

STATE OF TEXAS

§

March 16, 2020

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 March 16, 2020.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of March 2, 2020. Council Member Melton moved to approve the Minutes, as presented; Second by Council Member Stevenson; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S REQUESTS

CLARIFICATION ON CITIZEN'S REQUESTS

Ronald Aycock, 220 E. Houston, questioned the clarification on citizen's requests. Mayor Plyler said this was the first meeting they added a clarification to citizen's requests in writing on the agenda.

CLARIFICATION ON
CITIZEN'S REQUESTS

Mr. Aycock asked for additional clarification because it was confusing. Mayor Plyler said citizens are allowed to speak on items on the agenda, based on language in the "Citizen's Comments."

Mr. Aycock said "Citizen's Comments" have always been where anyone can ask questions. He asked why it was changed.

Mayor Plyler said the State law changed.

Mayor Plyler introduced Ordinance No. 6284 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 5900 NORTH U.S. HIGHWAY 75, BEING 1.18 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265 (STANLEY BLYTHE, OWNER; BRYAN WEISGERBER, CROSS ENGINEERING CONSULTANTS, INC., REPRESENTATIVE/CIVIL ENGINEER; LAY DESIGN/BUILD, ARCHITECT; AND UNDERWOOD

ORD 6284
ZONE CHANGE
FOR DAIRY QUEEN
(HWY 75 & FM 691)

COUNCIL MINUTES – MARCH 16, 2020

DRAFTING AND SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

Scott Shadden, Director of Development Services, said this request is to change to C-1 Zoning to allow for commercial development along the west side of Hwy 75, near FM 691.

The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

Stanley Blythe, 1105 Emerald Court, Colleyville, Texas 76034
Mr. Blythe is the property owner of 5900 North Hwy 75, and is requesting the Zone Change. They had a contract with Dairy Queen, but they called Friday to terminate the agreement. Since the Plat and the Zone Change were already in progress, they decided to continue with the process to sell the property for commercial or retail use.

No other citizens appeared before the City Council to discuss Ordinance No. 6284.

Mayor Plyler introduced Ordinance No. 6285 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT AMENDMENT TO ALLOW A CHURCH IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2605 REX CRUSE DRIVE, BEING ALL OF LOTS 1-6 AND ALL OF THE ABANDONED PLATTED J. FIELDING CIRCLE (ORDINANCE NO. 6282) OF THE JOE E. PRICE SUBDIVISION, ALSO BEING 4.19 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (NORTH PARK BAPTIST CHURCH, OWNERS; KENT SALISBURY, DAVID BACA STUDIOS, ARCHITECT; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6285
SUP FOR CHURCH
(2605 REX CRUSE DR)

Mr. Shadden said this application was originally for C-1 Zoning, but the Planning and Zoning Commission restricted it to a SUP, because some of the neighbors had concerns that a Zone Change would allow anything in a C-1 District at a future date.

The Planning and Zoning Commission recommended approval of the SUP in a Residential District, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6285.

Mayor Plyler introduced Ordinance No. 6286 and called for a public hearing:

ORD 6286
SUP FOR
PRIVATE SCHOOL

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 PRIVATE SCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT AT 214 WEST BROCKETT STREET, BEING LOT 4, BLOCK 2, BROILES ADDITION, A REPLAT OF LOT 1, BLOCK 1, OF THE REPLAT OF LOTS 19-21, L.C. CHAPMAN'S ADDITION, AND ALL OF LOT 9 AND PART OF LOT 12, TOGETHER WITH AN ALLEY RUNNING SOUTHERLY FROM BROCKETT STREET AND LYING WEST OF AND ADJACENT TO THE WEST LINE OF LOTS 9-11, L.C. CHAPMAN'S ADDITION (MACK BROILES, OWNER; MICAELA HOOPS, APPLICANT; AND EC STANTON COMMUNITY SCHOOL TEXAS 4H, PROPOSED TENANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

(214 W. BROCKETT)

Mr. Shadden said the request is for a SUP for a school at the old House of Hope.

The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter, and limiting the SUP to the EC Stanton Community School Texas 4H, and also putting a two year time limit on the SUP.

Courtney Bradford, 307 W. Steadman

Ms. Bradford appeared to answer any questions the Council might have about the request.

