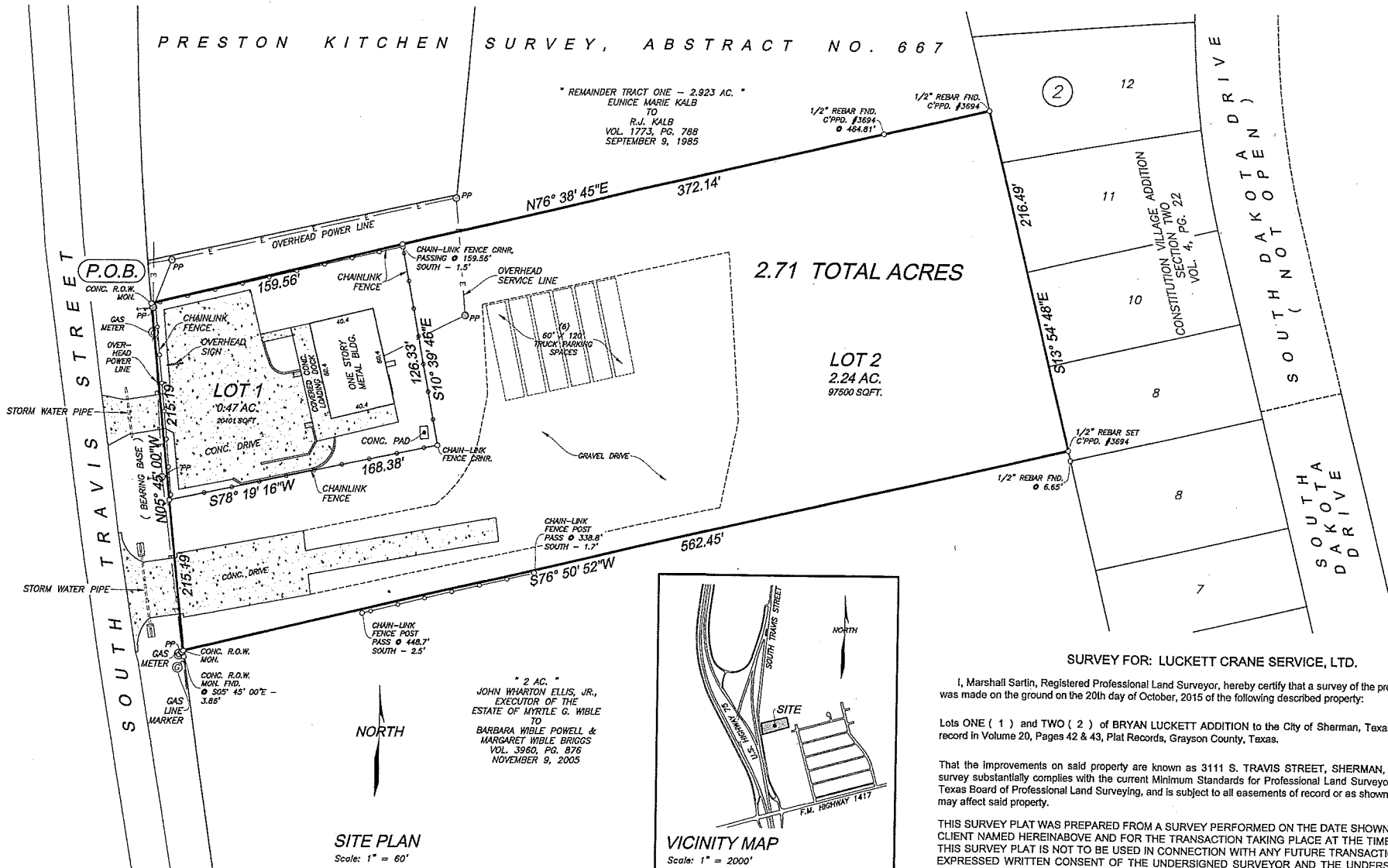
* REMAINDER TRACT ONE - 2.923 AC. *
EUNICE MARIE KALB
TO
R.J. KALB
VOL. 1773, PG. 788
SEPTEMBER 9, 1985

1/2" REBAR FND.
C.F.P.D. #3694
Ø 454.81'

1/2" REBAR FND.
C.F.P.D. #3694

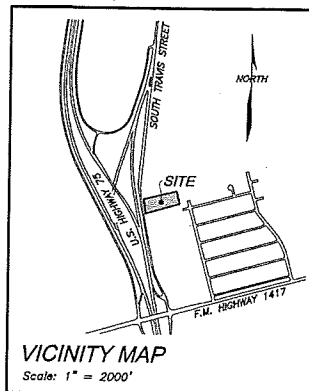
2.71 TOTAL ACRES

LOT 2
2.24 AC.
97500 SQFT.



* 2 AC. *
JOHN WHARTON ELLIS, JR.,
EXECUTOR OF THE
ESTATE OF MYRTLE G. WIBLE
TO
BARBARA WIBLE POWELL &
MARGARET WIBLE BRIGGS
VOL. 3980, PG. 876
NOVEMBER 9, 2005

SITE PLAN
Scale: 1" = 60'



SURVEY FOR: LUCKETT CRANE SERVICE, LTD.

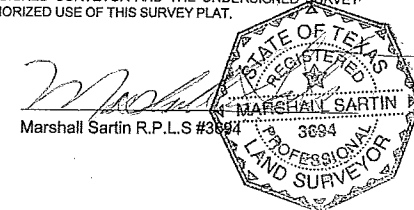
I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 20th day of October, 2015 of the following described property:

Lots ONE (1) and TWO (2) of BRYAN LUCKETT ADDITION to the City of Sherman, Texas as shown by plat record in Volume 20, Pages 42 & 43, Plat Records, Grayson County, Texas.

That the improvements on said property are known as 3111 S. TRAVIS STREET, SHERMAN, TEXAS and that survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat 1 may affect said property.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.

SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
FIRM Headquarters - #10081100
109 S. Travis • P.O. Box 1843 Sherman, TX 75091
Phone: (903)892-8003 • Fax: (903)868-2970 • Email: msartin@gscatip.com



Marshall Sartin R.P.L.S. #3694

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone: (903) 892-7229
FAX: (903) 892-7274

RECEIVED

NOV 06 2015

October 30, 2015 Lucien & Wanda Hines
1415 E. FM 1417
Sherman, Texas 75090

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, November 17, 2015 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Bryan Luckett (Owner) and Sartin & Associates (Surveyors) concerning the property located at 3111 South U.S. Highway 75, being Lots 1 & 2, Block 1, Bryan Luckett Addition

The request is as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) and truck repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

I have no protests
I think anything that happens
out S. of town will be a asset to
the area
Lucien Hines #214-535-8735

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

STAFF REVIEW LETTER

November 12, 2015

Bryan Luckett
PO Box 252
Commerce, TX 75429

Sartin & Associates, Inc.
PO Box 1843
Sherman, Texas 75091

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) and truck repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District for the property located at 3111 South U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1.2 (Sam Rayburn) Overlay District, the Blalock Commercial Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Masonry or equivalent shall be required on the sides of all commercial buildings visible from the front street right-of-way unless an exception is granted.
3. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt
5. All parking shall be on private property and shall not encroach into the access road right-of-way; a parking space is considered to be 9'x20'.
6. A minimum 6' screening device constructed of wood, stone, brick, concrete block or other permanent material; having a completely solid area with no openings; and permanently maintained shall be provided adjacent to the residential district to the east.
7. No cranes shall be stored in an elevated position.
8. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Violation of the conditions of the SUP will terminate the Specific Use Permit.
11. Review the zoning and development ordinance for additional requirements.
12. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

13. Drive approaches and sidewalks shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
14. Privately owned and maintained detention in accordance with City criteria is required.

15. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits
16. The location of trash receptors must be approved by the Director of Public Works.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Steve Ayers, Dir. Of Community and Support Services

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Don Keene, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 13.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

3111 S. US HIGHWAY 75

The request of Bryan Luckett (Owner) and Sartin & Associates (Surveyors) concerning the property located at 3111 South U.S. Highway 75, being Lots 1 & 2, Block 1, Bryan Luckett Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) and truck repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District.

Background:

The property is located at 3111 U.S. Highway 75 South between Travis Street and East FM 1417. A Specific Use Permit to allow a construction, equipment sales, service, rental and repair shop and yard (crane service) in a C-2 (General Commercial) District and O-1.1 (Sam Rayburn) Overlay District was granted at the October 6, 2008, City Council Meeting, however the Specific Use Permit went away once the use ceased for more than sixty days. An exception was approved at the October 21, 2008 Planning and Zoning Commission Meeting to allow metal siding on the rear wall of an existing building in lieu of the requirement for exterior wall finishes to be masonry, masonry veneer, or concrete siding.

The owner would like to continue the original use of the property for the crane service and also allow a small trucking company to park six trucks on the east side of the building and use part of the office space in the building. Occasionally they will pull a truck in the east overhead door to perform routine maintenance.

Adjacent Zoning:

C-2 (General Commercial) District

R-1 (One Family Residential) District

Origination:

Bryan Luckett (Owner)

Sartin & Associates (Surveyors)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site

Development Types

- Office (both multi-story buildings and small-scale office uses depending on the site)
- Planned development to accommodate custom site designs or mixing of uses in a Suburban character setting
- Public/institutional uses
- Parks and public spaces

Characteristics

- May exclude some auto-oriented uses that, by their very nature, cannot achieve a Suburban character (e.g., vehicle sales, truck stops, etc.).
- Near residential properties and areas, the permitted scale and intensity of non-residential uses should be limited to ensure compatibility (including adequate buffering/screening, criteria for placement and orientation of buildings and parking areas, height limits, and “residential-in-appearance” architectural standards).
- More opportunity for natural and/or swale drainage (and storm water retention/absorption) versus concentrated storm water conveyance in auto-oriented areas.

Number of notices mailed:

7

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Narrative

Site Plan

Staff Review Letter

Letter from Lucien & Wanda Hines



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 10.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5924

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 2125 Little Lane, being 0.852 acres in the J.B. McAnair Survey, Abstract No. 763 (Northstar Bank of Texas, Owners; Hoyte Ridlehuber, Prospective Buyer; Ben Dye, Representative; and Underwood Drafting and Surveying, Surveyors)

Issue:

To consider the request from Northstar Bank of Texas (Owners), Hoyte Ridlehuber (Prospective Buyer), Ben Dye (Representative) and Underwood Drafting and Surveying (Surveyor) for a zone change from a C-1 (Retail Business) District to an R-1 (One Family Residential) District concerning the property at 2125 Little Lane

Background:

The property is located at 2125 Little Lane between Taylor Street and Lamberth Road. The owners would like to rezone the property to an R-1 (One Family Residential) District to construct a new home on the lot.

Origination:

Northstar Bank of Texas (Owners)
Hoyte Ridlehuber (Prospective Buyer)
Ben Dye (Representative)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning and Zoning Commission voted 7/0 to approve the zone change subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5924

Location Map

Zoning Map

Zoning Photo

Survey

Site Plan

Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 5924

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 2125 LITTLE LANE, BEING 0.852 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (NORTHSTAR BANK OF TEXAS, OWNERS; HOYTE RIDLEHUBER, PROSPECTIVE BUYER; BEN DYE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the R-1 (One Family Residential) District at 2125 Little Lane, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, Grayson County, Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, and being all of the 0.86 acre tract of and conveyed to Ida Madison by deed of record in Volume 4634, Page 465, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found in the center of Little Lane (a public road), said rod maintaining the southwest corner of the 0.785 acre tract of land conveyed to Osteen-Riddels Properties, Inc., by deed of record in Volume 1725, Page 786, of the Deed Records, Grayson County, Texas and the northwest corner of said 0.86 acre tract;

THENCE North 82°55'11" East passing a 1/2" steel rod found on the east line of said Little Lane at 30.2 feet and continuing along an existing fence line maintaining the south line of said 0.785 acre tract a total distance of 189.22 feet to a chain-link corner post found at the southwest corner of the 0.447 acre tract of land conveyed to Jean M. Dixon by deed of record in Volume 2865, Page 512, of said Official Public Records;

THENCE North 80°02'26" East continuing along said fence line and with the south line of said 0.447 acre tract, a distance of 53.06 feet to a 1/2" steel rod found at the northeast corner of said 0.86 acre tract;

THENCE South 09°15'45" East a distance of 149.70 feet to a 1/2" steel rod found in the north line of Lot 1R, Block 1, of the Replat of Beacon Hill Addition, Section Two, an addition to the City of Sherman, Texas as shown by plat of record in Volume 18, Page 120, of the Plat Records, Grayson County, Texas, said rod being the southeast corner of said 0.86 acre tract;

THENCE South 82°21'08" West a distance of 83.81 feet to a 1" steel pipe found at the northeast corner of the 0.302 acre tract of land conveyed to Joseph P. Gregory, et ux, by deed of record in Volume 2165, Page 135, of the Real Property Records, Grayson County, Texas;

THENCE South 83°00'40" West a distance of 176.26 feet to a point in the center of said Little Lane for the southwest corner of said 0.86 acre tract, from which a spike nail lies North 83° East 0.9 feet;

THENCE North 02°21'56" West with the center of said Little Lane, a distance of 147.97 feet to the POINT-OF-BEGINNING and containing 0.852 acres of land.

