STATE OF TEXAS §

March 15, 2021

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 Sherman Municipal Ballroom on March 15, 2021.

MEMBERS PRESENT:	**MAYOR DAVID PLYLER; DEPUTY MAYOR DARON HOLLAND. COUNCIL MEMBERS HOWETH, MELTON, STEELE, STEVENSON, TEAMANN.**
MEMBERS ABSENT:	**NONE.**

<u>CALL TO ORDER</u> — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Deputy Mayor Daron Holland.

<u>APPROVE MINUTES</u> — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of March 1, 2021. Council Member Melton moved to approve the Minutes, as presented; Second by Deputy Mayor Holland; All present voted AYE.
MOTION CARRIED.

<u>CITIZEN'S COMMENTS</u> — **CITIZEN'S COMMENTS**

There were no citizen's comments.

<u>SPECIAL PRESENTATION</u>
<u>RECOGNITION OF CITY OF SHERMAN AWARD: "2020 TEXAS ACHIEVEMENT IN LIBRARY EXCELLENCE AWARD"</u> — **2020 TEXAS ACHIEVEMENT IN LIBRARY EXCELLENCE AWARD**

Mayor Plyler presented Melissa Eason, Library Services Administrator, with the "2020 Texas Achievement in Library Excellence Award", which recognizes the top 10% of the libraries in Texas each year. This year only 56 libraries out of 568 Texas Public Library systems were awarded this honor.

Ms. Eason recognized several staff members that were in attendance in the audience. She said the award helped bring awareness to all the things a library has to offer. In order to be considered for this award, they must show examples of services provided in ten areas.

She also thanked the Library staff for their hard work, the City management for their support, and the Mayor and City Council for this recognition.

<u>CONSENT AGENDA</u> — **CONSENT AGENDA**

The Council reviewed the Consent Agenda. Council Member Steele asked to remove Item F-14, entitled "Resolution No. 6724 – Awarding a Bid to and Authorizing Execution of a Contract with All Seasons Contracting Company, Inc. of Denison, Texas, based on an Invitation to Bid for Central Fire Station Roof Replacement"

from the Consent Agenda, for consideration in its regular order of business.

Council Member Stevenson moved to approve the Consent Agenda, with the exception of Item F-14, which will be considered in its regular order of business; Second by Council Member Melton; All present voted AYE.

RES 6724 CENTRAL FIRE STATION ROOF REPLACEMENT

<u>RESOLUTION NO. 6724 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ALL SEASONS CONTRACTING COMPANY, INC. OF DENISON, TEXAS, BASED ON AN INVITATION TO BID FOR CENTRAL FIRE STATION ROOF REPLACEMENT</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ALL SEASONS CONTRACTING COMPANY, INC. OF DENISON, TEXAS, BASED ON AN INVITATION TO BID FOR CENTRAL FIRE STATION ROOF REPLACEMENT.

Council Member Steele asked to remove Item F-14 from Consent Agenda for consideration in its regular order of business.

Council Member Steele said he had been contacted by Shane Brem, Owner, Texoma Roofing and Construction, and wanted to give him an opportunity to discuss information about his bid.

Mr. Brem wanted to tell the Council about the roofing materials that his company offers, and said TML, that insures the building, prefers a different product. He mentioned a fire in downtown Denison that spread to several adjoining buildings, and said the type of roofing material that was bid was the same type that was on those buildings. He said the roofing product that he offers does not flare up like this product.

Mr. Brem also introduced the product representative that sells the roofing material he proposed.

<u>Buddy Wilson, 1400 Winding Creek, Prosper, Texas</u>
Mr. Wilson represents Duro-Last Roofing Manufacture. He said they sell directly to contractors, and don't go through distribution.

He discussed the makeup of his product and said they made a presentation to TML. He said TML was impressed with their product and the cost of their product. He said they also warranty their own product and insure the contents of the building against water damage. They are a "local" company and the product is made in Carrollton, Texas. They also have plants in other states.

Mr. Brem addressed the warranty and said the bid that was submitted came with a 15 year warranty, provided by Duro-Last. Texoma Roofing and Construction carries the first two years, and after that, he said the corporation carries the warranty.

Council Member Melton confirmed that Mr. Brem's bid was for this roofing material, and that the Finance Department received the bid.

Robby Hefton, City Manager, confirmed that the bid specifications were written by the Building Maintenance Department, and were "industry standards." He added that those specs had been used on other City buildings.

Council Member Melton expressed concern that Mr. Brem said he didn't know what the specifications were before he bid. Mr. Brem said he didn't remember. He said he bid the job as a "single-ply", which is probably what the other companies bid too. Council Member Melton said the specs provided were not for a specific brand of materials.

Mr. Brem said his appearance was to address the direction that the City's insurance provider wanted to go. It wasn't really "about this bid" but was "about the future." He mentioned talking with the Denison Fire Chief about the material.