Brian Prichard, 975 Desvoignes Road, Denison, Texas 75020

Mr. Prichard said the students and the staff work together to help the students form their direction in life. It is student led learning, so the students have an opportunity to discover their passion. The adults act as mentors to direct and drive the learning.

No other citizens appeared before the City Council to discuss Ordinance No. 6286.

Mayor Plyler introduced Ordinance No. 6287 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 NEW AND USED TIRE SALES AND REPAIR, GENERAL MAINTENANCE WITH ALIGNMENTS AND OIL CHANGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 207 AND 209 SOUTH DEWEY AVENUE, BEING 1.091 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 DESCRIBED AS LOTS 3, 4 AND PART OF LOT 5 INCLUDING THE ALLEY LYING BETWEEN LOTS 3 AND 4, BLOCK 3, J.P. LOVING'S 2ND ADDITION (MIGUEL A. AVALOS, OWNER; MIGUEL AVALOS, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR

ORD 6287
SUP FOR NEW &
USED TIRE SALES,
ALIGNMENTS, &
OIL CHANGES
(207 & 209 S. DEWEY)

A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Mr. Shadden said this request is for a SUP at a building that was formerly Tom's Auto Body Shop. The owners plan to have new and used tire sales, general maintenance, and oil changes, in this C-2 District.

The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter, and limiting the SUP to the applicant. The applicant is also planning to screen the business next to the residential property.

Mary Nelson, 1920 Jones Circle

Ms. Nelson said there are already two businesses that sell tires and change oil in this area, and those businesses are a mess. She said she has been trying for years to get them to clean up.

She received a letter from the City about fats, oils, and grease in the street that needs to be cleaned up. There are also trucks loaded with trash parked behind the Dairy Queen. She said nothing has been done about these problems. She asked why another tire place was needed, if the ones that are already there can't be cleaned up.

No other citizens appeared before the City Council to discuss Ordinance No. 6287.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6284

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 C-1 (RETAIL BUSINESS) DISTRICT AT 5900 NORTH U.S. HIGHWAY 75, BEING 1.18 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265 (STANLEY BLYTHE, OWNER; BRYAN WEISGERBER, CROSS ENGINEERING CONSULTANTS, INC., REPRESENTATIVE/CIVIL ENGINEER; LAY DESIGN/BUILD, ARCHITECT; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6284
ZONE CHANGE
FOR DAIRY QUEEN
(HWY 75 & FM 691)

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6284, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6285

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT AMENDMENT TO ALLOW A CHURCH IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2605 REX CRUSE DRIVE, BEING ALL OF LOTS 1-6 AND ALL OF THE ABANDONED PLATTED J. FIELDING CIRCLE (ORDINANCE NO. 6282) OF THE JOE E. PRICE SUBDIVISION, ALSO BEING 4.19 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763 (NORTH PARK BAPTIST CHURCH, OWNERS; KENT SALISBURY, DAVID BACA STUDIOS, ARCHITECT; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6285
SUP FOR CHURCH
(2605 REX CRUSE DR)

Council Member Melton asked why the church needed a Specific Use Permit. Mr. Shadden said the church requested a permit to add to the structure and to move the parking lot toward Lamberth Road. That triggered the SUP request or the Zone Change.

He said churches are permitted in a Commercial District or allowed in a Residential District with an SUP. He said they were legal and current with the SUP, however when they came in to enlarge the facility, they must amend the SUP or request a Zone Change.

Council Member Melton asked if the SUP was approved tonight, would it stay with the church. Mr. Shadden said the Council can add that limit.