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

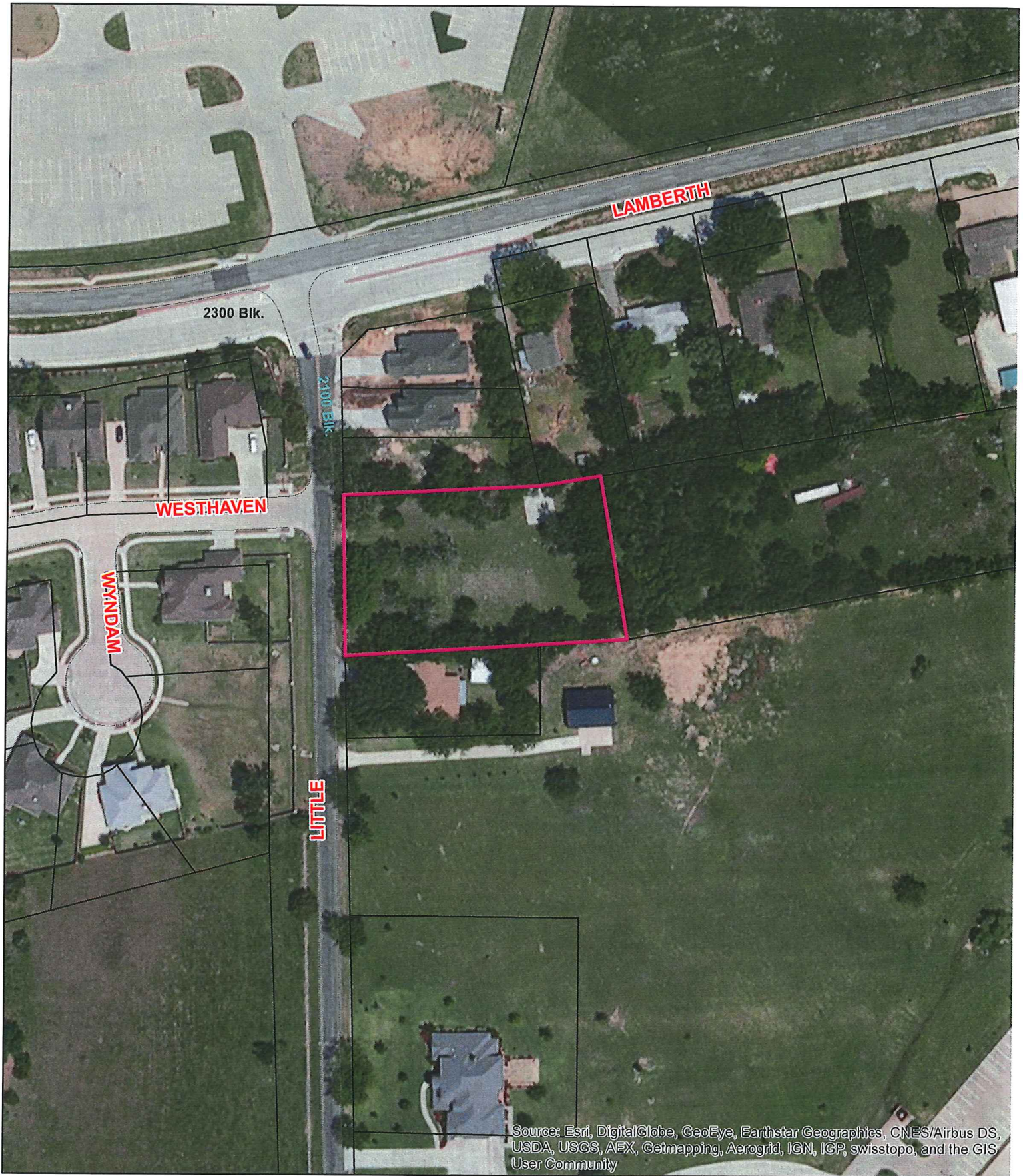
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



2125 Little Lane

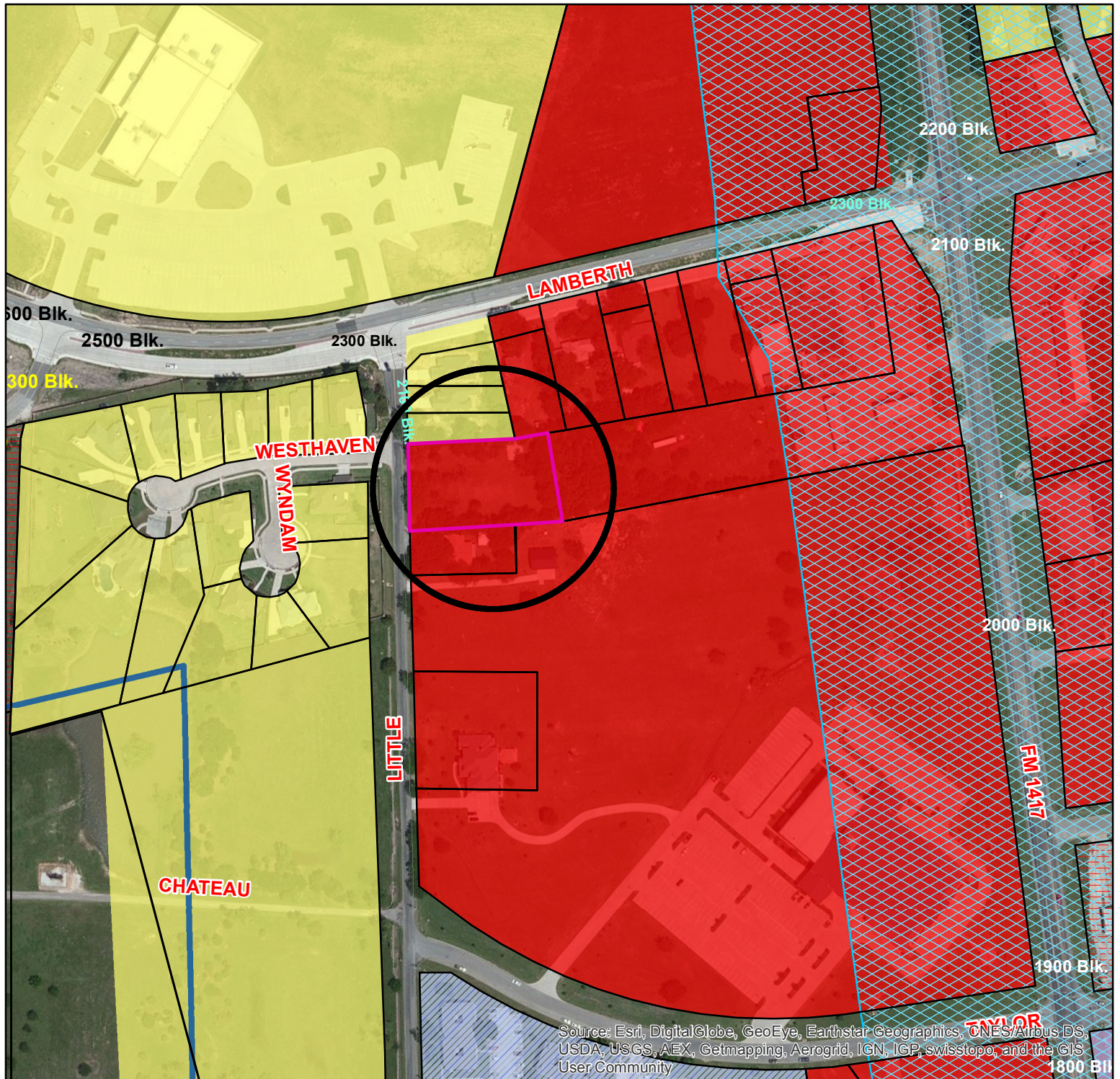
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 117 ft



2125 Little Lane

Legend		
Transportation Corridors Overlay		DISTRICT_NAME
FM 1417		Arts and Cultural District
Sam Rayburn Freeway		Blalock Commercial Overlay District
US Hwy 82 and 75		Central Business District
Special Districts Overlay		College Park District
		Downtown Overlay District
		Historic Preservation District
Zoning Classification		ZONING PARCELS
		Unknown
		BIP Blalock Industrial Park
		C-1 Retail Business District
		C-2 General Commercial District
		CO Office District
		Lakes
		M-1 Light Manufacturing District
		M-1.5 Medium Manufacturing District
		M-2 Heavy Manufacturing District
		MH Manufacturing Housing District
		R-1 One Family Residential District
		R-2 Multi-Family Residential District
		R-A Single Family Agricultural District
		SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

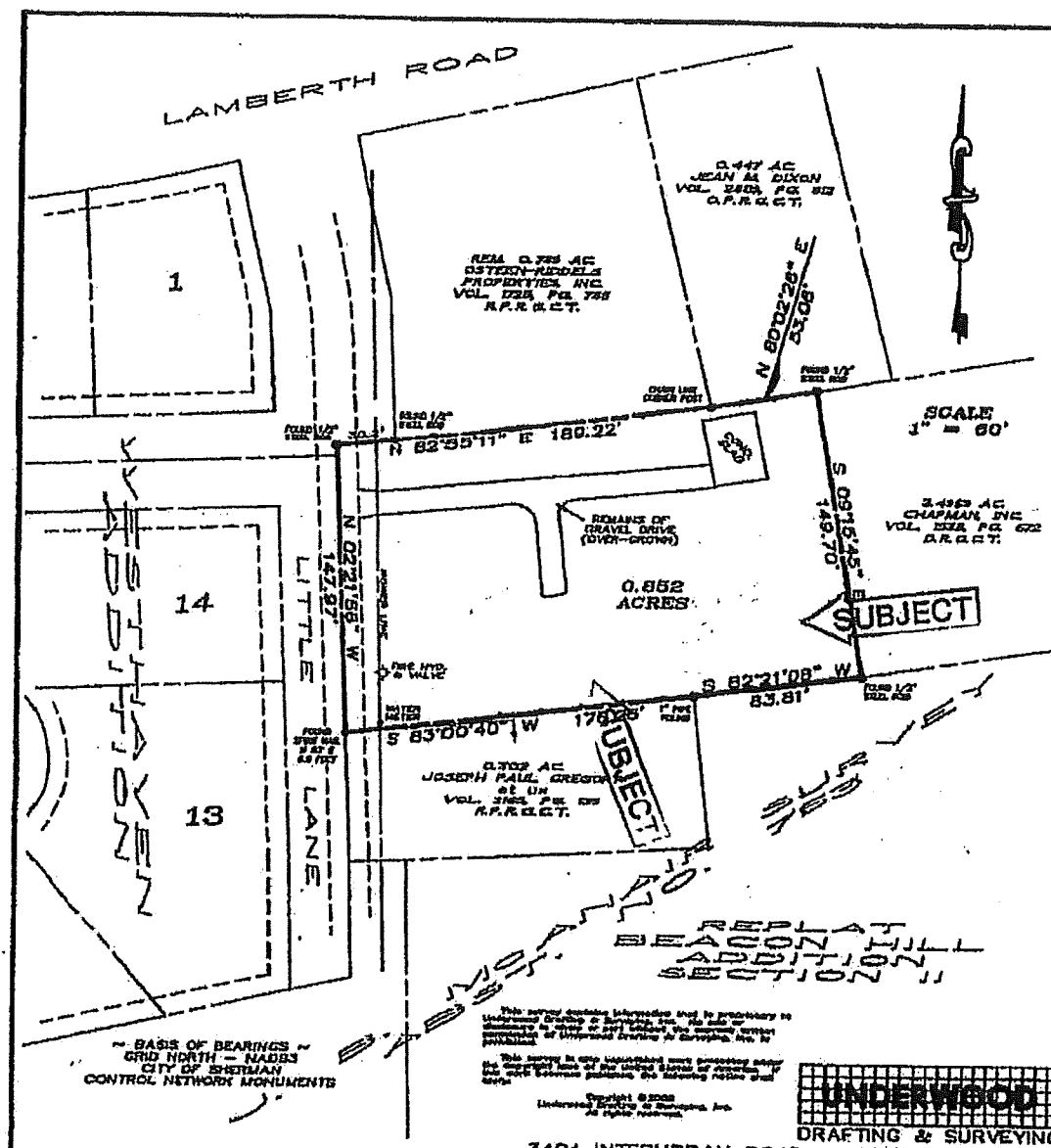


NOT TO SCALE

1 in = 234 ft

2125 Little Lane





Legal Description

Situated in the City of Sherman, Grayson County, Texas, being a part of the J.B. McAnair Survey, Abstract No. 783, and being all of the 0.88 acre tract of and conveyed to Ida Madison by deed of record in Volume 4634, Page 485, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a 1/2" steel rod found in the center of Little Lane (a public road), said rod maintaining the southwest corner of the 0.785 acre tract of land conveyed to Osteen-Riddle's Properties, Inc., by deed of record in Volume 1725, Page 788, of the Deed Records, Grayson County, Texas and the northwest corner of said 0.88 acre tract;

Thence North 82°55'11" East passing a 1/2" steel rod found on the east line of said Little Lane at 30.2 feet and continuing along an existing fence line maintaining the south line of said 0.785 acre tract a total distance of 189.22 feet to a chain-link corner post found at the southwest corner of the 0.447 acre tract of land conveyed to Jean M. Dixon by deed of record in Volume 285B, Page 512, of said Official Public Records;

Thence North 80°02'26" East continuing along said fence line and with the south line of said 0.447 acre tract, a distance of 53.06 feet to a 1/2" steel rod found at the northeast corner of said 0.88 acre tract;

Thence South 09°15'45" East a distance of 149.70 feet to a 1/2" steel rod found in the north line of Lot 1R, Block 1, of the Replat of Beacon Hill Addition, Section Two, an addition to the City of Sherman, Texas as shown by plat of record in Volume 18, Page 120, of the Plat Records, Grayson County, Texas, said rod being the southeast corner of said 0.88 acre tract;

Thence South 82°21'08" West a distance of 83.81 feet to a 1" steel pipe found at the northeast corner of the 0.302 acre tract of land conveyed to Joseph P. Gregory, et ux, by deed of record in Volume 2165, Page 135, of the Real Property Records, Grayson County, Texas;