Mayor Plyler said they were interested in what the Sherman Fire Marshal said about the product, and since it was going on the Fire Station, he was sure Sherman's Fire Marshal had reviewed the specifications. He said the Council would take the information "under advisement."

Council Member Melton wanted to be sure they understood what they were bidding on. Council Member Teamann said he appreciated the information for future bids. He asked what the percentage was that could be used for local preference to a Sherman bidder.

Mr. Hefton said there previously was a "local preference" that was either 3% or 5%, however, that preference has been "taken away."

Mr. Brem said they were the second lowest bid. Council Member Teamann confirmed that they were $6,000 higher than the low bid.

ACTION TAKEN.
Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids.

Clint Philpott, Assistant City Manager, said the Council must either accept the bids that were submitted, or reject all bids and rebid the project, because there were specifications that everyone replied too.

Mr. Hefton said the options are to reject all bids and rebid the project. He clarified that the City did receive responsive bids that met the bid specifications. Council Member Stevenson said Mr. Brem was saying that the materials "were inferior."

Mr. Hefton said the bid specs were clear on what the staff wanted. Mr. Brem presented a product that was not in compliance, or they didn't demonstrate that it was in compliance. He said all the other bidders were responsive.

Mr. Hefton said the staff also talked with TML and they said both products are Class A rated and are acceptable. He said the project could be rebid if the Council rejects all bids and directs the staff to rebid the project.

Council Member Melton questioned whether the City could legally reject the bids. Ryan Pittman, Attorney, said Council could table the item and get more information about what the bid specs did or didn't include, and use that to determine whether or not to reject all bids. However, the option to deal with this specific bid is to reject all bids or to go with the company that submitted the best bid.

Council Member Stevenson said if it was tabled, the bids could still be rejected in two weeks, if Council wanted. Council Member Teamann clarified that the motion was to table the item, do more due diligence, and if the Council is okay with the specs and bids, then approve it in two weeks.

Mayor Plyler said the City asked for a specific roof for which they received 12 bids. There was no confusion from any of the bidders, based on the bid specs. Council Member Steele said this may be a better product.

Mayor Plyler said State law governs the way a project is bid, and the City complied with State law. He said there are hundreds of other better roofs that could have been in the specs. He said the question is, does the City want to spend more money than for the roof they bid. If the Council says "yes," then the bids can be rejected tonight.

Council Member Melton said, if the product is better, in the future that information could be used for bid specs. But the low bidder met what was required in the bid specs.

RESTATEMENT OF MOTION.

> **Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids. Second by Council Member Teamann.**

Mayor Plyler asked how this would affect the timeline on the project. Mr. Philpott said typically, if it is extended, it is left to the low bidder as to how long they will honor their prices. He did not feel that tabling the Resolution would affect the timing.

Council Member Stevenson also wanted to instruct staff to enlighten Council Members on the bidding process, and how that relates to materials.

Council Member Melton said she didn't disagree, and if the product is better they should go with a different product in the

future, but at this point, they have to go with the bid that met the qualifications. She said "legally" the low bidder met the requirements.

Mr. Pittman said there is a motion and a second, so that allows for a vote to occur. If it fails, Council can come back with a different motion, or can take no action, which would "not award" the bid.

Mr. Hefton asked if "no action" on the item would be equivalent to a rejection of bids. Mr. Pittman said it would not be a rejection of bids, and the item would stay pending indefinitely, if there is no future action on the item. He said at some point, the Council would need to approve or reject the bids.

Mayor Plyler warned the Council that "this is a little bit of a slippery slope," in that, whenever the City competitively bids a project, they issue plans and specs, that contractors turn in, based on those plans and specs. Once they open the door to go back and requalify the products in each of these bids, then it won't be helpful.

RESTATEMENT OF MOTION.
Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids. Second by Council Member Teamann.
VOTING AYE: Steele, Stevenson, Teamann.
VOTING NAY: Holland, Howeth, Melton.
MOTION FAILED.

ACTION TAKEN.
Motion by Council Member Howeth to adopt Resolution No. 6724, as presented. Second by Council Member Melton.
VOTING AYE: Plyler, Holland, Howeth, Melton.
VOTING NAY: Steele, Stevenson, Teamann.
MOTION CARRIED.

PUBLIC HEARING
ACCEPT PUBLIC COMMENTS AND DISCUSS THAT CERTAIN PETITION REQUESTING ESTABLISHMENT OF PUBLIC IMPROVEMENT DISTRICT, DATED JANUARY 27, 2021, REQUESTING THAT THE CITY CREATE THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT TO INCLUDE PROPERTY OWNED BY THE PETITIONERS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY

BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT

Mr. Hefton said this item and Item F-1 are partner items and this is the public hearing to Resolution No. 6711, both relating to the creation of the Bel Air Village Public Improvement District.

At the February 1, 2021 Council Meeting, the City Council accepted the petition for the creation of this district. A notice was published, as required, for this public hearing.

A Public Improvement District provides an opportunity for developers to recoup some of their costs for public infrastructure, such as roads, sewer, and drainage.