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6285, with the Specific Use Permit staying with the church.
Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6286

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 PRIVATE SCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT AT 214 WEST BROCKETT STREET, BEING LOT 4, BLOCK 2, BROILES ADDITION, A REPLAT OF LOT 1, BLOCK 1, OF THE REPLAT OF LOTS 19-21, L.C. CHAPMAN'S ADDITION, AND ALL OF LOT 9 AND PART OF LOT 12, TOGETHER WITH AN ALLEY RUNNING SOUTHERLY FROM BROCKETT STREET AND LYING WEST OF AND ADJACENT TO THE WEST LINE OF LOTS 9-11, L.C. CHAPMAN'S ADDITION (MACK BROILES, OWNER; MICAELA

ORD 6286
SUP FOR
PRIVATE SCHOOL
(214 W. BROCKETT)

HOOPS, APPLICANT; AND EC STANTON COMMUNITY SCHOOL TEXAS 4H, PROPOSED TENANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6286, with the Specific Use Permit staying with the property owner. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6287

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 NEW AND USED TIRE SALES AND REPAIR, GENERAL MAINTENANCE WITH ALIGNMENTS AND OIL CHANGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 207 AND 209 SOUTH DEWEY AVENUE, BEING 1.091 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 DESCRIBED AS LOTS 3, 4 AND PART OF LOT 5 INCLUDING THE ALLEY LYING BETWEEN LOTS 3 AND 4, BLOCK 3, J.P. LOVING'S 2ND ADDITION (MIGUEL A. AVALOS, OWNER; MIGUEL AVALOS, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6287
SUP FOR NEW &
USED TIRE SALES,
ALIGNMENTS, &
OIL CHANGES
(207 & 209 S. DEWEY)

Council Member Teamann confirmed that the applicants did not own any other tire shops in town. He asked if they planned to improve the façade of the building.

Miguel Avalos, 207-209 S. Dewey

Mr. Avalos is the owner of the proposed tire shop and said he and his father are "very picky" on how they want to run their business. They plan to maintain a clean facility and add screening to the fence. They have already cleaned up a lot.

Council Member Teamann asked about the parking restrictions on the business. Mr. Shadden said there can be no outside storage of junked or wrecked vehicles, or tires. Mr. Avalos said their customers would be "in and out" all day. He said the tire displays would be stored at the 209 S. Dewey location, inside the building. The dismounted tires will also be in that building prior to disposal.

Council Member Teamann verified that, if the applicant doesn't comply with the terms of the SUP, it can be revoked.

COUNCIL MINUTES – MARCH 16, 2020

Council Member Holland asked if there was a time limit on the SUP. Mr. Shadden said it runs with the land, unless a specific time limit is applied by the Council or Planning and Zoning Commission.

Deputy Mayor Steele said a time limit was set on the previous SUP, and asked how a time limit was determined. Mr. Shadden said the Planning and Zoning Commission or the City Council can recommend a time limit.

Deputy Mayor Steele said the business needs to be run with the guidelines, but sometimes they are not, and that becomes an enforcement issue. He felt the request should be limited to one year, so the Council could look at the situation after that time.

Council Member Howeth said there are four of these types of shops in a four block area, and none are being kept well.

Council Member Teamann agreed that the SUP should have a time restriction, to assure that the rules are being followed. Council Member Stevenson said he didn't want to "punish Mr. Avalos for the sins of others." He said the City has an enforcement branch to assure that the requirements of the SUP are being followed. He felt it was an issue of compliance.

Council Member Melton verified that Mr. Avalos will provide screening of the facility.

Council Member Teamann verified that the Council could impose a 12 month limit on this SUP, then when it comes back for review, they could grant the SUP without a time limit. Deputy Mayor Steele agreed that a 12 month time limit was appropriate. If the requirements are met, it could then be expanded past the 12 months.

Council Member Holland said the City needs to increase enforcement on the other companies that are violating the requirements of their SUP.

ACTION TAKEN.

Motion by Deputy Mayor Steele to adopt Ordinance No. 6287, with a 12 month limit on the Specific Use Permit.

Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Mayor Plyler removed Item F-12, entitled "Consider Request of the 2020 Earth Day Planning Committee to Temporarily Close Certain Streets for the '12th Annual Earth Day Festival' on Saturday, April 18, 2020" which will be considered in its regular order of business.

CONSENT AGENDA

Council Member Stevenson moved to approve the Consent Agenda, with the exception of Item F-12, which will be considered in its regular order of business. Second by Council Member Holland. All present voted AYE.

CONSIDER REQUEST OF THE 2020 EARTH DAY PLANNING COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE “12TH ANNUAL EARTH DAY FESTIVAL” ON SATURDAY, APRIL 18, 2020

**CLOSE STREETS
EARTH DAY
FESTIVAL
(APRIL 18, 2020)**

Mayor Plyler removed Item F-12 from the Consent Agenda. He asked Amy Hoffman-Shehan, Chairman of the Earth Day Planning Committee, if she would like to speak on the event. She explained that they have decided they should cancel the event because of the spread of the Corona Virus.

