STATE OF TEXAS §

December 6, 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 Council Chambers of City Hall on December 6, 2021.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH. COUNCIL MEMBERS DOBBS, HOLLAND, MARROQUIN, STEVENSON, TEAMANN.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. Council Member Josh Stevenson asked Cub Scouts from Tiger Den Pack 7 to lead the Pledge of Allegiance. Leader Brian Blagg said they are working on their "Team Tiger" badge, and wanted to observe how a team works together to manage the City. The Invocation was given by Council Member Josh Stevenson.

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of November 1, 2021, the Called City Council Meeting of November 10, 2021, and the Regular City Council Meeting of November 15, 2021. Council Member Stevenson moved to approve the Minutes, as presented; Second by Council Member Teamann; All present voted AYE.
MOTION CARRIED.

CITIZEN'S COMMENTS

ORDINANCE NO. 6438, ZONE CHANGE AT 2100 EAST LAMAR STREET

ORD 6438
ZONE CHANGE AT 2100 E. LAMAR ST.

Peter Tracy, 705 S. Valentine, addressed the concerns of residents that live near the proposed zone change for 2100 East Lamar Street, and several developments in the same area. He said this development adds a lot of traffic to the area.

He said he recently drove Terrence Steele, Assistant City Manager, around to show him some of the issues, and he challenged anyone to be on Hwy 11 or Hwy 56 at 7:00 a.m. to see the amount of traffic.

He said some of the issues raised by residents included a lack of sidewalks for the middle school, and the maintenance of the sidewalks on Hwy 11, by Crutchfield Elementary School. He said the traffic includes 18-wheelers for local construction, and hauling grain. With additional homeowners, it will add even more traffic.

Mr. Tracy also addressed the congestion where Hwy 11 merges with Hwy 56. He talked with the Texas Department of Transportation last week and they told him they would "look into it." He said it's "back and forth between the City and the State, but the two need to come together." He said something needs to be done to improve the traffic situation.

CONSENT AGENDA

CONSENT AGENDA

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

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

CONSENT AGENDA

CONSENT AGENDA

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

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

ORD 6435
SUP FOR PAINT BOOTH (2005 S. SAM RAYBURN)

Mayor Plyler introduced Ordinance No. 6435 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A PAINT BOOTH IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1, BLOCK 43R OF THE REPLAT OF BLOCK 43R, LOT 1 SOUTH SIDE ADDITION (FRHP LINCOLNSHIRE, LLC, OWNER; CAMPING WORLD, TENANT; AND COREE CORBIN, CORBIN DESIGN COMPANY, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Rob Rae, Director of Development Services, explained that this is a Specific Use Permit to allow a paint booth at Camping World, at 2005 South Sam Rayburn.

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

Mike Bellows, 2005 S. Sam Rayburn Frwy

Mr. Bellows appeared representing Beacon Equipment Resources, an exclusive distributor for Global Finishing Solutions Paint Booth, which is the manufacturer of the booth they hope to install at Camping World. Mr. Bellows was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6435.

ORD 6436
SUP FOR 235 PATIO HOMES

Mayor Plyler introduced Ordinance No. 6436 and called for a public hearing:

(3100-3500 BLOCKS DRIPPING SPRINGS ROAD)

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 NO MORE THAN 235 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING LOTS 15-28, BLOCK B, LOTS 16-40, BLOCK C, LOTS 1-18, BLOCK D, LOTS 1-18, BLOCK E, LOTS 1-18, BLOCK F, LOTS 1-9, BLOCK G, LOTS 1-58, BLOCK H, LOTS 1-9, BLOCK J AND LOTS 1-66, BLOCK K OF THE PROPOSED REPLAT OF SWEETWATER SPRINGS, PHASE 2, A REPLAT OF LOT 15, BLOCK B, LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, BLOCK 7, HILLTOP ESTATES, LOTS 6-9, BLOCK 1, LOTS 2-5, BLOCK 6, MIDWAY ESTATES ADDITION, LOTS 2-9, BLOCK 1, LOTS 2-9, BLOCK 3, LOT 1, BLOCK 2 AND LOT 1, BLOCK 4, HILLTOP 2 ESTATES, PHASE 1 (BARTON CAPITAL, LTD AND JAMES AND LAURA FRAME, OWNERS; S2 LAND DEVELOPMENT, DEVELOPER; STRAND, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mr. Rae said this item is related to D-3 and G-1, which is all part of the same development. This Specific Use Permit would allow 235 patio homes at this location on Dripping Springs Road. The applicant is providing the required open space.

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

<u>Justin Christ, 910 Pinecrest Dr., Richardson, Texas</u>
Mr. Christ appeared representing the developer, S2 Land Development, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6436.