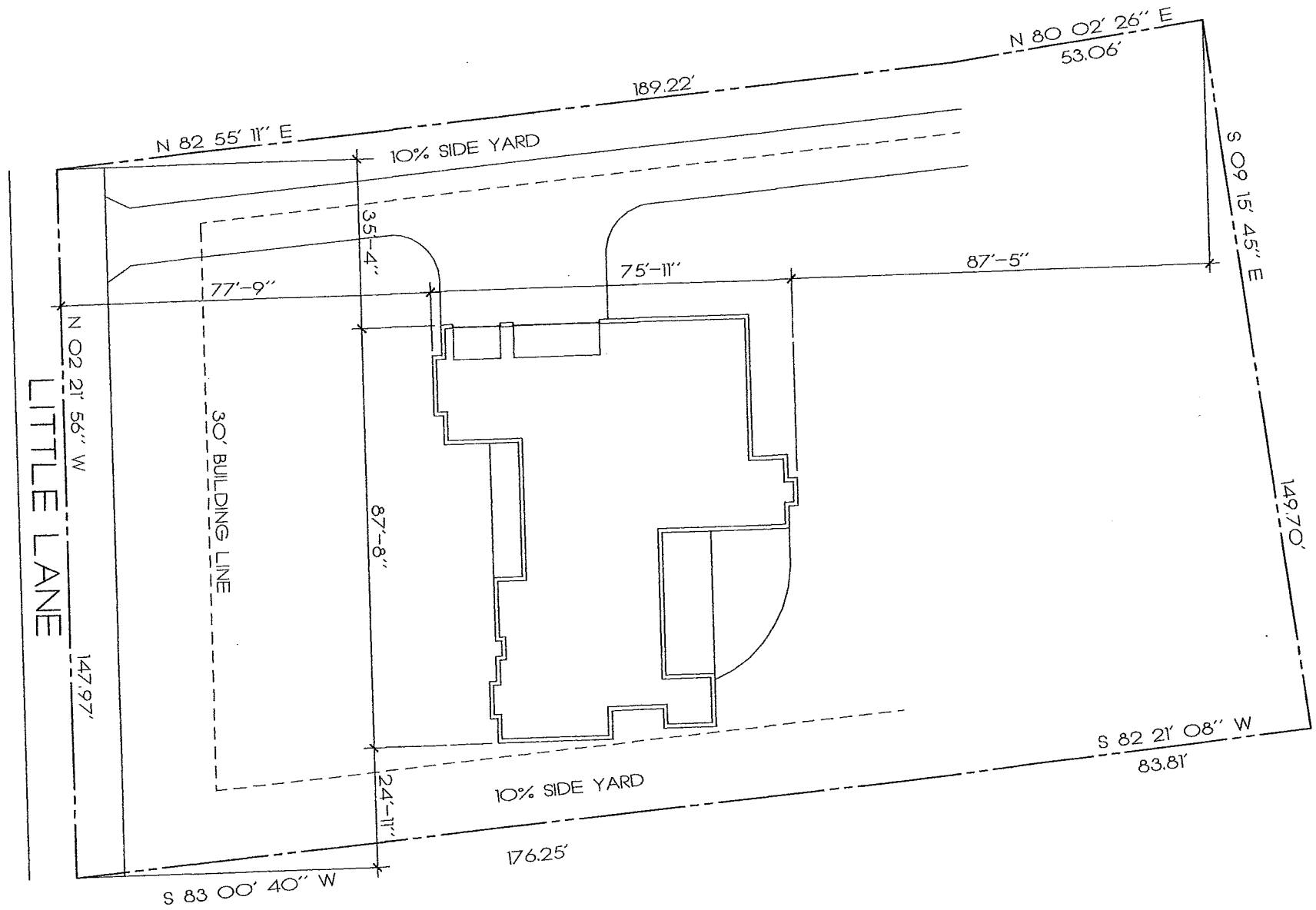
Thence South 83°00'40" West a distance of 176.26 feet to a point in the center of said Little Lane for the southwest corner of said 0.88 acre tract, from which a spike nail lies North 83° East 0.8 feet;

Thence North 02°21'58" West with the center of said Little Lane, a distance of 147.97 feet to the Point-of-Beginning and containing 0.852 acres of land.

I, Jason B. Armstrong, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

Jason B. Armstrong
Registered Professional
Land Surveyor No. 5557

SURVEY DATE: 7/20/09



SITE PLAN
SCALE: 1" = 30'-0"





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LIQUIDATORS
ProSales**

The Birchwood House Plan #1239

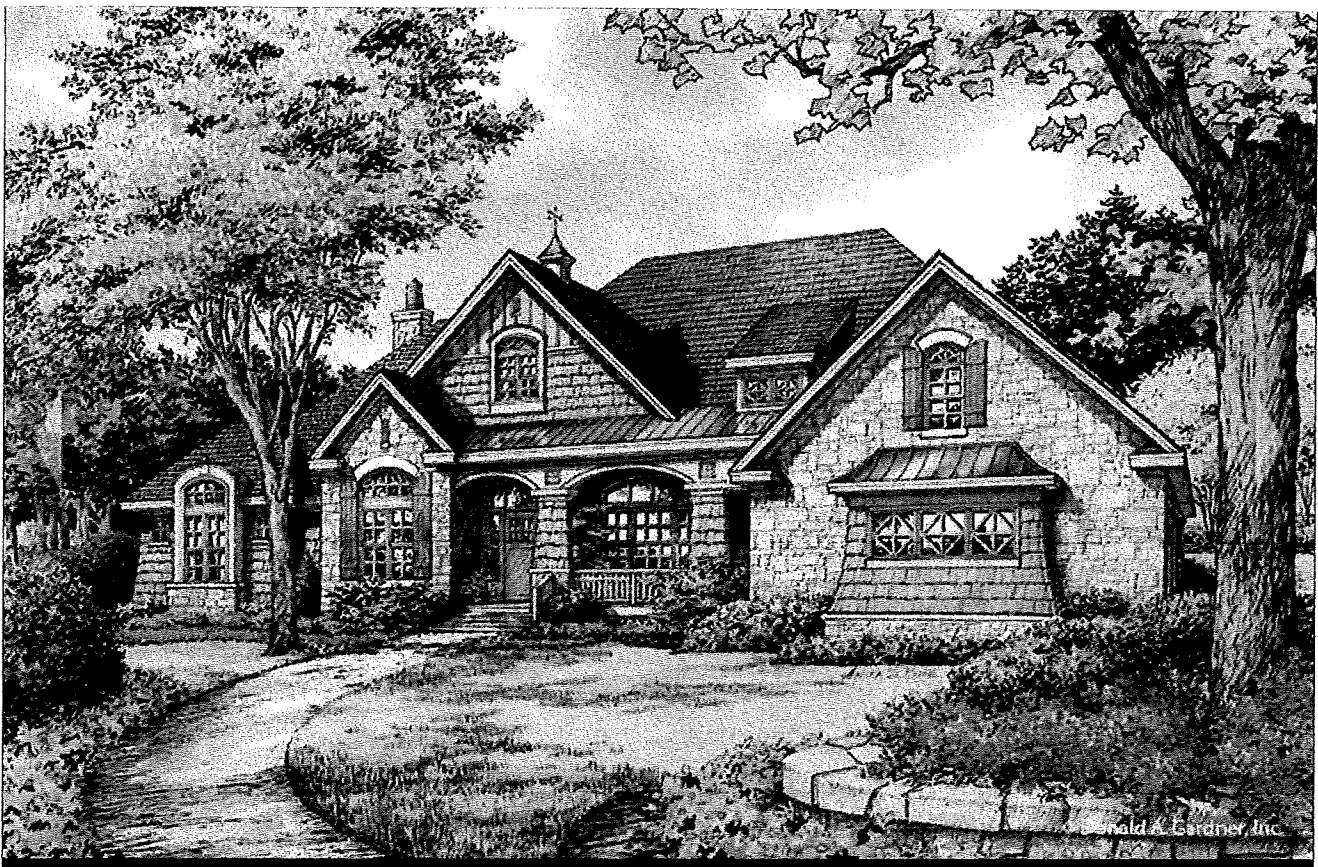
[View This House Plan](#)

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[Previous](#)

Photo 56 of 62

[Next](#)



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GET DECKED OUT.  **TimberTech**
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The Birchwood House Plan #1239

[View This House Plan](#)

[Renderings Photo Gallery](#)

[Previous](#)

Photo 57 of 62

[Next](#)



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STAFF REVIEW LETTER

November 12, 2015

Northstar Bank of Texas
PO Box 430
Denton, TX 76202

Hoyte Ridelhuber
2300 N. US Highway 75
Sherman, Texas 75090

Ben Dye
3409 S FM 131
Denison, TX 75020

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, Texas 75020

Dear Applicants,

The request for a zone change and site plan approval, from a C-1 (Retail Business) District to an R-1 (One Family Residential) District for the property located at 2125 Little Lane has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the R-1 (One Family Residential) District and the Residential Tree and Landscaping Ordinance must be followed.
2. Review the zoning and development ordinance for additional requirements.
3. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

4. Drive approaches and sidewalks shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
5. Water Pro-Rata in the amount of \$1,500.00 will be due at the time of development.
6. Sewer Pro-Rata in the amount of \$1,300.00 will be due at the time of development.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Steve Ayers, Dir. Of Community and Support Services

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Don Keene, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 14.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

2125 LITTLE LANE

The request of Northstar Bank of Texas (Owners), Hoyte Ridlehuber (Prospective Buyer), Ben Dye (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 2125 Little Lane, being 0.852 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

Zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One Family Residential) District.

Background:

The property is located at 2125 Little Lane between Taylor Street and Lamberth Road. The owner would like to rezone the property to an R-1 (One Family Residential) District to construct a new home on the lot.

Adjacent Zoning:

C-1 (Retail Business) District

R-1 (One Family Residential) District

Origination:

Northstar Bank of Texas (Owners)

Hoyte Ridlehuber (Prospective Buyer)

Ben Dye (Representative)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

13

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Survey

Site Plan

Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 11.

Meeting Date: 12/07/2015

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE AUGUST 3, 2015 CITY COUNCIL MEETING:

ADOPTION OF ORDINANCE NO. 5889

Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", Article 4.14, entitled "Alcoholic Beverages", at Division 2, entitled "Lawful Consumption", Section 4.14.034, entitled "Hours of Operation", and at Division 3, entitled "Unlawful Consumption", Section 4.14.066, entitled "Sale of Alcoholic Beverages During Extended Hours by Private Club Permittee", to Provide for Extended Hours for the Sale of Alcohol pursuant to the Texas Alcoholic Beverage Code

Issue:

Ordinance No. 5889 to extend the hours for the sale of alcoholic beverages within the Sherman city limits was tabled following introduction and public hearing at the August 3, 2015 meeting of the Sherman City Council. A motion and order are required to remove the ordinance from the table and permit its consideration of adoption.

Background:

The Texas Alcoholic Beverage Code sets the hours of operation for businesses permitted to sell alcohol. Under the statute, businesses in cities and counties of a certain population may apply for an extended hours permit for the sale of alcohol until 2 am. Cities and Counties not meeting the population requirements may adopt the extended hours by ordinance. If adopted, this Ordinance would allow businesses who secured an extended hours permit from the Texas Alcoholic Beverage Commission to conduct alcohol sales until 2 am each morning.

Origination:

Councilman Kevin Couch

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

As the City Council considers the adoption of the proposed ordinance, City staff is prepared to carry out the Council's decision.

Alternatives:

The Council could leave the code provisions as they are now.

Attachments

Ordinance No. 5889

ORDINANCE NO. 5889

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS", ARTICLE 4.14, ENTITLED "ALCOHOLIC BEVERAGES", AT DIVISION 2, ENTITLED "LAWFUL CONSUMPTION", SECTION 4.14.034, ENTITLED "HOURS OF OPERATION", AND AT DIVISION 3, ENTITLED "UNLAWFUL CONSUMPTION", SECTION 4.14.066, ENTITLED "SALE OF ALCOHOLIC BEVERAGES DURING EXTENDED HOURS BY PRIVATE CLUB PERMITTEE", TO PROVIDE FOR EXTENDED HOURS FOR THE SALE OF ALCOHOL PURSUANT TO THE TEXAS ALCOHOLIC BEVERAGE CODE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Chapter 4, Article 4.14, Division 2 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 4.14.034 so that such section shall read as follows:

**ARTICLE 4.14 ALCOHOLIC BEVERAGES
Division 2. Lawful Consumption**

Sec. 4.14.034 Hours of operation

~~Extended hours for the sale of alcoholic beverages are prohibited.~~

(a) A mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell mixed beverages between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.

(b) Pursuant to the Texas Alcoholic Beverage Code § 105.03(d)(2), a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(c) *A person may sell, offer for sale, or deliver beer and wine between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell beer between midnight and 1:00 a.m. and between noon and midnight, except that permittees or licensees authorized to sell for on-premise consumption may sell beer between 10:00 a.m. and noon if the beer is served to a customer during the service of food to the customer.*

(d) *Pursuant to Texas Alcoholic Beverage Code § 105.05 (d)(2), a holder of a retail dealer's on-premise late hours license may also sell, offer for sale, and deliver beer and wine between midnight and 2 a.m. on any day.*

SECTION 2. That Chapter 4, Article 4.14, Division 3 of the Code of Ordinances of the City of Sherman, Texas, be amended at Section 4.14.066 so that such section shall read as follows:

ARTICLE 4.14 ALCOHOLIC BEVERAGES
Division 3. Unlawful Consumption

Sec. 4.14.066 Sale of alcoholic beverages during extended hours by private club permittee

~~Extended hours for the sale of alcoholic beverages are prohibited.~~

(a) *A mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell mixed beverages between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.*

(b) *Pursuant to the Texas Alcoholic Beverage Code § 105.03(d)(2), a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.*

(c) *A person may sell, offer for sale, or deliver beer and wine between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell beer between midnight and 1:00 a.m. and between noon and midnight, except that permittees or licensees authorized to sell for on-premise consumption may sell beer between 10:00 a.m. and noon if the beer is served to a customer during the service of food to the customer.*

(d) *Pursuant to Texas Alcoholic Beverage Code § 105.05 (d)(2), a holder of a retail dealer's on-premise late hours license may also sell, offer for sale, and deliver beer and wine between midnight and 2 a.m. on any day.*

SECTION 3. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the 3rd day of August, 2015.