Next year’s Earth Day Festival will be held on April 17, 2021. They hope to plan a recycling event sometime later this year. They now have a glass recycler that will take bottles and jars, and have expanded their electronic waste recycling.

Council Member Howeth thanked Ms. Hoffman-Shehan for trying to provide some of these activities later in the year.
REMOVED FROM CONSENT AGENDA.

RESOLUTION NO. 6606 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DICKERSON CONSTRUCTION COMPANY, INC. BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE BNSF WATERLINE RELOCATION PROJECT

**RES 6606
BNSF WATERLINE
RELOCATION
PROJECT**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DICKERSON CONSTRUCTION COMPANY, INC. BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE BNSF WATERLINE RELOCATION PROJECT.

Tom Pruitt, Utility Engineer, said BNSF Railroad has notified the City of the need to relocate a water line that was originally installed in 1935. They are in the process of a track realignment and doing drainage improvements that will conflict with the City’s water line. The project is located west of Austin College.

The City’s Engineering Department completed the design, and the cost estimate was \$200,000. Two bids were received and the low bid was \$133,230. The railroad has requested a June 1, 2020 completion date, but that is a short deadline.

Mayor Plyler asked if the City could leverage this project with the Park Street Project.

Deputy Mayor Steele verified that two bids were received and asked about the City’s history with this company. Mr. Pruitt said this company has done a bore for the City in the past.

Deputy Mayor Steele asked about the difference from hiring this job out and completing it in-house. Mr. Pruitt said this project is on a very short timeframe.

Robby Hefton, City Manager, said there is also a portion of the project that is not included in the contract. There is part of the larger project that will be completed in-house. The engineering was completed in-house and a portion of the project outside the railroad right-of-way will be completed in-house. The portion that Dickerson Construction would be doing is in the railroad right-of-way.

Council Member Teamann asked if the staff knew why one bid was substantially higher than the other. Mr. Pruitt said one contractor always seems to be a lot higher than the other bidders.

Council Member Howeth expressed her concern about the railroad company taking so long to give the City permission for road repairs on Park Street and Lake Street. Clint Philpott, Assistant City Manager, said the staff has recently received a contract from the railroad and are working through the details.

Council Member Melton asked if the timeframe was the only reason the City wasn't completing the project in-house. Mr. Philpott said it was a bore and the City doesn't have the type of equipment to do the bore. The waterline is in the railroad's right-of-way, and if they don't move it, the railroad will.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6606, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6607 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ULISES ADONAY HENRIQUEZ LOPEZ AND MARIBEL ROMERO MANJIVAR FOR THE ENCROACHMENT OF A ONE STORY METAL COMMERCIAL BUILDING WITHIN THE PLATTED PUBLIC RIGHT OF WAY ALONG THE NORTH SIDE OF LOT 1, BLOCK 6 OF JONES & WAINRIGHTS ADDITION, VOLUME 35, PAGE 96, DEED RECORDS, LOCALLY KNOWN AS 1201 SOUTH MONTGOMERY STREET IN THE CITY OF SHERMAN, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ULISES ADONAY HENRIQUEZ LOPEZ NAD MARIBEL ROMERO MANJIVAR FOR THE ENCROACHMENT OF A ONE STORY METAL COMMERCIAL BUILDING WITHIN THE PLATTED PUBLIC RIGHT OF WAY ALONG THE NORTH SIDE OF LOT 1, BLOCK 6

**RES 6607
ENCROACHMENT
EASEMENT FOR
METAL COMMERCIAL
BLDG
(1201 S.
MONTGOMERY ST)**

OF JONES & WAINRIGHTS ADDITION, VOLUME 35, PAGE 96, DEED RECORDS, LOCALLY KNOWN AS 1201 SOUTH MONTGOMERY STREET IN THE CITY OF SHERMAN, TEXAS. CONSENT AGENDA.