ORD 6437
ZONE CHANGE
(3100-3500 BLOCKS DRIPPING SPRINGS ROAD)

Mayor Plyler introduced Ordinance No. 6437 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 PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING 13.150 ACRES IN THE EUSTACIO CANTON SURVEY, ABSTRACT NO. 221 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AND BEING A PART OF BLOCK 7 OF A REPLAT OF A PART OF BLOCK NO. 5 AND ALL OF BLOCK NUMBERS 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 26, 27, 28, 29, AND 30 OF HILLTOP ESTATES INCLUDING A PART OF BLOCKS 1 AND 3 AND ALL OF BLOCKS 2 AND 4 OF THAT REPLATTED PORTION OF SAID BLOCK 7 KNOWN AS PHASE 1, HILLTOP 2 ESTATES ADDITION ALSO INCLUDING ALL OF THAT PORTION OF SAID BLOCK 7 KNOWN AS MIDWAY ESTATES PHASE 2 AND INCLUDING 2.81 ACRES LYING WITHIN THE LIMITS OF THE DEDICATED STREETS (BRYAN LANE, MARION LANE, HARRIET DRIVE AND CARTER COURT) (BARTON CAPITAL, LTD AND JAMES

AND LAURA FRAME, OWNERS; S2 LAND DEVELOPMENT, DEVELOPER; STRAND, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said a portion of this development is zoned Manufactured Housing and they are requesting that it be rezoned to R-1, so the entire development would be zoned R-1.

He said there were five citizens that appeared at the Planning and Zoning Commission Meeting, about the last item, with questions regarding flooding and traffic. They also received a letter from one citizen in the ETJ, with traffic concerns on Dripping Springs Road.

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

No citizens appeared before the City Council to discuss Ordinance No. 6437.

ORD 6438
ZONE CHANGE
(2100 E. LAMAR ST)

Mayor Plyler introduced Ordinance No. 6438 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 PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 2100 EAST LAMAR STREET, BEING 12.995 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963 (GARY L. MATTHEWS, OWNER; WYLDEWOOD HOMES, PROSPECTIVE BUYER; TIM PIKE, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this zone change is from R-1 and C-1 to R-2. The developer would like to subdivide the land into 60-foot parcels for duplexes. They are proposing 48 lots and 96 units at the site.

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

No citizens appeared before the City Council to discuss Ordinance No. 6438.

ORD 6439
ZONE CHANGE
(3800 BLOCK OF W. HOUSTON ST)

Mayor Plyler introduced Ordinance No. 6439 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 PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 3800 BLOCK OF WEST HOUSTON STREET, TRACT 1 – BEING 7.475 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 AND TRACT 2 – BEING 3.513 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 (F. GEORGE NIEBERG, M.D., OWNER; VILBIG & ASSOCIATES, PLLC, CIVIL ENGINEER/

REPRESENTATIVE; KINGDOM ROAD EQUITIES, LLC, DEVELOPER; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this item was for a zone change. The portion along Houston Street is zoned C-1, and they are asking for rezoning to R-1, to develop 306 lots for residential Single Family. The remaining portion of the tract is already zoned R-1.

Three citizens appeared before the Planning and Zoning Commission, with concerns about traffic and flooding. The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

Michael Carlisle, Kimley-Horn
Mr. Carlisle is the Civil Engineer on the project, and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6439.

ORD 6440
ZONE CHANGE
(400 W. HWY 82)

Mayor Plyler introduced Ordinance No. 6440 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 PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 400 WEST U.S. HIGHWAY 82, BEING 22.109 ACRES IN J.B. McANAIR SURVEY, ABSTRACT NO. 763 (AJH ENTERPRISES, LTD, OWNER; JON DAVID CROSS, CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER/REPRESENTATIVE; LEE ENGINEERING, PARKING STUDY; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this item is for a zone change from R-1 to R-2. The developer plans to construct a 288 unit, Multi-Family development, on the corner of Hickory Street and Hwy 82.