ADOPTED on this the _____ day of _____, 2015.

EFFECTIVE DATE on this the _____ day of _____, 2015.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 12.

Meeting Date: 12/07/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5915, 5916, 5917, 5918, 5919, 5920, 5921, 5922, 5923, 5924 and 5889

Issue:

C.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5915

Extending the Corporate Limits of Said City so as to Annex 186.244 Acres of Land along West Lamberth Road, Carriage Estates Road, Norwood Road, Carriage Circle, Shady Oaks Circle, and Shady Oaks Lane, Adjacent to the Sherman City Limits, and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Plan

C.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5916

Authorizing the Conveyance of an Oil, Gas and Mineral Lease to Roff Oil and Gas, Ltd., Covering and Affecting Two Tracts of Land Described Herein, in the City of Sherman, Grayson County, Texas, Pursuant to the Terms and Conditions of this Ordinance

C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5917

Amending Article II of the Home Rule Charter, entitled "City Council", at Sections 9, 11, 12 and 13

C. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5918

Amending Article III of the Home Rule Charter, entitled "Nominations and Elections", at Section 4, entitled "Determination of Election Results"

C. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5919

Amending Article IV of the Home Rule Charter, entitled "Administrative Departments", at Section 1, entitled "General Provisions"

C. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5920

Amending Article V of the Home Rule Charter, entitled "Finance Administration", at Sections 3, 4, 8, 10 and 12

C. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5921

Amending Article VI of the Home Rule Charter, entitled "Taxation", at Section 4, entitled "Payment of Taxes"

C. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5922

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

C. 9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5923

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Construction, Equipment Sales, Service, Rental and Repair Shop and Yard (Crane Service) and Truck Repair in a C-2 (General Commercial) District, O-1.2 (Sam Rayburn) Overlay District and Blalock Commercial Overlay District at 3111 South US Highway 75, being Lots 1 and 2, Block 1, Bryan Luckett Addition; Bryan Luckett, Owner; and Sartin and Associates, Inc., Surveyor; Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

C. 10. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5924

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 2125 Little Lane, being 0.852 acres in the J.B. McAnair Survey, Abstract No. 763 (Northstar Bank of Texas, Owners; Hoyte Ridlehuber, Prospective Buyer; Ben Dye, Representative; and Underwood Drafting and Surveying, Surveyors)

C. 11. ADOPTION OF ORDINANCE NO. 5889

Amending Chapter 4 of the Code of Ordinances, entitled "Business Regulations", Article 4.14, entitled "Alcoholic Beverages", at Division 2, entitled "Lawful Consumption", Section 4.14.034, entitled "Hours of Operation", and at Division 3, entitled "Unlawful Consumption", Section 4.14.066, entitled "Sale of Alcoholic Beverages During Extended Hours by Private Club Permittee", to Provide for Extended Hours for the Sale of Alcohol pursuant to the Texas Alcoholic Beverage Code



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 13.

Meeting Date: 12/07/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Issue:

D. 1. * REQUEST TO ADVERTISE

Electronic Document Management Services

D. 2. * REQUEST TO ADVERTISE

Annual Supply of Chemicals

E. 3. * OTHER BUSINESS

Consider Request of Downtown Sherman Preservation & Revitalization to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, April 16, 2016

E. 4. * OTHER BUSINESS

Consider Request of the Neighborhood Recreational Committee to Temporarily Close Certain Streets for the 2016 Dr. Martin Luther King, Jr. Day Parade on Saturday, January 16, 2016

E. 5. * OTHER BUSINESS

Final Plat Approval of the Risk Addition, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor (2810 Texoma Parkway)

E. 6. * OTHER BUSINESS

Final Plat Approval of the Replat of a Part of Lot 5, Block One, Midway Industrial Park Addition, being 53.192 acres in the J.B. Shannon Survey, Abstract No. 1085, also being a Replat of a Part of Lot 5, Block 1, Midway Industrial Park Addition; Datavault Joint Venture, Owner; Crannell, Crannell & Martin Engineering, Engineer; and

Underwood Drafting and Surveying, Surveyor (2945 Fallon Drive)

E. 7. * *OTHER BUSINESS*

Replat Approval of Lots 1 & 2, Block 1, State Highway 91 North Addition, being Lots 1 and 2, Block 1, State Highway 91 North Addition, containing 2.431 acres; Barbara Brown, Owner; Kyle Boothe, Bluestone Partners, LLC, Contractor/Representative; and Underwood Drafting and Surveying, Surveyor (4009 and 4015 Texoma Parkway)

E. 8. * *OTHER BUSINESS*

Approval of the 2015 Ad Valorem Tax Roll Value and Tax Levy



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 12/07/2015

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Electronic Document Management Services

Issue:

Obtaining Council approval to solicit bids for the purchase and implementation of electronic document management software.

Background:

The City seeks to purchase and implement document management software to securely track, manage and store electronic documents in a central repository. Such a system will eliminate duplication of records stored in multiple departments, make text of scanned documents fully searchable with optical character recognition (OCR), and allow electronic workflow processes to replace the inefficiencies of paper movement.

The first-year estimated cost of \$55,000.00, approved by the City Council in the fiscal year 2016 Budget, is part of a multi-year project implementation.

Origination:

Financial Services

Financial Consideration:

The cost of advertising will be approximately \$200.00.

Staff Recommendation:

It is recommended that the City Council approve this request to advertise for bids for the purchase and implementation of electronic document management services.

Alternatives:

As may be recommended by City Council



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 2.

Meeting Date: 12/07/2015

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Annual Supply of Chemicals

Issue:

Approval of a request to advertise for the annual supply of chemicals for the calendar year 2016

Background:

Annually, the City requests bids for the supply of our industrial chemical purchases, primarily for use at the Water Treatment Plant and the Wastewater Treatment Plant.

Origination:

Utilities Administration

Financial Consideration:

Funds for the purchase of chemicals were appropriated in the recently approved budget for fiscal year 2015-2016. Advertising costs are estimated to be about \$200.00.

Staff Recommendation:

It is recommended that the City Council approve the advertising related to the purchase of the annual supply of chemicals.

Alternatives:

As may be directed by the City Council



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 12/07/2015

Prepared By: Clay Barnett, Director of Public Works and Engineering

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Presentation on a Number of Transportation Related Issues in the City of Sherman

Issue:

A presentation on a number of transportation related issues

Background:

Director of Public Works and Engineering Clay Barnett, P.E., along with Rob Rae, AICP of Kimley-Horn and Associates, Inc., will provide the Council with a presentation on several transportation related issues. This presentation is being made in advance of a Council transportation workshop to be held in the first quarter of 2016.

Origination:

City Manager Robby Hefton

Financial Consideration:

None at this time

Staff Recommendation:

This presentation is for information only; and no Council action is needed.

Alternatives:

None recommended



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 2.

Meeting Date: 12/07/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Discussion of the City of Sherman's Texas Main Street and Tourism Programs

Issue:

To receive Community & Support Services Director Steve Ayers' presentation on the Tourism/Main Street Programs and budgets

Background:

The City's tourism function was contracted out to the Sherman Chamber of Commerce through the end of year 2015. In consideration of the City's acceptance into the Texas Main Street Program, Community & Support Services Director Steve Ayers will provide the City Council with a brief presentation concerning the combination of the two programs and the benefit of having the combined programs under the responsibility of the City of Sherman.

Origination:

City Manager's Office

Financial Consideration:

None

Staff Recommendation:

It is recommended that the Council approve the proposed changes to the Tourism/Main Street program as presented.

Alternatives:

No alternatives are proposed.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 3.

Meeting Date: 12/07/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Request of Downtown Sherman Preservation & Revitalization to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, April 16, 2016

Issue:

Downtown Sherman Preservation & Revitalization (DSP&R) is requesting to temporarily close Crockett Street (between Lamar Street and Houston Street) and Travis Street (between Lamar Street and Houston Street) on Saturday, April 16, 2016 from noon to 11:00 p.m. for "Craft the Night Away".

This event will include food trucks and/or vendors, a band and other activities. DSP&R plans to apply for an alcohol permit from the Texas Tobacco and Alcohol Commission for the sale of craft beer to the patrons of this event.

Background:

This event will replace DSP&R's Red River Mardi Gras & Jazz Festival.

Origination:

Ms. Karen Tooley, Director of DSP&R

Financial Consideration:

Barricades and cones would be provided by the City of Sherman Street Department. Solid waste receptacles would be provided by the City's Solid Waste Department. DSP&R would work with the Sherman Police Department to arrange for security officers necessary for the event. DSP&R has been instructed that emergency vehicle accessibility must be maintained throughout the closed streets at all times.

Staff Recommendation:

It is recommended that the Council authorize the use of City resources to provide barricades, cones, solid waste receptacles, and security support as requested.

Alternatives:

As directed by the Council

Attachments

"Craft the Night Away" Request Letter

"Craft the Night Away" Map

14 October 2015



Mr. Steve Ayers
Director of Community Support Services
PO Box 1106
Sherman, TX 75091

Dear Steve,

Downtown Sherman Preservation & Revitalization (DSP&R) would like city approval to hold an event we are tentatively calling *Red River Craft Beer Festival*. This festival is instead of Red River Mardi Gras & Jazz Festival.

The details are below. If I can answer questions or help clarify this request, please do not hesitate to contact me by email (kctooley@msn.com) or phone (903-816-2811).

Sincerely,

Karen Tooley

Executive Director, DSP&R

Name of Event: (tentative name) Red River Craft Beer Festival

Date/Time of Event: Saturday, 16 April, 2016, 5:00 pm -11:00 pm

Description of Event: DSP&R will invite craft brewers to a 1-day tasting event held on the courthouse square. There will be three emphases: craft beer, live music, and food truck foods.

Street Closure Request:

From Noon-11:30 pm: 100 blocks of S Travis Street and S Crockett Street

Supplies Requested: 16 rolling trash cans & 40 orange traffic cones (delivered to the east side of the courthouse near the trash dumpsters)

TABC Permit: DSP&R will provide the breweries with the necessary information to enable them to obtain festival permits from TABC.

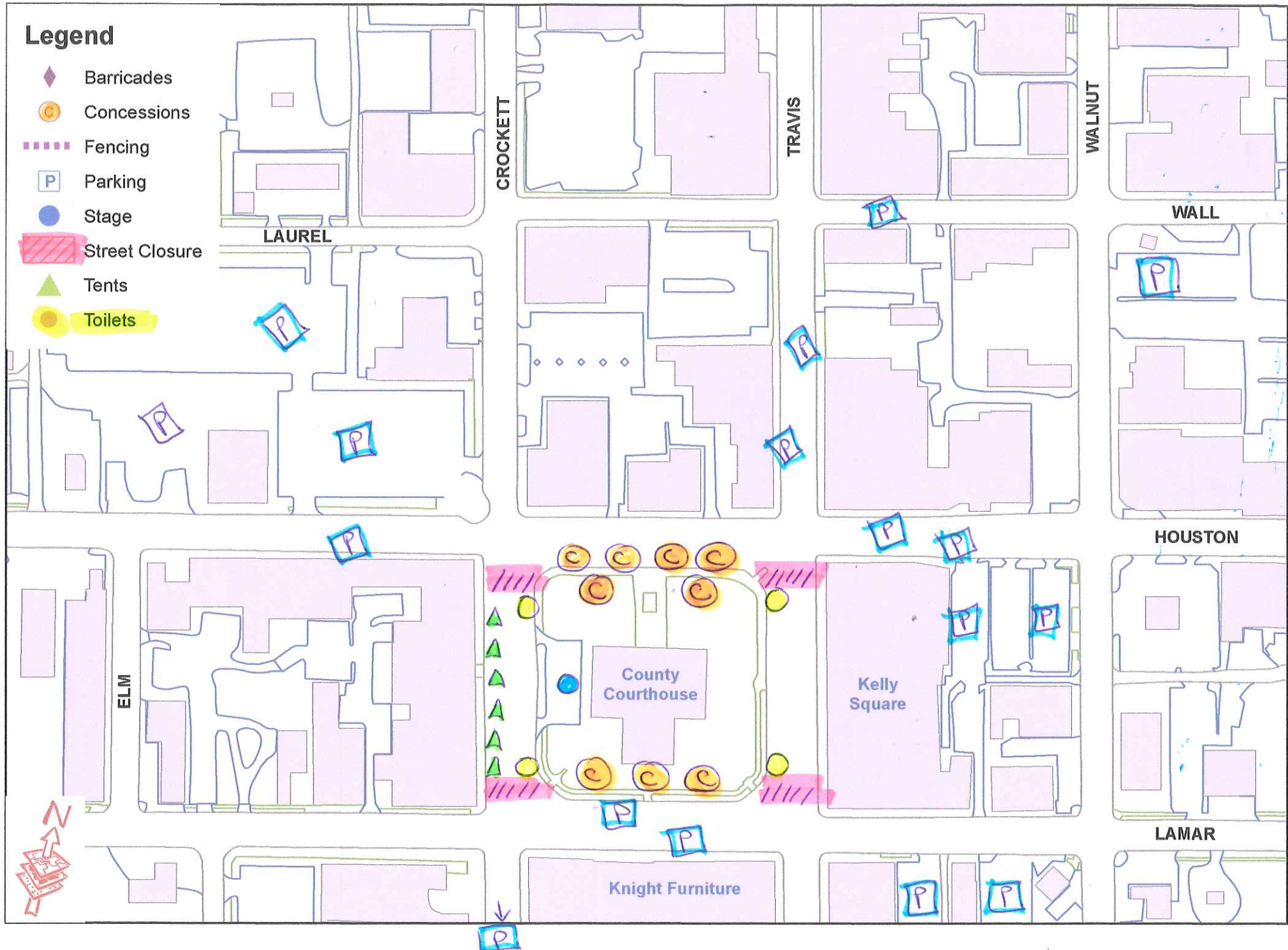
Event
Title

Craft the Night Away

Use "Legend" to indicate event setup
locations and any items needed by the City.