RESOLUTION NO. 6608 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH AMX PREMIUM CLEANING SERVICES, LLC FOR THE ANNUAL CITY PARKS AND GROUNDS RESTROOM CLEANING CONTRACT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH AMX PREMIUM CLEANING SERVICES, LLC FOR THE ANNUAL CITY PARKS AND GROUNDS RESTROOM CLEANING CONTRACT. CONSENT AGENDA.

RES 6608
PARKS & GROUNDS
ANNUAL RESTROOM
CLEANING

REQUEST TO ADVERTISE
PURCHASE OF A USED CITIZEN RESCUE HARDENED
VEHICLE FOR USE WITHIN THE SHERMAN POLICE
DEPARTMENT

REQ TO ADVERTISE
CITIZEN RESCUE
VEHICLE FOR
POLICE DEPT

Zach Flores, Police Chief, said the City has the opportunity to purchase an armored vehicle for the tactical team, which is really the only full tactical team in the area, which means they respond to other jurisdictions.

He said the purchase of this vehicle would ultimately come from seizure funds. The seizure funds have strict rules for use and can't go toward salaries. This vehicle is an appropriate way to use those funds.

The request is to advertise for the purchase of this vehicle so they can get the right vehicle for the job. They did not want to spend this money out of the General Fund, if they didn't have too.

ACTION TAKEN.

Motion by Council Member Howeth to approve the request to advertise for the purchase of a used Citizen Rescue Hardened Vehicle for the Police Department, as presented.
Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

SEMIANNUAL JANITORIAL SERVICES

JANITORIAL SERVICES

Council Member Teamann asked if the staff has talked about increasing the need in the janitorial services based on the current environment, especially the Corona Virus.

Mr. Hefton said one of the reasons the staff is requesting to advertise for janitorial services, is that they are not pleased with the level of service the City has been getting. The staff is evaluating whether to take this back in-house or not.

This request is only for the remainder of this fiscal year. The staff would be open to continuing this service on a contract basis if they can find someone that would clean like they want it cleaned. He said it is hard to find that level of service.

This request is meant to be a temporary request until there is a “full picture” of what they want to do long term. Mr. Hefton said hopefully the City will get a company that is interested in providing this service for the six months as a trial period. If the job is done to the City’s standards, they could consider a long term contract.

Council Member Teaman said when this is put out for bid, the staff might address “ramping up” the level of sanitation required.

The City Council approved the request to advertise for the semiannual janitorial services contract for several City buildings. The contract will include the Parks and Recreation Activity Center, Glennie O. Ham Center, City Hall, Public Library, West Hill Cemetery, Equipment Services Center, Taylor Street Gym, Water Maintenance Shop, Municipal Airport, Police Department, Municipal Building, Senior Center, and the Utilities Laboratory.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF SHERMAN FIRE-RESCUE SERVICES TO AUTHORIZE A BUSINESS RELATIONSHIP WITH SHERMAN FIRE FIGHTER MICHAEL TYLER JONES, D/B/A JONES METAL BUILDING, LLC AS REQUIRED BY ARTICLE X, SECTION 1(C)(A) OF THE SHERMAN CITY CHARTER

**BUSINESS
RELATIONSHIP
WITH FIREFIGHTER**

Danny Jones, Fire Chief, said several months ago the City Council decided to purchase the building just north of Station 5 on Frisco Road, to use as a storage building and office space. They began remodeling and upgrading the facility and need to add a metal cover for various equipment trailers and the mobile command post.

They received bids from several companies. Fire Fighter Tyler Jones owns a business called Jones Metal Buildings, LLC, and can provide that service. His bid offered the City a savings of about \$8,500 over the next bid.

According to the City’s Charter, for him to be able to do business with the City, it must be approved by the City Council. All work would be done off-duty through his business entity.

Council Member Holland asked if this had been presented to the City Council prior to this meeting. Chief Jones said several months ago they asked to use Fire Fighter Dalton Griffin’s company to service the Fire Department’s overhead doors. There were some savings with that relationship, but it was more the convenience of having a vendor that would respond in a timely manner.

Council Member Teamann verified that the cost of this service would be under the threshold of the amount that would come before the Council for approval. Chief Jones said it is under the \$50,000 amount that must be approved.

He added that the other bidder offered a bolt-together building and this one is a weld-together building. This type of building would be better constructed.