A public hearing is required, as well as, a resolution to create the district. There are also a few other steps before the Public Improvement District will be implemented. An ordinance will also be required for the levy of the property tax.

Council Member Melton asked for clarification on the 50% or 60% of property owners that are required for creation of the district. The ACF said 50%, but the petition said 60%.

Mr. Hefton clarified that 100% of the property owners requested creation of the district. The required number is 60%, and the ACF is in error. There is only one property owner. Mr. Hefton clarified that the requirement has been met.

No citizens appeared before the City Council to discuss the Petition requesting establishment of a Public Improvement District, designated as Bel Air Village Public Improvement District.

ORD 6365
GTUA CAPITAL IMPROVEMENT PROJECTS

Mayor Plyler introduced Ordinance No. 6365 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF, THE NOTICE OF SALE PREPARED IN CONNECTION WITH THE PUBLIC OFFERING OF THE BONDS AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

Mary Lawrence, Director of Finance, said the Revenue Bonds for the utility system improvements were bid out on March 11, 2021, through the Greater Texoma Utility Authority. She introduced Drew Satterwhite, GTUA General Manager, to update the Council on the bond sale.

Mr. Satterwhite said they received nine bids, which was about twice what was expected, and they received a 1.99% interest rate on a 25 year note. He said they have never received that low an interest rate on the open market, excluding the Texas Water Development Board's subsidized funds.

Mr. Satterwhite attributed this interest rate to the City's A+ rating from Standard & Poor. He also said there was good timing involved in going to market. Pending the Council's adoption of the ordinance, they are set to close on April 13, 2021.

No other citizens appeared before the City Council to discuss Ordinance No. 6365.

ORD 6366
ENGINEERING PLAN REVIEW, INSPECTION & TESTING FEES

Mayor Plyler introduced Ordinance No. 6366 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES (SUBDIVISION REGULATION), ARTICLE 10.04 (ENGINEERING PLAN REVIEW, INSPECTION AND TESTING

SERVICES), SECTION 10.04.001 (FEE ESTABLISHED); INCREASING THE ENGINEERING PLAN REVIEW, INSPECTION, AND TESTING SERVICES FEE TO FOUR PERCENT (4%) OF THE ESTIMATED COST OF PUBLIC IMPROVEMENTS IN AND ADJACENT TO A REQUESTED PLAT OR DEVELOPMENT; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.

Mr. Hefton said this item is related to fees for the engineering services, to review, inspect, and test, projects for public infrastructure, constructed by development.

Previously there was a 3% fee for many years, and it was determined that a 4% fee was reasonable and customary for most cities to charge. In looking at the services offered, it was determined that this 4% fee was reasonable for providing the services.

He explained that there are a series of plan reviews for a project, which eventually results in a Developer's Agreement. There are a number of projects in which engineering plans have already been submitted, and Mr. Hefton suggested that the increased fee only apply to projects for which they have not yet received any engineering plans.

No citizens appeared before the City Council to discuss Ordinance No. 6366.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>

<u>Ordinance 6365</u>

ORD 6365 GTUA CAPITAL IMPROVEMENT PROJECTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF, THE NOTICE OF SALE PREPARED IN CONNECTION WITH THE PUBLIC OFFERING OF THE BONDS AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

Council Member Teamann said they have discussed the Marilee Special Utility District cost in the past, and about them contributing to the upfront cost. He asked if the remainder of the bond issuance would be driven through water sales revenues.

Mr. Hefton said the City's water and sewer revenue are the only recurring source of the repayment of any debt from GTUA. He said the staff plans on the rates, and therefore the usage, covering all the debt service.

Council Member Teamann wanted to be sure there was a "multiplier" that would offset some of the Sherman resident's water bills, once this is done. He verified that it would service $2 million in debt and generate additional revenue.

ORD 6366
ENGINEERING PLAN REVIEW, INSPECTION & TESTING FEES

Ordinance 6366
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES (SUBDIVISION REGULATION), ARTICLE 10.04 (ENGINEERING PLAN REVIEW, INSPECTION AND TESTING SERVICES), SECTION 10.04.001 (FEE ESTABLISHED); INCREASING THE ENGINEERING PLAN REVIEW, INSPECTION, AND TESTING SERVICES FEE TO FOUR PERCENT (4%) OF THE ESTIMATED COST OF PUBLIC IMPROVEMENTS IN AND ADJACENT TO A REQUESTED PLAT OR DEVELOPMENT; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Ordinance Nos. 6365 and 6366, with a change in Ordinance No. 6365 to correct the spelling of "bonds" and with the change in Ordinance No. 6366, to include the fee increase only for things that have not already been submitted to engineering. Second by Council Member Melton.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6711
BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT

RESOLUTION NO. 6711 – AUTHORIZING AND CREATING THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING AND CREATING THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE.