Legend

- ◆ Barricades
- Concessions
- ⋯ Fencing
- Ⓟ Parking
- Stage
- ▨ Street Closure
- ▲ Tents
- Toilets





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 4.

Meeting Date: 12/07/2015

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Request of the Neighborhood Recreational Committee to Temporarily Close Certain Streets for the 2016 Dr. Martin Luther King, Jr. Day Parade on Saturday, January 16, 2016

Issue:

The Neighborhood Recreational Committee has submitted a request to close certain streets for the 2016 Dr. Martin Luther King, Jr. Day Parade, taking place at 12 noon on Saturday, January 16, 2016.

Background:

The parade will follow the route described in the attached request and outlined on the attached map. Assembly will begin at 11:00 a.m. The event will require traffic control assistance from the City of Sherman.

Origination:

Tracey Ross, President of the Neighborhood Recreational Committee

Financial Consideration:

City labor to provide traffic control assistance will be required.

Staff Recommendation:

It is recommended that the City Council approve this request and authorize the necessary traffic control support to accommodate the event.

Alternatives:

As directed by the Council

Attachments

MLK Jr. Day Parade Request Letter

MLK Jr. Day Parade Map

Neighborhood Recreational Committee

P.O.Box 731

Sherman, Texas 75091

"Helping the Community to Move Forward"

Tracey Ross-President Eric Ross, Treasurer Brooke Ross, Secretary

December 2, 2015

Sherman City Manager

Attn: Don Keen

220 W. Mulberry

Sherman, Texas 75090

Dear Sir:

The Neighborhood Recreational Committee would like to request the permission from the City of Sherman to hosting the Annual Dr. Martin Luther King Jr. Parade this coming year Saturday January 16,2016.

Staging place will be south Travis in the parking lot in front of First Baptist Church . The Parade will go north on Travis st. to Brockett St. turning right onto Brockett heading east to Austin College parking lot and that's where the parade will end.

Dr. Martin Luther King Jr. Parade Map

Saturday January 16, 2016

Staging in parking lot across from First Baptist
church

Turning onto Travis St. headed north

Turning right onto Brockett st.

Taking Brockett st to Austin College parking lot
across from Jefferson school



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 5.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of the Risk Addition, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504; Risk Family Partnership, LTD, Owner; and Sartin and Associates, Inc., Surveyor (2810 Texoma Parkway)

Issue:

To consider approval of the Risk Addition, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504 located at 2810 Texoma Parkway

Background:

The property is located at 2810 Texoma Parkway, north of U.S. Highway 82. The owner would like to plat the property into two lots for commercial development.

Origination:

Risk Family Partnership, LTD (Owner)
Sartin and Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

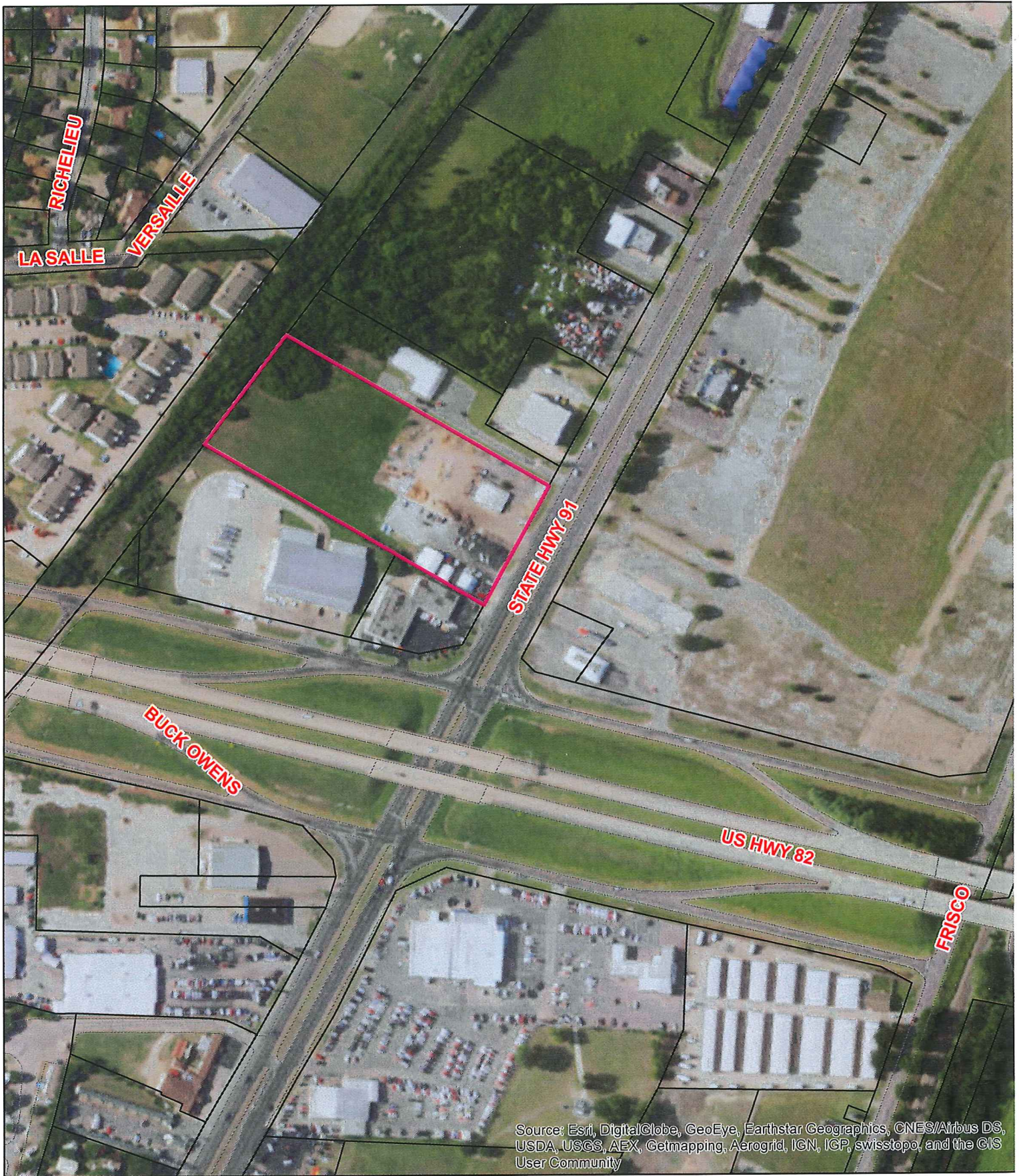
Location Map

Zoning Map

Final Plat

Staff Review Letter

P&Z Communication



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

2810 Texoma Parkway

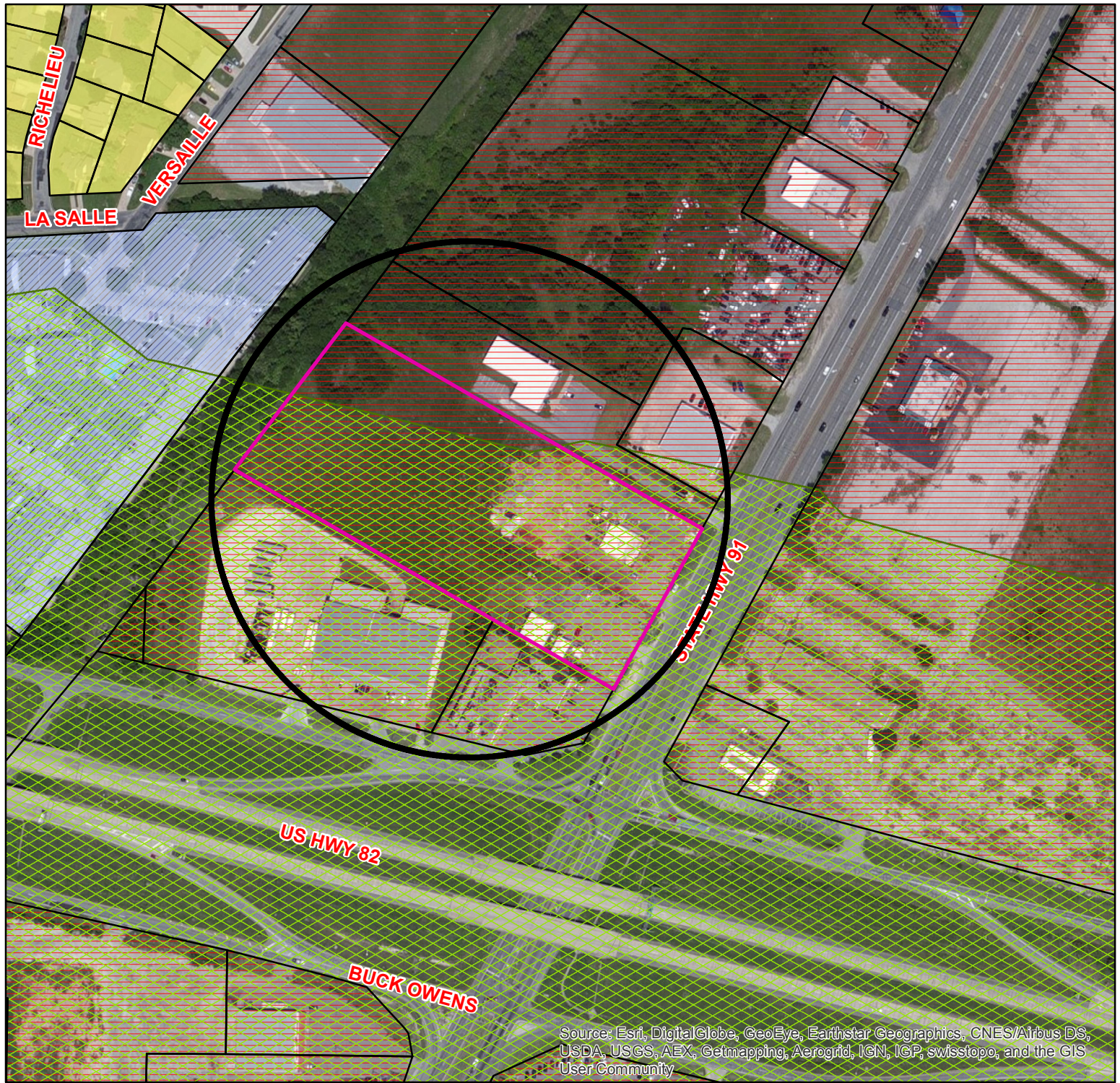
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 292 ft



2810 Texoma Parkway

Legend		
Transportation Corridors Overlay		
HWY_NAME	DISTRICT_NAME	
FM 1417	Arts and Cultural District	C-2 General Commercial District
Sam Rayburn Freeway	Blalock Commercial Overlay District	CO Office District
US Hwy 82 and 75	Central Business District	Lakes
Special Districts Overlay		
	College Park District	M-1 Light Manufacturing District
	Downtown Overlay District	M-1.5 Medium Manufacturing District
	Historic Preservation District	M-2 Heavy Manufacturing District
Zoning Classification		
	BIP Blalock Industrial Park	MH Manufacturing Housing District
	C-1 Retail Business District	R-1 One Family Residential District
		R-2 Multi-Family Residential District
		R-A Single Family Agricultural District
		SF-1 Single Family Residential District

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



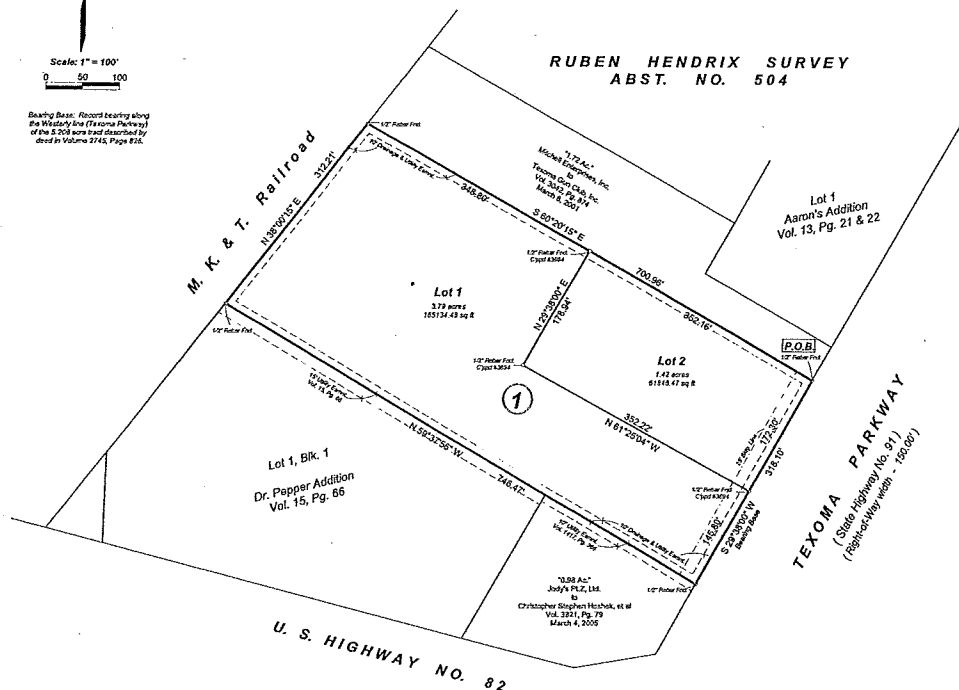
NOT TO SCALE

1 in = 234 ft

NORTH

Scale: 1" = 100'
0 50 100

Bearing Base: Record bearing along the Western line (Texoma Parkway) of the S-208 acre tract described by deed in Volume 2745, Page 215.