ACTION TAKEN.

Motion by Council Member Melton to authorize a business relationship with Sherman Fire Fighter Michael Tyler Jones, d/b/a Jones Metal Building, LLC, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

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

APPROVE
ANNEXATION
SCHEDULE
(WILEY
DEVELOPMENT)

Mr. Philpott said this request to voluntarily annex six acres of land was made by the property owners, primarily to obtain water to the site. Discussions also included the future expansion of Lamberth Road, which would be Friendship Road.

The City agreed to annex their property and they would dedicate the right-of-way for the expansion for free, in exchange for the water line along their property line.

Action for this item would be to approve the annexation schedule only.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Annexation Scheduling Plan for a 6.00 acre tract, located east of Lamberth Road, at the intersection of Meadowlake Drive and Lamberth Road, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

SITE PLAN APPROVAL, EXCEPTION AND VARIANCE TO ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2)(J) AND (2) (G)(2), AND ORDINANCE NO. 2280, SECTION 6.8.4,

APPROVE SITE PLAN,
EXCEPTION,
VARIANCE FOR

SUBSECTIONS (7) AND (11) FOR A PANDA EXPRESS RESTAURANT WITH DRIVE THRU WITH A 20' SETBACK ON THE SOUTH PROPERTY LINE IN LIEU OF THE REQUIRED 55.7' AND AN EXCEPTION TO ALLOW FIBERON COMPOSITE DECKING IN LIEU OF THE REQUIRED MASONRY IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT AT 3150 SOUTH U.S. HIGHWAY 75

PANDA EXPRESS
(3150 S. US HWY 75)

Mr. Shadden said this request is for approval of a Site Plan, with an Exception and a Variance for a new Panda Express Restaurant, located at 3150 South Hwy 75. The location is in the Blalock Industrial Park and the Blalock Commercial Overlay District.

The Planning and Zoning Commission recommended approval of the Site Plan, Exception and Variance, subject to the Staff Review Letter.

Council Member Teamann said the Site Plan includes an eight foot tall monument sign, and asked if that fell within the development ordinance. Mr. Shadden said the ordinance allows a 12-foot sign, with a 65-foot face.

ACTION TAKEN.

Motion by Council Member Howeth to approve the Site Plan, Exception, and Variance for a Panda Express Restaurant, to be located at 3150 South Hwy 75, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

REPLAT APPROVAL OF SHERMAN CROSSROADS, PHASE II, LOTS 1R-1 AND 6, BLOCK 2, BEING A REPLAT OF LOT 1R, BLOCK 2, SHERMAN CROSSROADS, PHASE II; BEING PART OF THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, CONTAINING 9.950 ACRES, ALSO BEING A PART OF LOT 1R, BLOCK 2, SHERMAN CROSSROADS, PHASE II; SHERMAN CROSSROADS, LTD, OWNERS; AND A&W SURVEYORS, INC., SURVEYOR (3100—3600 BLOCKS SOUTH U.S. HIGHWAY 75)

APPROVE REPLAT
SHERMAN
CROSSROADS
PHASE II
(3100-3600 S. HWY 75)

The City Council approved the Replat of Sherman Crossroads, Phase II, Lots 1R through 6, block 2, in the Preston Kitchen Survey.

The 9.950 acre tract is located in the 3100 to 3600 blocks of South Hwy 75, at the northwest corner of FM 1417, and is in the Blalock Industrial Park and Blalock Commercial Overlay District. The owners would like to replat the property into two lots for commercial development.

The Planning and Zoning Board recommended approval of the Replat, subject to the Staff Review Letter.

CONSENT AGENDA.

FINAL PLAT APPROVAL OF SHERMAN LANDING, PHASE II, BEING 1.18 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265; STANLEY BLYTHE, OWNER; BRYAN WEISGERBER, CROSS ENGINEERING CONSULTANTS, INC., REPRESENTATIVE/CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (5900 NORTH U.S. HIGHWAY 75)

APPROVE FINAL PLAT
SHERMAN LANDING
PHASE II
(5900 N. HWY 75)

The City Council approved the Final Plat of Sherman Landing, Phase II, located in the W.S. Thurman Survey.