ACTION TAKEN.
Motion by Council Member Steele to adopt Resolution No. 6711, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6712
HERITAGE RANCH MUNICIPAL UTILITY DISTRICT PETITION

RESOLUTION NO. 6712 – AUTHORIZING APPROVAL OF RECEIPT OF A PETITION FROM TPJ PROPERTIES, LTD TO CREATE A MUNICIPAL UTILITY DISTRICT OVER APPROXIMATELY 175 ACRES OF LAND IN SHERMAN, TEXAS, ACKNOWLEDGING THE FILING OF THE SAME PETITION
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING APPROVAL OF RECEIPT OF A PETITION FROM TPJ PROPERTIES, LTD TO CREATE A MUNICIPAL UTILITY DISTRICT OVER APPROXIMATELY 175 ACRES OF LAND IN SHERMAN, TEXAS, ACKNOWLEDGING THE FILING OF THE SAME PETITION.

RES 6713 HERITAGE RANCH MUNICIPAL UTILITY DISTRICT

<u>RESOLUTION NO. 6713 – CONSENTING TO THE CREATION OF HERITAGE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY WHICH LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONSENTING TO THE CREATION OF HERITAGE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY, WHICH LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERMAN.

Mayor Plyler asked that Resolution Nos. 6712 and 6713 be read and considered together.

Mr. Hefton said these items are related to another of the larger planned developments, and involves the creation of a Municipal Utility District. This MUD would allow the developer to recover a portion of their cost for public infrastructure development, through creation of a property tax levy on the property within the geographic boundaries of the district.

While a Public Improvement District requires City Council action to create and administer the district, the MUD is created by action of the State Legislature, after a petition and application process by the developer.

A part of the procedure requires that the City recognize the petition, which is what Resolution 6712 is. And then consent to recognize the MUD, which is what Resolution 6713 is. Both resolutions will be required for the developer to proceed with the steps needed to set up the MUD.

Mr. Hefton said there is no obligation to the City on either of these items, to create or issue debt, either directly or indirectly, nor is there any "back-stocking" of debt that might be issued in the future by this MUD. It doesn't use any credit-worthiness of the City's tax rate.

After discussions with the developer and their counsel, and City staff, Mr. Hefton said he felt comfortable with the process and what they're asking of the City. He added that this MUD will be located within Sherman's City limits, therefore all infrastructure will be constructed to existing City standards, using materials and workmanship that is already required by the City.

Council Member Steele verified that it does not include their entire development. Mr. Hefton said it only includes the residential portion, which is about 175 acres. They plan to carve out a 10 acre section on the southwest corner of the tract that will probably be commercial.

Council Member Teamann confirmed that the MUD can be expanded during Phase 2 and 3 of the project. Mr. Hefton said there are some things about MUDs that may not make them ideal for commercial development.

Ryan Johnson, TPJ Properties, Ltd, said the MUD will only cover the residential portion of the development, and can't be expanded without the consent of the City Council. Mr. Hefton asked if an expansion would need Legislative consent as well.

Mindy Koehne, Coats Rose Attorneys, appeared representing TPJ Properties, Ltd., and said they don't have to have Legislative consent to expand the MUD. With general law, they are able to expand with the City's consent.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution Nos. 6712 and 6713, as presented. Second by Council Member Melton.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6714
HILRE DRIVE
EXTENSION

RESOLUTION NO. 6714 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF HILRE DRIVE EXTENSION
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR THE CONSTRUCTION OF HILRE DRIVE EXTENSION.

Wayne Lee, Director of Engineering, said the award of bid is to Lynn Vessels Construction for the Hilre Drive Extension Project. Six bids were received, ranging from $283,000 to $423,000, with the lowest responsible bidder being Lynn Vessels Construction at $283,000. This bid was about 19% below the second low bidder.

Mr. Lee said construction should start in a couple of months and be complete by the end of summer. These improvements will allow closure of the intersection at Northcreek Drive and Knollwood Road, in order to make safety improvements, and allow the Texas Department of Transportation to install a traffic signal.

Council Member Melton was concerned that with such a low bid, there may be change orders for the project. Mr. Lee said he has not had that experience with Mr. Vessels. He said sometimes there are change orders when the City adds additional work into the project, or things happen in the field that were not expected.

Council Member Melton confirmed that Mr. Lee was comfortable with the bid that Mr. Vessels gave the City on this project.

Council Member Teamann asked about the bend in the proposed road. Mr. Lee said the alignment was worked out with the property owner.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6714, as presented. Second by Council Member Melton.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6715 TEXOMA PKWY WATER MAIN REPLACEMENT, FROM FM 691 TO FALLON DR.

<u>RESOLUTION NO. 6715 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE TEXOMA PARKWAY WATER MAIN REPLACEMENT FROM FM 691 TO FALLON DRIVE</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE TEXOMA PARKWAY WATER MAIN REPLACEMENT FROM FM 691 TO FALLON DRIVE.

Tom Pruitt, Utility Engineer, said when this project was placed on the Capital Improvement Program list, Mark Gibson, then City Engineer, said the water main was originally installed in 1964 and was a cast iron pipe. After a certain period of time, cast iron pipes deteriorate, and need to be replaced. They also lose pressure as water flows through. Council Member Stevenson confirmed that it is a 12" pipe.