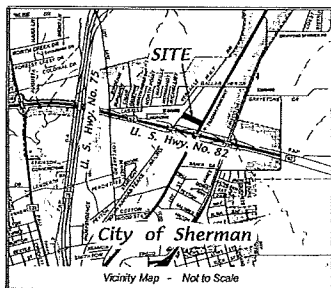
Final Plat

RISK ADDITION

to the

CITY of SHERMAN

Owner & Developer
Risk Family Partnership, Ltd.



SARTIN & ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
17004 Macgregor - 816551105
199 S. Travis, P.O. Box 1543 - Sherman, Texas 75091-1543
Ph: (940) 892-6051 Fax: (940) 892-2570 Email: sartin@goodsp.com

RISK-ADDN.pcs
SHEET 1 OF 2

**STAFF REVIEW LETTER**

November 9, 2015

Naif Risk
102 S. Crockett
Sherman, Texas 75090

Dear Applicants,

The request for approval of the Final Plat of Risk Addition, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
4. The Building Lines shall be removed.
5. Privately owned and maintained detention in accordance with City criteria is required.
6. Engineering plans for grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
7. An Operation and Maintenance Manual and Landscaping Plan for the detention pond shall be provided to the Engineering Department prior to issuance of Occupancy Permits.
8. The lines, with dimensions, of all adjacent land, streets, alleys and easements in adjacent subdivisions shall be shown in dashed lines.
9. The width of the right-of-way and pavement for streets shall be shown on the plat.
10. Verify location of the sewer main and center a 20' easement dedication.
11. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
 Brandon Shelby, City Attorney
 Danny Fuller, Fire Marshal
 Steve Ayers, Dir. Of Community and Support Services
 Lisa Whitfield, Engineering & Development Coordinator
 Sartin & Associates, Inc., PO Box 1843, Sherman, Texas 75091

 Scott Shadden, Director of Development Services
 Mark Gibson, Director of Utilities
 Don Keene, Asst. City Manager
 Clay Barnett, Director of Public Works and Engineering



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 11.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

*** 2810 TEXOMA PARKWAY**

The request of Risk Family Partnership LTD (Owner) and Sartin and Associates, Inc. (Surveyor) concerning the property located at 2810 Texoma Parkway, being 5.21 acres in the Reuben Hendrix Survey, Abstract No. 504, as follows:

Planning and Zoning Commission

Final Plat approval of Risk Addition

Background:

The property is located at 2810 Texoma Parkway, north of U.S. Highway 82. The owner would like to plat the property into two lots for commercial development.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Risk Family Partnership LTD (Owner)

Sartin and Associates, Inc. (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 6.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of the Replat of a Part of Lot 5, Block One, Midway Industrial Park Addition, being 53.192 acres in the J.B. Shannon Survey, Abstract No. 1085, also being a Replat of a Part of Lot 5, Block 1, Midway Industrial Park Addition; Datavault Joint Venture, Owner; Crannell, Crannell & Martin Engineering, Engineer; and Underwood Drafting and Surveying, Surveyor (2945 Fallon Drive)

Issue:

To consider approval of the Replat of a part of Lot 5, Block One, Midway Industrial Park Addition, being 53.192 acres in the J.B. Shannon Survey, Abstract No. 1085, also being a Replat of a part of Lot 5, Block 1, Midway Industrial Park Addition located at 2945 Fallon Drive

Background:

The property is located at 2945 Fallon Drive across from Cooper B-Line in northeast Sherman. The owner would like to replat Lot 5, Block 1 of the Midway Industrial Park Addition for industrial development.

Origination:

Datavault Joint Venture (Owner)
Crannell, Crannell & Martin Engineering (Engineer)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

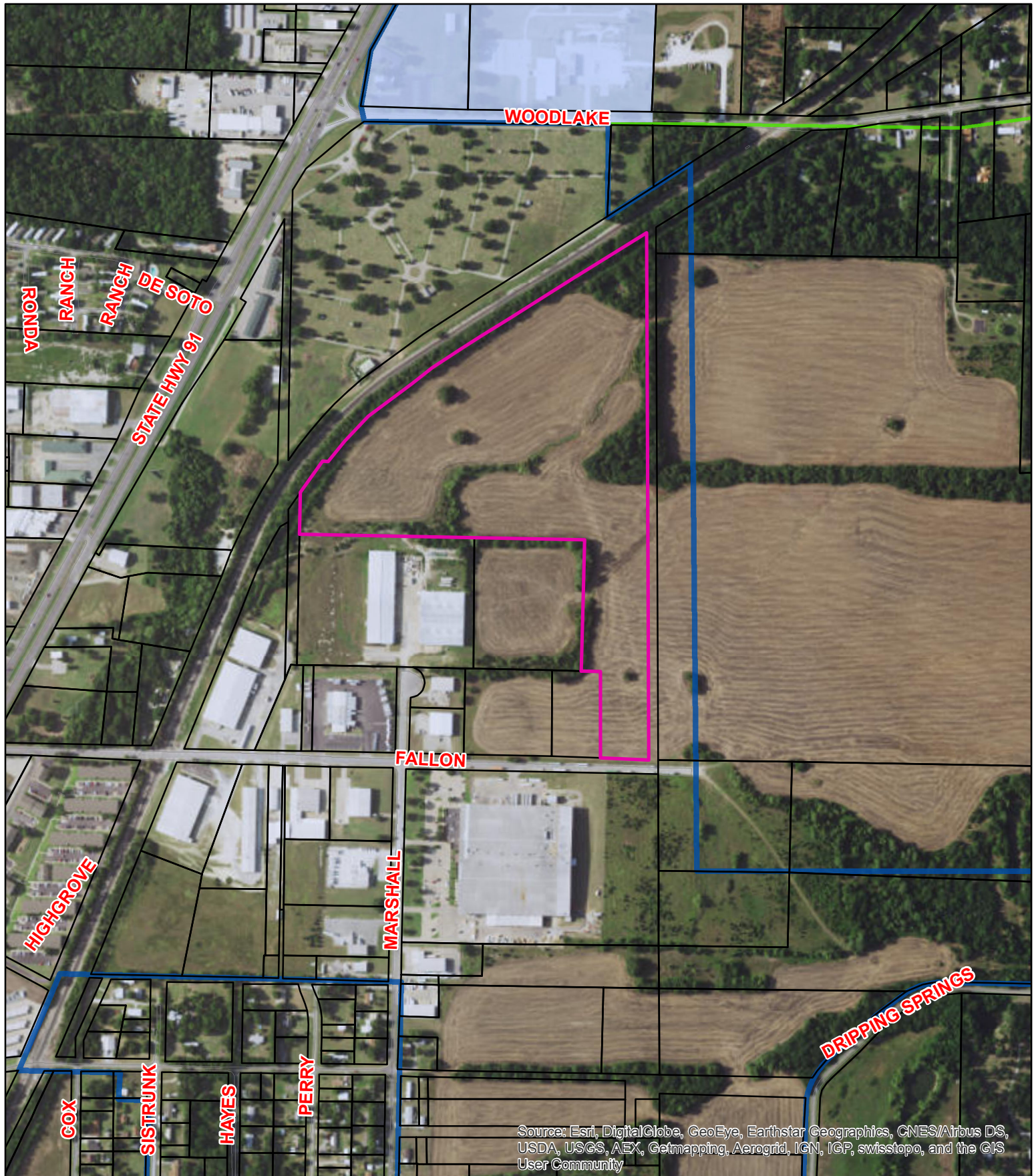
Location Map

Zoning Map

Replat

Staff Review Letter

P&Z Communication



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

2945 Fallon Drive

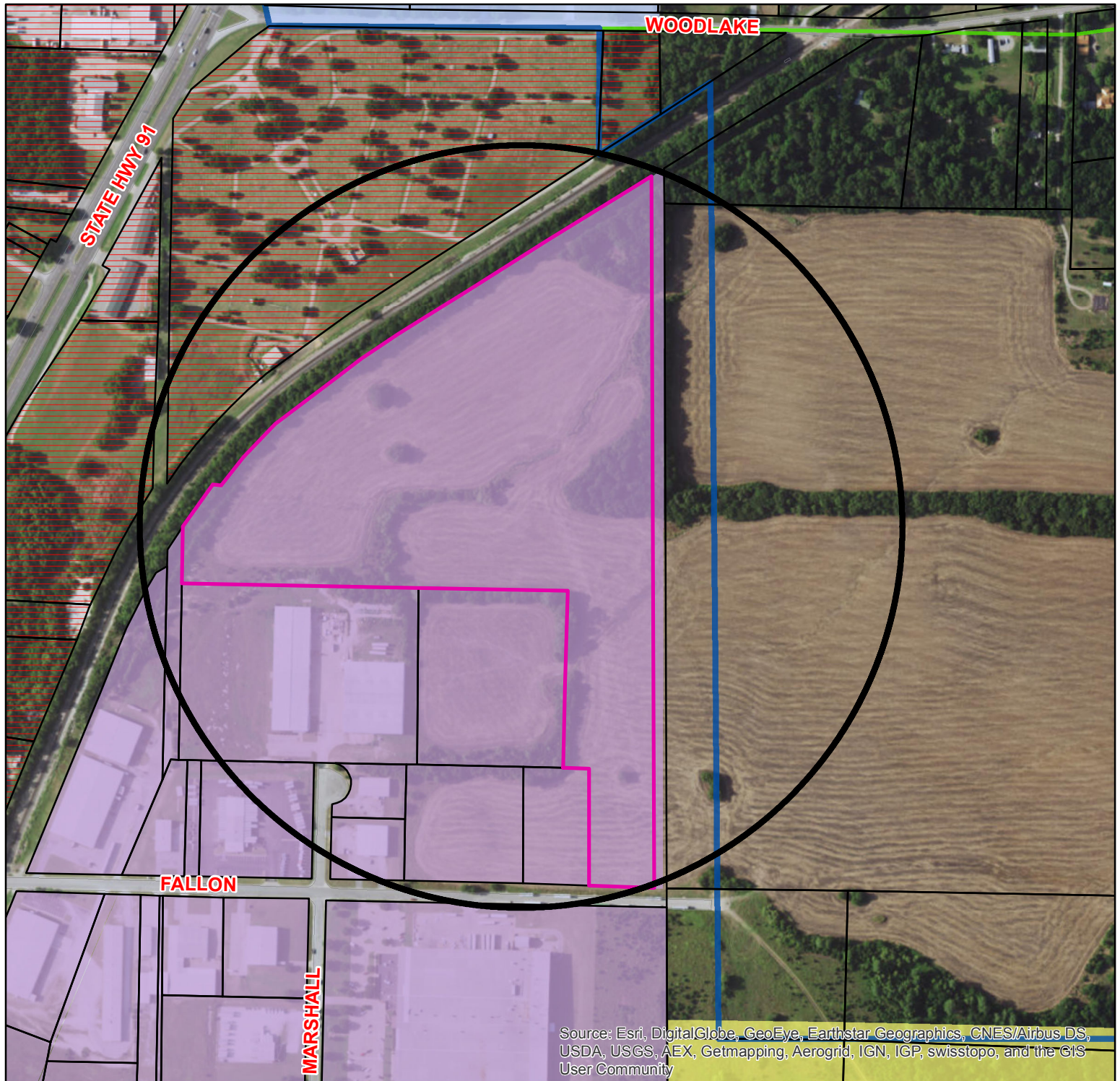
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 585 ft



2945 Fallon Drive

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

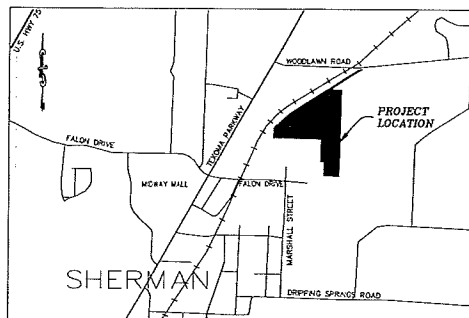
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