The 1.18 acre tract is located at 5900 North Hwy 75 and is zoned an SF-1 (Single Family Residential) District. It is also located in the O-1 (75 & 82) Overlay District and the O-1.3 (FM Hwy 691) Overlay District. The owner would like to plat the property into one lot for commercial development.

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

REPLAT APPROVAL OF CHAFFIN'S FIRST ADDITION, BLOCK 11, LOT 23R, BEING LOTS 23 AND 24, BLOCK 11, CHAFFIN'S FIRST ADDITION, ALSO BEING A PART OF THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, CONTAINING 0.164 ACRES; JOSE AND MARIA LARA, OWNERS; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (802 EAST HOUSTON STREET)

APPROVE REPLAT
CHAFFIN'S FIRST
ADDITION
(802 E. HOUSTON)

The City Council approved the Replat of Chaffin's First Addition, Block 11, Lot 23R, also being a part of the J.B. McAnair Survey.

The 0.164 acre tract is located at 802 East Houston Street, and is zoned an R-1 (One Family Residential) District. The owners would like to replat two lots into one lot for residential development.

The Planning and Zoning Board recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

REPLAT APPROVAL OF LOTS 1 AND 2 UNDERWOOD ADDITION, BEING LOTS 1 AND 2, UNDERWOOD ADDITION, ALSO BEING A PART OF THE FIELDING BACON SURVEY, ABSTRACT NO. 120, CONTAINING 3.157 ACRES; OUR LEASING COMPANY, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (2201 AND 2203 NORWOOD STREET)

APPROVE REPLAT
UNDERWOOD
ADDITION
(2201 & 2203
NORWOOD ST)

The City Council approved the Replat of Lots 1 and 2 of the Underwood Addition, also being a part of the Fielding Bacon Survey.

The 3.157 acre tract is located at 2201 and 2203 Norwood Street, and is zoned an R-1 (One Family Residential) District. The owners would like to replat two lots for residential development.

The Planning and Zoning Board recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

REPLAT APPROVAL OF COLLEGE PARK ADDITION, BLOCK 1, LOT 7R AND 8R, BEING A PART OF THE C. CARTER SURVEY, ABSTRACT NO. 229, CONTAINING 0.389 ACRES, ALSO BEING ALL OF LOTS 7 AND 8, BLOCK 1, COLLEGE PARK ADDITION; MUNAZZA JABEEN AND ANJUM KARIM, OWNERS; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (1024 NORTH CLEVELAND AVENUE)

The City Council approved the Replat of the College Park Addition, Block 1, Lot 7R and 8R, being a part of the C. Carter Survey.

The 0.389 acre tract is located at 1024 North Cleveland Avenue, and is zoned an R-1 (One Family Residential) District and the College Park Overlay District. The owners would like to replat the property into two lots for residential development.

The Planning and Zoning Board recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF MERZA ADDITION, BEING 0.547 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56; ROBERTO MERAZ, OWNER; LISSETH LARA, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, SURVEYOR (519 SOUTH MONTGOMERY STREET)

The City Council approved the Final Plat of the Meraz Addition, in the Samuel Blagg Survey.

The 0.547 acre tract is located at 519 South Montgomery Street and is zoned an R-2 (Multi-Family Residential) District. The owner would like to plat the property into three lots for residential development. A variance was approved to allow smaller lot widths than the required 60 feet.

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

REPLAT APPROVAL OF NORTH PARK BAPTIST CHURCH, A REPLAT OF LOTS 1, 2, 3, 4, 5 AND 6 OF THE JOE E. PRICE SUBDIVISION, BEING ALL OF LOTS 1-6, AND ALL OF THE ABANDONED PLATTED J. FIELDING CIRCLE OF THE JOE E. PRICE SUBDIVISION, ALSO BEING 4.198 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; NORTH PARK BAPTIST CHURCH, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR (2605 REX CRUSE DRIVE)

The City Council approved the Replat of the North Park Baptist Church, in the Joe E. Price Subdivision.