Mr. Pruitt said this portion of the contract is for design only. Construction costs will be included in next year's budget.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6715, as presented. Second by Deputy Mayor Holland.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6716 IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT

<u>RESOLUTION NO. 6716 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING DESIGN SERVICES AGREEMENT WITH GARVER, LLC, FOR DESIGN OF IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING DESIGN SERVICES AGREEMENT WITH GARVER, LLC FOR DESIGN OF THE IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT.

Mr. Pruitt said this contract is for the engineering design of the Ida Road Ground Storage Tank and some of the Pump Station Improvements. Needed repairs were based on the 2020 inspection.

ACTION TAKEN.
Motion by Council Member Melton to adopt Resolution No. 6716, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

<u>RESOLUTION NO. 6717 – TO CONSIDER AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT FOR ANNUAL FINISH AND ROUGH MOWING SERVICES</u>

RES 6717 ANNUAL FINISH & ROUGH MOWING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, TO CONSIDER AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT FOR ANNUAL FINISH AND ROUGH MOWING SERVICES.

Mr. Philpott said this is to award the annual finish and rough mowing contract. The staff received three proposals. This year, based on the history of the low bidders not being able to respond to mowing requests in a timely manner, the bidders had to have the highest score and the lowest bid.

The staff looked at the amount of equipment they had, the number of personnel they had, and set the bar pretty high. He said nine people attended the pre-bid meeting, but only three submitted bids.

They also added some additional areas for the finish mowing this year, including West Travis Street and Moore Street. In past years, parks and streets also had separate contracts, and those were combined this year.

Mr. Philpott said the mowing cycle cost is about $16,000 and the mowing is done every 10 days, dependent on the rain. Therefore the budget is hard to estimate, based on the mowing cycles and how long the mowing cycle lasts.

He felt this was a great price and said Lost Pines Landscaping has great references and has helped with projects in the parks in the past.

Council Member Steele asked who determined the mowing cycle. Mr. Philpott said the contract lists a 10 day cycle, which would give them a chance to catch up if it rained, instead of staying behind.

Council Member Melton wanted to be sure that trash was picked up prior to mowing. Council Member Teamann asked if they were doing all the mowing now. Mr. Philpott said there are still City crews that do a lot of mowing in the parks.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6717, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6718
WWTP AERATION & OTHER SECONDARY IMPROVEMENTS PROJECT

<u>RESOLUTION NO. 6718 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH RED RIVER CONSTRUCTION CO. FOR CONSTRUCTION OF THE POST OAK WWTP AERATION AND OTHER SECONDARY IMPROVEMENTS PROJECT</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH RED RIVER CONSTRUCTION CO. FOR CONSTRUCTION OF POST OAK WWTP AERATION AND OTHER SECONDARY IMPROVEMENTS PROJECT.

Mr. Pruitt said the staff has opened bids on the aeration and other improvements at the Wastewater Treatment Plant. The low bidder was Red River Construction, with a bid of $5,644,800, which is currently under budget. The engineering estimate was about $6 million. Currently they are $1 million under budget.

This project is a part of the $13.59 million Clean Water State Revolving Fund, made available by a loan from the Texas Water Development Board.

ACTION TAKEN.
Motion by Council Member Melton to adopt Resolution No. 6718, as presented. Second by Deputy Mayor Holland.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6719
RESIDENTIAL AD VALOREM TAX ABATEMENT (1411 S. WALNUT)

<u>RESOLUTION NO. 6719 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1411 SOUTH WALNUT STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1411 SOUTH WALNUT STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RES 6720
INTERLOCAL AGREEMENT WITH CITY OF MIDLOTHIAN

<u>RESOLUTION NO. 6720 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF MIDLOTHIAN</u>
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 MIDLOTHIAN.
CONSENT AGENDA.

RESOLUTION NO. 6721 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WILLDAN FINANCIAL SERVICES FOR A COMPREHENSIVE WATER AND WASTEWATER RATE STUDY

RES 6721 COMPREHENSIVE WATER & WASTEWATER RATE STUDY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WILLDAN FINANCIAL SERVICES FOR A COMPREHENSIVE WATER AND WASTEWATER RATE STUDY.
CONSENT AGENDA.

RESOLUTION NO. 6722 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DFW WINWATER COMPANY FOR THE ANNUAL SUPPLY OF WATER AND SEWER MAINTENANCE PARTS AND SUPPLIES

RES 6722 ANNUAL SUPPLY OF WATER & SEWER MAINTENANCE PARTS & SUPPLIES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DFW WINWATER COMPANY FOR THE ANNUAL SUPPLY OF WATER AND SEWER MAINTENANCE PARTS AND SUPPLIES.
CONSENT AGENDA.