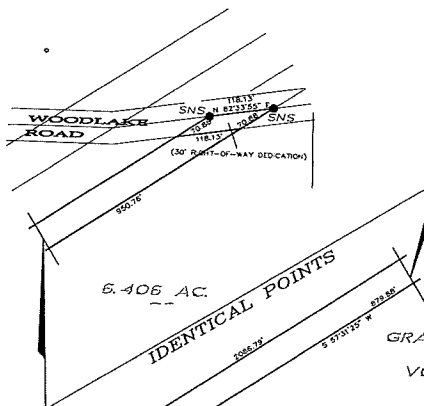


NOT TO SCALE

1 in = 468 ft

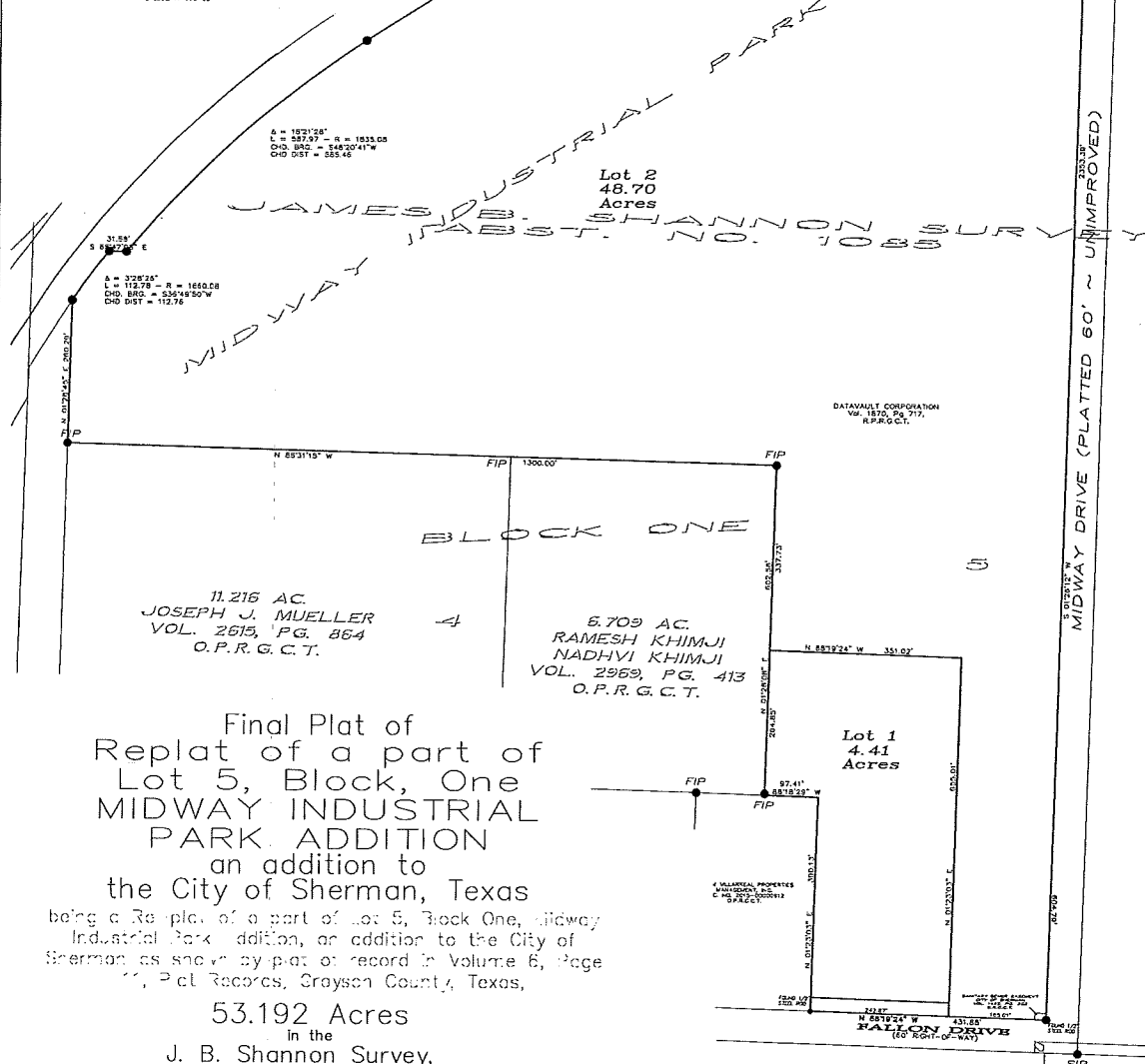
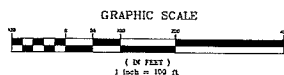


LOCATION MAP
(NOT TO SCALE)



General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service to be provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing easements or drainage channels crossing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plot herein lies within a Zone "X" (areas determined to be outside 500-year floodplain) designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 4818020001, Revised Date: September 29, 2018.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and holders must comply with all other state and federal regulations regarding developments of this type.



Final Plat of
Replat of a part of
Lot 5, Block, One
MIDWAY INDUSTRIAL
PARK ADDITION
an addition to
the City of Sherman, Texas
being a Replat of a part of Lot 5, Block One, Midway
Industrial Park Addition, an addition to the City of
Sherman as shown by plat on record in Volume 6, Page
11, Plat Records, Grayson County, Texas,

53.192 Acres

In the
J. B. Shannon Survey,
Abstract No. 1085,

Owner:
DATAVAULT JOINT VENTURE
PO BOX 869
SHERMAN, TX 76001
Ph: 903 621-4455

SURVEYOR:
Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Texas 76021
Ph: 903-465-2151 Fax: 903-465-2152

ENGINEER:
Crennell, Crennell & Martin Engineering
2507 FM 407, Suite 209
Highland Village, Tx.
972.691.6633

Legal Description

Situated in the County of Grayson, State of Texas and being a part of the J. B. Shannon Survey, Abstract No. 1085, also being a part of Lot 5, Block One, Midway Industrial Park Addition, an addition to the City of Sherman as shown by plat of record in Volume 8, Page 11, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at found 1/2" steel rod (capped SARTIN-3884) at the southeast corner of that 2,000 acre tract as conveyed to C & M VILLAGE PROPERTIES MANAGEMENT, INC. as recorded in Document Number 2010-00000912, Official Public Records, Grayson County, Texas:

Thence North 01°23'03" East, a distance of 380.13 feet to a found 1/2" steel rod;

Thence North 88°16'29" West, a distance of 87.41 feet to a found 1/2" steel rod;

Thence North 01°28'08" East, a distance of 602.56 feet to a found 1/2" steel rod;

Thence North 88°31'15" West, a distance of 1,300.00 feet to a found 1/2" steel rod;

Thence North 01°28'45" East, a distance of 260.29 feet to a set 1/2" steel rod;

Thence northeasterly, with a non tangent curve to the right having a radius of 1,050.05 feet, (chord bears North 36°46'31" East, 112.75 feet) on an arc distance of 112.75 feet to a set 1/2" steel rod;

Thence South 88°47'55" East, a distance of 31.50 feet to a set 1/2" steel rod;

Thence northeasterly, with a non tangent curve to the right having a radius of 1,835.05 feet, (chord bears North 48°20'41" East, 583.40 feet) on an arc distance of 587.87 feet to a set 1/2" steel rod;

Thence North 57°31'25" East, a distance of 2,068.79 feet to a set rod with witness;

Thence North 82°33'55" East, a distance of 115.13 feet to a set rod with witness;

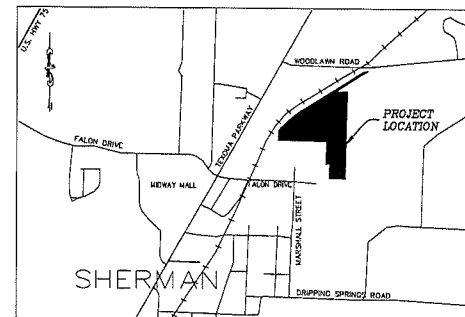
Thence South 57°31'25" West, a distance of 850.76 feet to a set 1/2" steel rod;

Thence South 03°23'48" East, a distance of 47.39 feet to a found 1/2" steel rod;

Thence South 88°40'51" East, a distance of 245.92 feet to a set 1/2" steel rod;

Thence South 01°01'12" West, a distance of 2,353.39 feet to a found 1/2" steel rod;

Thence North 88°16'24" West, a distance of 431.88 feet to a set 1/2" steel rod to the POINT OF BEGINNING and containing 53.192 acres (2,317,001 square feet) of land.



LOCATION MAP
(NOT TO SCALE)

Final Plat of
Replat of a part of
Lot 5, Block, One
MIDWAY INDUSTRIAL
PARK ADDITION
an addition to
the City of Sherman, Texas
being a Re-plat of a part of Lot 5, Block One, Midway
Industrial Park Addition, an addition to the City of
Sherman as shown by plat of record in Volume 6, Page
11, Plat Records, Grayson County, Texas,

53.192-Acres
in the
J. B. Shannon Survey,
Abstract No. 1085,

I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4708

We, DATAVAULT JOINT VENTURE, owner of Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas do hereby dedicate the streets and easements shown hereon to the public use forever.

DATAVAULT JOINT VENTURE

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ~~she/it~~ executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2015.

Notary Public, Grayson County, Texas

This, the Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas is hereby approved this _____ day of _____, 2015, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman _____ Secretary _____

This, the Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas is hereby approved this _____ day of _____, 2015, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____ MAYOR, CITY OF SHERMAN, TEXAS _____ DATE _____

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2015, and that the City Council, by formal action, then and there accepted the dedication of all easements and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name on here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2015, BY _____ CITY CLERK, CITY OF SHERMAN, TEXAS



3404 INTERURBAN ROAD DENISON, TEXAS 75021 (803)465-2151

Owner:
DATAVAULT JOINT VENTURE
PO BOX 960
SHERMAN, TX 75091
Ph: 903 921-4455

SURVEYOR:
Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Texas 75021
Ph: 903-465-2151 Fax: 903-465-2152

ENGINEER:
Crannell, Cranzell & Martin Engineering
8507 FM 407, Suite 208
Highland Village, Tx.
972.691.8933

General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Onco Electric Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing streets or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat herein lies within a Zone "X" (area determined to be outside 500-year floodplain) designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 481020003 F, Revised Date: September 20, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

**STAFF REVIEW LETTER**

November 9, 2015

Datavault Joint Ventures
2741 Fallon Drive
Sherman, Texas 75090

Joe Passanissi
2741 Fallon Drive
Sherman, Texas 75090

Dear Applicants,

The request for approval of the Preliminary and Final Plat Approval of the Replat of a part of Lot 5, Block One, Midway Industrial Park Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

PRELIMINARY PLAT

1. The drive approaches and sidewalks shall conform to the City of Sherman standards.
2. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
3. Privately owned and maintained detention in accordance with City criteria is required.
4. Title shall be corrected.
5. Fallon Drive is designated as a principal arterial in the Transportation Plan and requires a 110' right-of-way. This replat is required to dedicate an additional 25' of street right-of-way on Lots 1 and 2. A street right-of-way notation shall be shown.
6. Verify boundary of Lot 5.
7. Verify Midway Drive right-of-way dedication.
8. A 10' Utility Easement is required along Fallon Drive.
9. The 40' Mutual Access easement shall be shown on the plat.
10. The water shall be extended to the east property line along Fallon Drive.
11. The lines, with dimensions, of all adjacent land, streets, alleys and easements in adjacent subdivisions shall be shown in dashed lines.
12. Any other changes made to the preliminary plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

FINAL PLAT

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. The Point of Beginning notation shall be shown and the call description shall be corrected.
4. Title shall be corrected.
5. The drive approaches and sidewalks shall conform to the City of Sherman standards.
6. Privately owned and maintained detention in accordance with City criteria is required.
7. Verify boundary of Lot 5.
8. Verify Midway Drive right-of-way dedication.
9. The 40' Mutual Access easement shall be shown on the plat.
10. Fallon Drive is designated as a principal arterial in the Transportation Plan and requires a 110' right-of-way. This replat is required to dedicate an additional 25' of street right-of-way on Lots 1 and 2. A street right-of-way notation shall be shown.
11. A 10' Utility Easement is required along Fallon Drive.
12. At the time of development, the water shall be extended to the east property line along Fallon Drive.
13. The lines, with dimensions, of all adjacent land, streets, alleys and easements in adjacent subdivisions shall be shown in dashed lines.
14. Any other changes made to the replat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
 Brandon Shelby, City Attorney
 Danny Fuller, Fire Marshal
 Steve Ayers, Dir. Of Community and Support Services
 Lisa Whitfield, Engineering & Development Coordinator
 Crannell, Crannell & Martin Corp, 2570 Justin Road #209, Highland Village, TX 75077
 Underwood Drafting & Surveying, 3404 Interurban Rd., Denison, Texas 75020

 Scott Shadden, Director of Development Services
 Mark Gibson, Director of Utilities
 Don Keene, Asst. City Manager
 Clay Barnett, Director of Public Works and Engineering



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 16.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

*** 2945 FALLON DRIVE**

The request of Datavault Joint Venture (Owner), Crannell, Crannell & Martin Engineering (Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 2945 Fallon Drive, being 53.192 acres in the J.B. Shannon Survey, Abstract No. 1085 also being a Replat of a part of Lot 5, Block 1, Midway Industrial Park Addition, as follows;

Planning and Zoning Commission

Preliminary and Final Plat Approval of the Replat of a part of Lot 5, Block One, Midway Industrial Park Addition.

Background:

The property is located at 2945 Fallon Drive across from Cooper B-Line in northeast Sherman. The Preliminary and Final Plat was approved by the Planning and Zoning Commission at the October 20, 2015 Meeting; the owner would like to amend the replat of Lot 5 of the Midway Industrial Park Addition for industrial development.

Adjacent Zoning:

M-1 (Light Manufacturing) District

Origination:

Datavault Joint Venture (Owner)

Crannell, Crannell & Martin Engineering (Engineer)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Agricultural and Rural – Typically are large parcels that are primarily used for crops or pasture land. These low density regions surrounding the City do not have significant demands on the transportation or utilities network.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Preliminary Plat

Final Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 7.

Meeting Date: 12/07/2015

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Lots 1 & 2, Block 1, State Highway 91 North Addition, being Lots 1 and 2, Block 1, State Highway 91 North Addition, containing 2.431 acres; Barbara Brown, Owner; Kyle Boothe, Bluestone Partners, LLC, Contractor/Representative; and Underwood Drafting and Surveying, Surveyor (4009 and 4015 Texoma Parkway)

Issue:

To consider approval of the Replat of Lots 1 & 2, Block 1, State Highway 91 North Addition located at 4009 and 4015 Texoma Parkway

Background:

The property is located at 4009 and 4015 Texoma Parkway between Gallagher and Frisco Road; formerly used as a motor sports facility. The owner would like to Replat the property into one lot for commercial development.