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

Jon David Cross, 1720 W. Virginia Parkway, McKinney, Texas
Mr. Cross appeared representing Cross Engineering Consultants, the Civil Engineer on the project. He was available to answer any questions that the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6440.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6435

ORD 6435 SUP FOR PAINT BOOTH (2005 S. SAM RAYBURN)

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 PAINT BOOTH IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1, BLOCK 43R OF THE REPLAT OF BLOCK 43R, LOT 1 SOUTH SIDE ADDITION (FRHP LINCOLNSHIRE, LLC, OWNER; CAMPING WORLD, TENANT; AND COREE CORBIN, CORBIN DESIGN COMPANY, REPRESENTATIVE) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Ordinance 6436

ORD 6436 SUP FOR 235 PATIO HOMES (3100-3500 BLOCKS DRIPPING SPRINGS ROAD)

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 NO MORE THAN 235 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING LOTS 15-28, BLOCK B, LOTS 16-40, BLOCK C, LOTS 1-18, BLOCK D, LOTS 1-18, BLOCK E, LOTS 1-18, BLOCK F, LOTS 1-9, BLOCK G, LOTS 1-58, BLOCK H, LOTS 1-9, BLOCK J AND LOTS 1-66, BLOCK K OF THE PROPOSED REPLAT OF SWEETWATER SPRINGS, PHASE 2, A REPLAT OF LOT 15, BLOCK B, LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, BLOCK 7, HILLTOP ESTATES, LOTS 6-9, BLOCK 1, LOTS 2-5, BLOCK 6, MIDWAY ESTATES ADDITION, LOTS 2-9, BLOCK 1, LOTS 2-9, BLOCK 3, LOT 1, BLOCK 2 AND LOT 1, BLOCK 4, HILLTOP 2 ESTATES, PHASE 1 (BARTON CAPITAL, LTD AND JAMES AND LAURA FRAME, OWNERS; S2 LAND DEVELOPMENT, DEVELOPER; STRAND, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Ordinance 6437

ORD 6437 ZONE CHANGE (3100-3500 BLOCKS DRIPPING SPRINGS ROAD)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING 13.150 ACRES IN THE EUSTACIO CANTON SURVEY, ABSTRACT NO. 221 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AND BEING A PART OF BLOCK 7 OF A REPLAT OF A PART OF BLOCK NO. 5 AND ALL OF BLOCK NUMBERS 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 26, 27, 28, 29, AND 30 OF HILLTOP ESTATES INCLUDING A PART OF BLOCKS 1 AND 3 AND ALL OF BLOCKS 2 AND 4 OF THAT REPLATTED PORTION OF SAID BLOCK 7 KNOWN AS PHASE 1, HILLTOP 2 ESTATES ADDITION ALSO INCLUDING ALL OF THAT PORTION OF SAID BLOCK 7 KNOWN AS MIDWAY ESTATES PHASE 2 AND INCLUDING 2.81 ACRES LYING WITHIN THE LIMITS OF THE DEDICATED STREETS (BRYAN LANE, MARION LANE, HARRIET DRIVE AND CARTER COURT) (BARTON CAPITAL, LTD AND JAMES AND LAURA FRAME, OWNERS; S2 LAND DEVELOPMENT,

DEVELOPER; STRAND, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6438 ZONE CHANGE (2100 E. LAMAR ST)

Ordinance 6438
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 2100 EAST LAMAR STREET, BEING 12.995 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963 (GARY L. MATTHEWS, OWNER; WYLDEWOOD HOMES, PROSPECTIVE BUYER; TIM PIKE, REPRESENTATIVE; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Deputy Mayor Howeth addressed Mr. Tracy's comments about traffic and the lack of sidewalks on Lamar Street, before the school became a middle school.

She said sidewalks are required on new homes that are being built. The City can't go back and require homeowners to put in sidewalks on a public road. She said she would like to see sidewalks constructed there and has mentioned it to the Sherman Independent School District. Deputy Mayor Howeth said she is also concerned about that, but is not sure the City can do anything about it.

ORD 6439 ZONE CHANGE (3800 BLOCK OF W. HOUSTON ST)

Ordinance 6439
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED IN THE 3800 BLOCK OF WEST HOUSTON STREET, TRACT 1 – BEING 7.475 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 AND TRACT 2 – BEING 3.513 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 (F. GEORGE NIEBERG, M.D., OWNER; VILBIG & ASSOCIATES, PLLC, CIVIL ENGINEER/ REPRESENTATIVE; KINGDOM ROAD EQUITIES, LLC, DEVELOPER; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Council Member Teamann asked if sidewalks on Hwy 56 were a requirement for this development. Wayne Lee, Director of Engineering, said the City doesn't have engineering plans on that project yet. Clint Philpott, Assistant City Manager, said, "right now it would be a sidewalk to nowhere," but there are sidewalks required by the City on many TxDOT projects. He added, that, if it's practical to put them in, the City can have them put them in.

Mayor Plyler added, if there are sidewalks on Hwy 56, the City would need to look at speed limits and crossing requirements, where the kids would cross the highway.

Mr. Tracy said everyone can blame each other and say it's someone else's responsibility, but the City, State, and School District need to come together and do something about it.