The 4.198 acre tract is located at 2605 Rex Cruse Drive, and is zoned an R-1 (One Family Residential) District with a Specific Use Permit to allow a church in an R-1 (One Family Residential)

APPROVE REPLAT
COLLEGE PARK
ADDITION
(1024 N. CLEVELAND)

APPROVE FINAL PLAT
MERZA ADDITION
(519 S. MONTGOMERY)

APPROVE REPLAT
NORTH PARK
BAPTIST CHURCH
(2605 REX CRUSE DR)

District. North Park Baptist Church would like to replat six lots into one lot and an abandoned right-of-way, for an addition to the church.

The Planning and Zoning Board recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF PECAN ACRES IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.109 ACRES IN THE JOHN McCLENIHAN SURVEY, ABSTRACT NO. 789; WILLIAM AND JUDY SMITH, OWNERS; AND COPLEY LAND SURVEYING, SURVEYOR (600 BLOCK OF BROWN ROAD AND 100 BLOCK OF BARBARA LANE)

The City Council approved the Final Plat of Pecan Acres in the City's Extra Territorial Jurisdiction.

The 2.109 acre tract is located in the 600 block of Brown Road and the 100 block of Barbara Lane. The owners would like to plat the property into one lot for residential development.

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

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

ANIMAL CONTROL ADVISORY COMMITTEE (8)

ACTION TAKEN.

Motion by Deputy Mayor Steele to appoint members as outlined in the Staff Recommendation to the Animal Control Advisory Committee, for a term from March 17, 2020 to the term as determined by the Committee By-Laws, and to appoint Council Member Sandra Melton and Animal Services Manager Ty Coleman to serve, as presented.
Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

KEEP SHERMAN BEAUTIFUL COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Melton to appoint Sarah Richardson and Nathaniel Lightfoot to the Keep Sherman Beautiful Commission, for a term from March 17, 2020 to March 17, 2022, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

APPROVE FINAL PLAT
PECAN ACRES – ETJ
(600 BLOCK BROWN
RD & 100 BLOCK
BARBARA LN)

MEDIA QUESTIONS

ANIMAL CONTROL
ADVISORY COMMITTEE

KEEP SHERMAN
BEAUTIFUL
COMMISSION

COUNCIL COMMENTS

CORONA VIRUS RESPONSE

**CORONA VIRUS
RESPONSE**

Mr. Hefton briefed the City Council and citizens on the Corona Virus situation and what the City's working on. The City has been receiving almost hourly updates from the Federal Government, State Government, County Government, and agencies such as the Center for Disease Control. He said the staff remains confident that steps are being taken to minimize the impact to the extent possible.

He said this is a virus, and there is no cure. It just has to run its course. All recommendations deal with limiting exposure socially. He said they are relying on the County to be their source of authority, from the medical standpoint.

He said Grayson County has just issued a Declaration of Disaster, and the County Commissioners will be talking about that at their meeting tomorrow. He said there is no reason to panic.

Mr. Hefton added that there may be some additional measures that the City takes later, such as limiting social gatherings at some facilities, such as the Senior Center. Other facilities might include the Library and the Taylor Street Gym.

He asked Moises Duran, Emergency Management Coordinator, to brief the Council as well. Mr. Duran said they are aware of the situation and "on top of things." All City departments are coordinating to make sure things go smoothly and make sure that the employees are taken care of during this time.

He said things are very fluid at the moment and he is receiving reports constantly. As things progress, he will make sure the Council and staff are aware of the situation and recommendations that are passed down.

The Mayor would be the one that makes any declaration of emergency for the City, or if any quarantines are needed. Some changes may need to be made to diminish the chances of getting any cases in Sherman. He said the City wants to be wise and take precautions, but not act out of panic or fear.

Mr. Hefton said the direction coming down from higher levels is not about treatment of the virus, it's about managing the effects of the spread of the virus, especially on the healthcare system.

Council Member Howeth expressed her concern about protecting the first responders. Mr. Hefton said protocols are already in place to do that.

PRECAUTIONS FOR CORONA VIRUS

Council Member Melton advised citizens to take precautions for their family and wash, wash, wash.

**PRECAUTIONS FOR
CORONA VIRUS**

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

EXECUTIVE SESSION

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

SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

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

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:01 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:52 p.m. and reconvened in Open Meeting.

OPEN MEETING

OPEN MEETING

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

COUNCIL MINUTES – MARCH 16, 2020

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:55 p.m.

ADJOURNMENT

MAYOR

CITY CLERK