RESOLUTION NO. 6723 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT TO DUN-AL CLEANING FOR ANNUAL PARK RESTROOM CLEANING SERVICES

RES 6723 ANNUAL PARK RESTROOM CLEANING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DUN-AL CLEANING FOR ANNUAL PARK RESTROOM CLEANING SERVICES.
CONSENT AGENDA.

REQUEST TO ADVERTISE
SALE OF APPROXIMATELY 15 ACRES OF LAND LOCATED IN F.M. 1417 AND WEST TRAVIS STREET

REQ TO ADVERTISE LAND ON FM 1417 & WEST TRAVIS ST.

Mr. Hefton said the City owns a piece of land on FM 1417 and West Travis Street, and in the past the Council decided to delay sale of the property until certain things happened, such as the opening of West Travis Street and US Hwy 75, and the opening of the new high school.

He said the staff believes it is time to look at selling the property and putting those funds to use on other capital projects. He said they are proposing to sell the property by sealed bids, with reserves. He felt there would be enough interest in the property without going through a broker. They are finalizing the documentation now for the sale.

If the Council is in agreement, the staff will "package this up" and allow 20 days for the public to evaluate it. They already have the engineering and documentation that would be needed by

bidders/buyers. If the Council approves, it would probably be advertised in April with an award of bid in May.

Council Member Steele asked if a reserve had been established. Mr. Hefton said it would probably be $5 to $6 per foot. It consists of about 630,000 to 650,000 square feet, putting the reserve in the $3.5 million to $4 million range. The property is zoned C-1, which he felt was the best use of the property. It has water and sewer.

The property is not in a reinvestment zone. If it had been in a reinvestment zone, the proceeds would have to be used in that zone, however since it's not, the proceeds can be used for any City purpose.

Mr. Hefton said the City will also send offers to local developers that might be interested in purchasing the property.

ACTION TAKEN.

Motion by Council Member Steele, to approve the request to advertise for the sale of approximately 15 acres of land located at FM 1417 and West Travis Street, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ANNUAL AUDIT

OTHER BUSINESS

ACCEPT ANNUAL AUDIT REPORT FOR YEAR ENDED SEPTEMBER 30, 2020 FROM PATTILLO, BROWN AND HILL, LLP

Ms. Lawrence said Pattillo, Brown and Hill performed the Annual Audit this year, and the Audit Committee met and recommended it to the City Council for approval.

John Manning, Pattillo, Brown and Hill, LLP

Mr. Manning presented the report to the City Council. He presented an "unmodified opinion" on the Audit, meaning they did not have to modify the opinion for anything the City didn't have ready for them or that the City's finances didn't meet GAP.

Of the four types of opinions they can offer, the unmodified opinion is the highest level of assurance they can offer. He said achieving the unmodified opinion is really a team effort on the City's part. He said all departments had been extremely responsive to their inquiries.

He gave a brief overview of the Audit documents. He said the City decreased their long term debt by about $9 million, with the regularly scheduled bond payments. There was also a significant decrease in the pension liability, because of assets held by TML performing extremely well in the 2019 market year.

Both the governmental and business type activities, which are General Fund Debt Service and Water/Sewer Fund, both have positive net positions, which is a signal of financial strength.

As for the revenue and expenditures for the General Fund, even with COVID, the City added about $1.3 million to the fund balance. Mr. Manning felt that was a result of conservative budgeting, and revenues coming in, inline with projections. He said that puts the fund balance at about $12.7 million, which is what GFOA recommends, and is about 3.5 to 4 months of reserves in fund balance. He recognized the City's financial stability.

He said the Water/Sewer Fund has about a $28 million net position, which is very solid. With the COVID Virus Relief Fund, the City was again eligible to have a Single Audit, and they did on the CDBG program. There were no material weaknesses or significant deficiencies to report to Council.

The budget document shows very conservative budgeting principles and he said they have "nothing bad to say at all." He said the numbers are extremely reliable, and it was a great effort by a lot of City personnel.

ACTION TAKEN.

Motion by Council Member Stevenson, to accept the Annual Audit Report for the Year Ended September 30, 2020, from Pattillo, Brown and Hill, LLP, as presented. Second by Council Member Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

<u>RECEIVE SEMI-ANNUAL REPORT ON THE SHERMAN CULTURAL DISTRICT</u>

SHERMAN CULTURAL DISTRICT

Eddie Brown, Chairman, Sherman Cultural District Committee, presented the semi-annual report on the Cultural District, covering the period from September 2020 through March 2021.

They have had eight committee meetings this year, delivery completed for the Public Art Master Plan in October 2020, and the National Arts and Humanities Promotion, also in October 2020. He outlined several events that were held, promoting the Cultural District.

He said new signage is being designed and is in production for the district, with installation scheduled for May 2021. The project is supported by $4,800 from the Texas Commission of the Arts Focal District Grant.

The easy-to-read signage will engage a new brand and will encourage a more user-friendly experience downtown. The new directional signs will be located along major streets, and the project will include a map of downtown destinations, at the kiosk, located on Houston and Crockett Streets. A planned unveiling will be announced in May 2021.