Origination:

Barbara Brown (Owner)

Kyle Boothe, Bluestone Partners, LLC (Contractor/Representative)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2015 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

Replat

Staff Review Letter

P&Z Communication



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

4009 & 4015 Texoma Parkway



NOT TO SCALE

1 in = 146 ft



4009 & 4015 Texoma Parkway

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

ZONING PARCELS

Zoning Classification

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 146 ft

LEGAL DESCRIPTION

Situated in the City of Sherman, County of Grayson, State of Texas, being all of Lots 1 & 2, Block One, of the State Highway 91 North Addition, an addition to the City of Sherman, Texas as recorded by plat of record in Volume 10, Page 26, Plat Records, Grayson County, Texas, and being more particularly described by mete and bounds as follows:

Beginning at a 1/2" steel rod set in the east right-of-way line of State Highway 91, also known as Texoma Parkway, said rod maintaining the Southwest corner of a 0.713 acre tract of land conveyed to Viken Holdings, LLC, by deed recorded in Volume 4570, Page 771, Official Public Records, Grayson County, Texas and the northwest corner of said Lot 1;

Thence South 60°22'00" East, with the South line of said 0.713 acre tract, a distance of 340.00 feet to a 1/2" steel rod set in the north line of a 0.43 acre tract of land conveyed to Barbara Brown by deed of record in Volume 5258, Page 507 of said Official Public Records;

Thence South 29°38'00" West, with said Brown Tract, a distance of 410.78 feet to a 1/2" steel rod set, said rod maintaining the Northeast corner of a 1.17 acre tract of land conveyed to Grayson County by deed of record in Volume 1487, Page 435, Deed Records, Grayson County, Texas;

Thence North 60°22'00" West, with the North line of said 1.17 acre tract, a distance of 115.00 feet to a 1/2" steel rod set for the southeast corner of Lot 3 of said Addition;

Thence North 29°38'00" East, along the east line of said Lot 3, a distance of 150.00 feet to the northeast corner of said Lot 3;

Thence North 60°22'00" West, along the north line of said Lot 3, a distance of 225.00 feet to a 1/2" steel rod set in the said East right-of-way of Texoma Parkway for the northwest corner of said Lot 3;

Thence North 29°38'00" East, with said East right-of-way line, a distance of 260.78 feet to the Point-of-Beginning and containing 2.431 acres of land.

REPLAT OF LOTS 1 & 2
STATE HIGHWAY 91
NORTH ADDITION
TO THE
CITY OF SHERMAN, TEXAS

V.V. F. PATTERSON SURVEY
ABSTRACT NO. 969

TEXOMA PARKWAY
(STATE HIGHWAY 91)

S.M. MCGLOTHLIN SURVEY
ABSTRACT NO. 811

LOT 1R
2.431 ACRES

TATE B. THOMAS
LOT 3
STATE HIGHWAY 91
NORTH ADDITION
VOL. 10, PG. 26
P.R.G.C.T.

BARBARA BROWN
VOL. 5258, PG. 507
O.P.R.G.C.T.

GRAYSON COUNTY
VOL. 1487, PG. 435
D.R.G.C.T.

VIKEN HOLDINGS, LLC
0.713 AC
VOL. 4570, PG. 771
O.P.R.G.C.T.

CITY OF SHERMAN
15' EASEMENT
VOL. 2102, PG. 528
D.R.G.C.T.

CITY OF SHERMAN
15' EASEMENT
VOL. 2102, PG. 532
D.R.G.C.T.



Approved this ____ day of ____, 2015, by the
City Planning and Zoning Commission of the City of
Sherman, Texas.

Chairman Secretary

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

JOB NO. 15100679

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Barbara Brown do hereby adopt this plat designating the hereinabove property as the Replat of Lots 1 and 2, Block 1 State Highway 91 North Addition, an addition to the City of Sherman, Texas, and do hereby dedicate to public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone.

This Plat approved subject to all ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of ____, 2015.

Barbara Brown

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Barbara Brown, a Texas Corporation, known to me to be the person whose name is subscribed to the foregoing instrument acknowledge to me that she excuted the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2015.

Notary Public in and for the
State of Texas

Commission Expires: ____

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, Douglas W. Underwood, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Douglas W. Underwood, a Texas Corporation, known to me to be the person whose name is subscribed to the foregoing instrument acknowledge to me that she excuted the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2015.

Notary Public in and for the
State of Texas

Commission Expires: ____

Accepted by the City Council of the City of Sherman, Texas.

Mayor, City of Sherman Date

**STAFF REVIEW LETTER**

November 9, 2015

Barbara Brown
2409 Nantuckett Dr.
Sherman, Texas 75092

Dear Applicants,

The request for approval of the Replat Approval of Lots 1 and 2, State Highway 91 North Addition, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2015 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. The Point of Beginning notation shall be shown.
4. Drive approaches shall conform to TxDOT and City of Sherman standards and a permit is required from City of Sherman Engineering Department. Any special requirements by TxDOT shall be met.
5. Engineering plans for grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
6. The Building Lines shall be removed from the Replat.
7. The corner along Frisco Road shall be dedicated as street right-of-way.
8. The width of the right-of-way and pavement for streets shall be shown on the plat.
9. The lines, with dimensions, of all adjacent land, streets, alleys and easements in adjacent subdivisions shall be shown in dashed lines.
10. Any other changes made to the replat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services
Lisa Whitfield, Engineering & Development Coordinator
Kyle Boothe, 4708 N. FM 1417 (Heritage Parkway), Sherman, Texas 75092
Underwood Surveying, 3404 Interurban Rd., Denison, TX 75021

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager
Clay Barnett, Director of Public Works and Engineering



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 9.

Meeting Date: 11/17/2015

Prepared by: Patsy Reeves, Developmental Services Admin Secretary
Scott Shadden, Director of Development Services

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliot, Commissioner

Chris Velloti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Clay Mahone, Commissioner

Jeff Adams, Commissioner

Requested Action/Proposed Use:

*** 4009 & 4015 TEXOMA PARKWAY**

The request of Barbara Brown (Owner), Kyle Boothe, Bluestone Partners, LLC (Contractor/Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 4009 and 4015 Texoma Parkway, being Lots 1 & 2, Block 1, State Highway 91 North Addition, as follows;

Planning and Zoning Commission

Replat of Lots 1 and 2, Block 1, State Highway 91 North Addition.

Background:

The property is located at 4009 and 4015 Texoma Parkway between Gallagher and Frisco Road; formerly used as a motor sports facility. The owner would like to Replat the property into two lots for commercial development.

Adjacent Zoning:

C-2 (General Commercial) District

M-1 (Light Manufacturing) District

Origination:

Barbara Brown (Owner)

Kyle Boothe, Bluestone Partners, LLC (Contractor/Representative)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 8.

Meeting Date: 12/07/2015

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Approval of the 2015 Ad Valorem Tax Roll Value and Tax Levy

Issue:

To consider approval of the Ad Valorem Tax Roll Value and Tax Levy for fiscal year 2015-2016

Background:

In accordance with Texas Property Tax Code Section 26.09(e), the Council must approve the final tax roll value and related tax levy. The 2015 tax year represents taxes that will be collected during the City's 2015-2016 fiscal year. The Grayson County Tax Assessor/Collector's office has provided Sherman's taxable value as \$2,529,491,444.00 which equates to a levy of \$9,310,582.88 based on the City's total tax rate of \$.37200/\$100.00 valuation.

Origination:

Grayson County Tax Assessor/Collector Bruce Stidham

Financial Consideration:

There is no financial consideration to approving this tax levy.

Staff Recommendation:

It is recommended that the Council approve the 2015 Tax Roll Value and 2015 Tax Levy at the amounts reflected above.

Alternatives:

As this process is required by the Texas Property Tax Code, there are no alternatives.

Attachments

Value/Levy 2015



OFFICE OF
BRUCE STIDHAM
TAX ASSESSOR - COLLECTOR
GRAYSON COUNTY
www.co.grayson.tx.us

COURTHOUSE
100 W. HOUSTON - SUITE 11
P.O. BOX 2107
SHERMAN, TX 75091

TAX OFFICE: 903-892-8297
VOTER REGISTRATION: 903-893-8683
VEHICLE REGISTRATION: 903-813-4225
FAX: 903-893-4973

November 10, 2015

VALUE/LEVY

Ms. Mary Lawrence, CPA
City of Sherman
400 N. Rusk Street
Sherman, Texas 75090

Dear Ms. Lawrence:

Re: Section 26.09(e) SPTC

Please have your district approve your 2015 Tax Roll Values and return to this office as soon as possible. These figures are actual tax roll value and tax levy billed figures.

2015 Tax Roll Value	\$ 2,529,491,444
2015 Tax Levy	\$ 9,310,582.88
2015 Special Assessment Levy	\$ 13,073.40

If you have any questions, please give us a call.

Very truly yours,

Bruce Stidham
Tax Assessor and Collector

BS:kb

City Secretary

City Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. H. 1.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS

(a) Council Audit Committee (3)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Mayor David Plyler, Council Member Lawrence Davis, and former Council Member Ryan Johnson currently serve on the Council Audit Committee. Their terms expire in November 2015.

Background:

The Council Audit Committee assists the Council and staff in the review of the audit reports filed by the independent auditor and provides input on the selection of external auditors. They also provide recommendations to the rest of the Council on technical accounting issues.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Council Audit Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

COUNCIL AUDIT COMMITTEE

LENGTH OF TERMS: 1 YEAR

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 11/18/2014	11/2015	1	Council Member
Ryan Johnson	1	A 11/20/2012 R 11/19/2013 R 11/18/2014	11/2013 11/2014 11/2015	1 2 3	Council Member
Lawrence Davis	1	A 11/19/2013 R 11/18/2014	11/2014 11/2015	1 2	Council Member

NOTE: Council Member's appointment expires at end of one year.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. H. 2.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS

(a) Investment Committee (2)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Deputy Mayor Jason Sofey and Council Member Tom Watt currently serve on the City's Investment Committee. Their terms expire in November 2015.

Background:

The Investment Committee provides guidance on investment matters for the City and annually approves updates to the Investment Policy and the list of authorized brokers and dealers. The Committee also reviews the Quarterly Investment Reports.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Investment Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

CITY OF SHERMAN
INVESTMENT COMMITTEE

LENGTH OF TERMS:
Term of Elected Office

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Sofey	1	A 11/20/2012	11/2013	1	Council Member
		R 11/19/2013	11/2014	2	
		R 11/18/2014	11/2015	3	
Tom Watt	3	A 11/19/2013	11/2014	1	Council Member
		R 11/18/2014	11/2015	2	
INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS:					
Robby Hefton				NA	City Manager

NOTE: Council Member's appointment expires at end of term of elected office.



City Council Regular Meeting

Agenda Item No. H. 3.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

**TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**

(a) Tax Reinvestment Committee (2)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Council Member Terrence Steele and former Council Member Ryan Johnson currently serve on the City's Tax Reinvestment Committee. Their terms expire in November 2015.

Background:

The mission of the Tax Reinvestment Committee is to promote the economic development of Sherman and the Grayson County area by serving as the review point for the tax reinvestment process.

Origination:

The appointment originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Reinvestment Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

TAX REINVESTMENT COMMITTEE

LENGTH OF TERMS: One Year per By-Laws

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Ryan Johnson	1	A 11/20/2012	11/2013	1	Sherman Council Member Voting Member
		R 11/19/2013	11/2014	2	
		R 11/18/2014	11/2015	3	
Terrence Steele	2	A 11/18/2014	11/2015	1	Sherman Council Member Voting Member

NOTE: Two (2) Council Members are appointed to this committee.

There are also two Grayson County Members, two Grayson College Members, and two SISD Members
Both SISD Members are Non-Voting Members and are eligible to vote for chairman only

CITY STAFF: City Manager Robby Hefton
Revised 10/23/2015



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. H. 4.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

**TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS**

(a) Tax Increment Financing Board #1 (3)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Mayor David Plyler, former Mayor Cary Wacker, and Council Member Lawrence Davis currently serve on the City's Tax Increment Financing Board #1. Their terms expire in November 2015.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number One. TIF Zone Number One incorporates essentially all of the Sherman Town Center, on the west side of Highway 75 and south of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #1.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013 R 11/18/2014	11/2013 11/2014 11/2015	1 2 3	Council Member
Lawrence Davis	1	A 11/19/2013 R 11/18/2014	11/2014 11/2015	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014	11/2012 11/2013 11/2014 11/2015	1 2 3 4	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. H. 5.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS

(a) Tax Increment Financing Board #2 (3)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Mayor David Plyler, former Mayor Cary Wacker, and Council Member Lawrence Davis currently serve on the City's Tax Increment Financing Board #2. Their terms expire in November 2015.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Two. TIF Zone Number Two is comprised of the Central Business District and an area to the north of the district.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #2

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013 R 11/18/2014	11/2013 11/2014 11/2015	1 2 3	Council Member
Lawrence Davis	1	A 11/19/2013 R 11/18/2014	11/2014 11/2015	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014	11/2012 11/2013 11/2014 11/2015	1 2 3 4	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. H. 6.

Meeting Date: 12/07/2015

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

TABLED AT THE NOVEMBER 16, 2015 CITY COUNCIL MEETING:
APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND
COMMISSIONS

(a) Tax Increment Financing Board #3 (3)

Issue:

This item was tabled at the November 16, 2015 City Council meeting. A motion and order are required to remove it from the table and permit its consideration.

Mayor David Plyler, former Mayor Cary Wacker, and Council Member Lawrence Davis currently serve on the City's Tax Increment Financing Board #3. Their terms expire in November 2015.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Three. TIF Zone Number Three is comprised of the Sherman Commons development and portions of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #3.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	1	A 11/20/2012 R 11/19/2013 R 11/18/2014	11/2013 11/2014 11/2015	1 2 3	Council Member
Lawrence Davis	1	A 11/19/2013 R 11/18/2014	11/2014 11/2015	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014	11/2012 11/2013 11/2014 11/2015	1 2 3 4	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 12/07/2015

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2015 Council Calendar

2016 Council Calendar

2015

JANUARY						
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FEBRUARY						
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1/5/2015	Regular City Council Meeting - Cancelled
4/21/2015	Called Budget Planning Meeting in Council Chambers
06/25-26/2015	Called Budget Workshop in Council Chambers - Second Day Cancelled
9/8/2015	Labor Day/Called Council Meeting on 09/8/2015
9/15/2015	12 noon Called Joint Meeting with SEDCO Board

12/21/2015	Regular City Council Meeting - Cancelled

2016

JANUARY						
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DECEMBER						
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7/4/2016	Independence Day/Called Council Meeting on 7/5/2016
9/5/2016	Labor Day/Called Council Meeting on 9/6/2016