Plans include coordinated banners, litter clean-up, streetscape elements, art work focused on rejuvenating Wall Street, and art tours. In the Summer of 2021, they will have mural creation on

Wall Street, a youth art project, and additional exhibits. The Annual Taco Tour will also be held again this year and Arts Fest will be held in September 2021.

Mr. Brown thanked the City Council for their support and Cary Wacker for her coordination of the effort.

EMERGENCY REPAIR OF STEPHENS 1T WATER WELL

<u>REPAIR AND REWORK THE STEPHENS 1T WELL UNDER AN EMERGENCY DESIGNATION</u>
Mr. Pruitt said the Stephens 1Trinity Well failed and the City hired Weissinger to pull and inspect the well. Their assessment was that the motor bearing failed, causing the motor to fail. Therefore the well needs a new motor and bearing.

Emergency bidding was done on the Luella 3T well, and Weissinger was the low bid. Mr. Pruitt asked Council for permission to proceed with well repairs under the emergency designation.

Deputy Mayor Holland confirmed that the bearings wore out and the pump failed. The estimate is for the motor and the bearing. Mr. Pruitt said lead time on the repair is two to three weeks.

ACTION TAKEN.
Motion by Council Member Melton, to approve emergency repairs to the Stephens 1T Well, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ANNEXATION SCHEDULING PLAN (THREE OAKS DEVELOPMENT)

<u>CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATELY 24.415 ACRES OF LAND LOCATED EAST OF U.S. HWY 75, SOUTH OF PARK STREET AND ALONG EAST SHERMAN STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN</u>
Mr. Philpott said the request is for approval of an Annexation Scheduling Plan for the annexation of approximately 24.415 acres of land, located east of Hwy 75, south of Park Street, and along East Sherman Street.

The owner has submitted development plans to the Engineering Department for a single-family subdivision. The subdivision will meet all the current City ordinances, and will include water, sewer, streets, and storm drainage.

The annexation will be set for consideration at the April 5, 2021 Council Meeting.

ACTION TAKEN.

Motion by Council Member Stevenson, to approve the Annexation Scheduling Plan for approximately 24.415 acres of land located east of US Hwy 75, south of Park Street, and along East Sherman Street, also known as Three Oaks Development, in the City's ETJ, as presented. Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

POLICE HEADQUARTERS

RECEIVE PRESENTATION FROM POLICE CHIEF ZACHARY FLORES AND HIDELL & ASSOCIATES ARCHITECT AARON BABCOCK ON THE SCHEMATIC DESIGN FOR THE SHERMAN POLICE DEPARTMENT HEADQUARTERS

Aaron Babcock, Hidell & Associates, updated the Council on the schematic design for the Police Department Headquarters. The facility will be located at the intersection of West Travis Street and Northgate Drive.

The site has a considerable amount of grade and he addressed the layout of the facility to adapt to the grade. The site will contain the main building and an annex facility, as well as ample parking. The facility will feature security fencing and a steel retaining wall to provide an impact barrier.

Mr. Babcock addressed architectural elements including those common among municipal buildings and those that tie in with local architecture and other City buildings. There will also be a canopy system and a dark brown accent color that ties in with Fire Station #5, located nearby. He also presented a conceptual rendering of the proposed facility.

Mr. Hefton said they are making great progress on the design and the mass elements of the facility. There will be a presentation at the Budget Workshop and also discussion at the CIP Meeting. At the CIP Meeting, they will have a complete rendering and a cost estimate for construction of the facility.

APPROVE FINAL PLAT HIGHLAND MEADOWS ESTATES, PHASE 3 (800 BLOCK RIDGEVIEW DR.)

FINAL PLAT APPROVAL OF HIGHLAND MEADOWS ESTATES, PHASE 3, BEING A REPLAT OF LOTS 65-69, 74 AND THE ADJACENT ROADWAY OF HIGHLAND MEADOWS ESTATES IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING A PART OF LOTS 64 AND 75 AND ALL OF LOTS 65, 66, 67, 68, 69, AND 74 OF HIGHLAND MEADOW ESTATES (CONTAINING 12.152 ACRES); RANDY O'BRIEN, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (800 BLOCK RIDGEVIEW DRIVE (ETJ)

The City Council approved the Highland Meadows Estates, Phase 3 Final Plat, located in the City's Extra Territorial Jurisdiction, in the 800 block of Ridgeview Drive. The property is off of SH 11, and the owner would like to Replat the property into ten lots for residential development.

The Final Plat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT W. ELLIOTT'S ADDITION (700 BLOCK S. WILLOW & 800 BLOCK E. ODNEAL)

<u>REPLAT APPROVAL OF W. ELLIOTT'S ADDITION, BLOCK 11, LOTS 16R, 17R, 18R & 19R, BEING A REPLAT OF LOTS 16 THRU 24, BLOCK 11, W. ELLIOTT'S ADDITION, BEING 0.728 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, AND BEING ALL OF LOTS 16 THRU 24, BLOCK 11, W. ELLIOTT'S ADDITION; ROBERTO & NANCY GARCIA, OWNER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (700 BLOCK SOUTH WILLOW STREET AND 800 BLOCK EAST ODNEAL STREET)</u>
The City Council approved the Replat of the W. Elliott's Addition, located in the 700 block of South Willow Street and the 800 block of East Odneal Street. The property is zoned an R-1 (One Family Residential) District, and the owner would like to Replat the property into four lots for residential development.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE FINAL PLAT THOMPSON ADDITION (2952 LUELLA RD.)

<u>FINAL PLAT APPROVAL OF THOMPSON ADDITION ON LUELLA ROAD, LOTS 1 & 2 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 11.460 ACRES IN THE WINIFRED BAILEY SURVEY, ABSTRACT NO. 64; RANDY & AMY THOMPSON, OWNER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (2952 LUELLA ROAD IN ETJ)</u>
The City Council approved the Final Plat of Thompson Addition on Luella Road, in the City's Extra Territorial Jurisdiction, at 2952 Luella Road. The owners would like to Plat the property into two lots for residential development.

The Final Plat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT SOUTH SIDE ADDITION (2005 S. SAM RAYBURN FRWY)

REPLAT APPROVAL OF BLOCK 43R, LOT 1, SOUTH SIDE ADDITION, BEING A REPLAT OF THE FINAL PLAT OF BLOCK 43R, LOT 1, SOUTH SIDE ADDITION, BEING A 13.59 TRACT IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING MULTIPLE TRACTS: TRACT 1, BEING A 7.036 ACRE TRACT; TRACT 3, BEING ALL OF BLOCKS 38, 39 AND A PORTION OF BLOCK 37 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 31, 40, AND 41 OF SOUTHSIDE ADDITION; AND TRACT 4, BEING A 0.888 ACRE TRACT, EXCEPT A CALLED 0.487 ACRE PORTION OF LOTS 7-12, BLOCK 39 AND TRACT 4, BEING A PORTION OF COTTAGE AVENUE (UNIMPROVED) ABANDONED BY CITY ORDINANCE NO. 4880, DESCRIBED IN QUITCLAIM DEED, VOLUME 2967, PAGE 608, O.P.R.G.C.T; FRHP LINCOLNSHIRE, LLC, OWNER; CAMPING WORLD AND GOOD SAM, TENANTS; AND CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER AND SURVEYING (2005 SOUTH SAM RAYBURN FREEWAY)

The City Council approved the Replat of Block 43R, Lot 1, South Side Addition, located at 2005 South Sam Rayburn Freeway. Camping World and Good Sam are the tenants. The property is zoned a C-1 (Retail Business) District and M-1 (Light Manufacturing) District, and is located in the O-1.2 (Sam Rayburn) Overlay District. The owner would like to Replat the property into one lot for commercial development.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT AFFORDABLE SHERMAN ADDITION (1300 S. FM 1417)

REPLAT APPROVAL OF TRACT A AFFORDABLE SHERMAN ADDITION, BEING A REPLAT OF LOTS 2-6, BLOCK 6, HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, BEING LOTS 2-6, BLOCK 6, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, CONTAINING 4.91 ACRES; SHERMAN AFFORDABLE STORAGE INC., OWNER; AND CENTERLINE ENGINEERING AND CONSULTING, LLC, CIVIL ENGINEER/ SURVEYOR (1300 SOUTH FM 1417 (HERITAGE PARKWAY)

The City Council approved the Replat of Tract A Affordable Sherman Addition, located at 1300 South FM 1417. The property is zoned a C-1 (Retail Business) District and located in the O-1.1 (FM 1417) Overlay District. The owner would like to Replat five lots into one lot for commercial development of a Mini-Warehouse Facility.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

MEDIA QUESTIONS

MEDIA QUESTIONS
There were no media questions.

COUNCIL COMMENTS

COUNCIL MEMBER ATTENDANCE BY ZOOM

COUNCIL MEMBER ATTENDANCE BY ZOOM
Council Member Howeth said she was in the San Francisco Bay area of California, joining the meeting by Zoom. She mentioned the warm weather in Sherman and said it was really cold there.

ANNOUNCEMENTS

ANNOUNCEMENTS
Mayor Plyler announced the following:

- Thanked the staff that helped with the St. Patrick's Day Parade this weekend.

- Coffee with the Mayor will be held on April 2, 2021, at the First United Bank on Taylor Street. The Hot Summer Nights lineup will be announced.

- Downtown Sherman Now will host a huge sidewalk sale around the Court House Square on April 24, 2021. More than 25 local businesses will be participating.

EXECUTIVE SESSION

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.

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF

PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

TEX. GOV'T CODE § 551.072 --
DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --
DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --
DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 –
DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 –
DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

TEX. GOV'T CODE § 551.089 --
DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:45 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:10 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:11 p.m.

ADJOURNMENT

____

MAYOR

____

CITY CLERK