ORD 6440
ZONE CHANGE
(400 W. HWY 82)

Ordinance 6440
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 400 WEST U.S. HIGHWAY 82, BEING 22.109 ACRES IN J.B. McANAIR SURVEY, ABSTRACT NO. 763 (AJH ENTERPRISES, LTD, OWNER; JON DAVID CROSS, CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER/REPRESENTATIVE; LEE ENGINEERING, PARKING STUDY; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Ordinance Nos. 6435, 6436, 6437, 6438, 6439, and 6440, as presented. Second by Deputy Mayor Howeth.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6812
PURCHASE OF LAND
ADJACENT TO
WTP
(FM 691 & LA CIMA RD)

RESOLUTION NO. 6812 – AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT WITH BARRETT KEITH BROWN FOR THE PURCHASE OF APPROXIMATELY 39.95 ACRES OF LAND, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF FM 691 AND LA CIMA ROAD IN THE CITY OF SHERMAN, TEXAS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT WITH BARRETT KEITH BROWN FOR THE PURCHASE OF APPROXIMATELY 39.95 ACRES OF LAND, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF FM 691 AND LA CIMA ROAD IN THE CITY OF SHERMAN, TEXAS.

Mr. Philpott said this resolution approves and ratifies all actions that the City Manager has taken to enter into a purchase agreement for about 40 acres of land, north of the Water Treatment Plant. The agreed price, per the contract, is $38,500 per acre.

The intended use of this site is to provide acreage to expand the Water Treatment Plant, and to provide a potential, regional raw water lake or reservoir to add to the water system.

Ryan Pittman, City Attorney, recommended that the motion include a phrase to ratify all action taken by the City Manager in connection with this purchase.

ACTION TAKEN.
Motion by Council Member Stevenson to approve Resolution No. 6812, and to ratify all action taken by the City Manager to approve this purchase, as presented. Second by Council Member Teamann.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6813
CBD HISTORIC BLDG GRANT PROGRAM
(100 N. TRAVIS ST)

<u>RESOLUTION NO. 6813 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH KARA MASSENGALE D/B/A SPECS IN THE CITY UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 100 N. TRAVIS STREET</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH KARA MASSENGALE D/B/A SPECS IN THE CITY UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 100 NORTH TRAVIS STREET.

Nate Strauch, Community and Support Services Manager, explained that this resolution was a result of the City's efforts to reach out to business owners that were impacted by the recent fire at Kelly Square. The City hosted a meeting shortly after the fire with key staff members to try and determine ways the City could help these businesses and get them reestablished as quickly as possible.

Some of that help has included providing free dumpsters to help clean out the stores. This was another program that the staff worked on with Ms. Massengale to help her temporally relocate her business to another downtown building.

In order to move her business to 100 North Travis Street, she will be required to finish out the space that was formally Gelati's, at a significant cost.

By modifying the rules of the grant and allowing a 50% matching grant, instead of the usual 25%, in conjunction with the efforts of the property owner trying to provide some rent relief, they hope to get her back in business within a couple of months, with little out-of-pocket cost to her.

Council Member Stevenson asked if it was anticipated that any other applicant might apply for the grant. Mr. Strauch said this situation was a little unique, because some of the other business owners had insurance, and those issues must be settled first. In this case, there was not sufficient coverage to cover the loss.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6813, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6814
TEXOMA REGIONAL POLICE ACADEMY GUIDELINES

RESOLUTION NO. 6814 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COLLEGE IN ORDER TO ESTABLISH GUIDELINES FOR THE TEXOMA REGIONAL POLICE ACADEMY AND THE CADETS THAT THE SHERMAN POLICE DEPARTMENT SENDS TO THE ACADEMY
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COLLEGE IN ORDER TO ESTABLISH GUIDELINES FOR THE TEXOMA REGIONAL POLICE ACADEMY AND THE CADETS THAT THE SHERMAN POLICE DEPARTMENT SENDS TO THE ACADEMY.

Zach Flores, Police Chief, said the Texoma Regional Police Academy is one of two police academies that they have used. In the last year, they have come under new leadership, and this agreement will help establish guidelines and set expectations for both parties involved.

There are no financial obligations to this agreement, it just sets expectations. The City does provide several instructors and it does allow them the opportunity to recoup some costs if they choose. Both parties have agreed on the terms and the expectations that are set by the agreement.

ACTION TAKEN.
Motion by Council Member Holland to adopt Resolution No. 6814, as presented. Second by Council Member Dobbs.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6815
WATER SYSTEM EMERGENCY BACKUP POWER PROJECT

RESOLUTION NO. 6815 – AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC, DBA PARKHILL FOR THE WATER SYSTEM EMERGENCY BACKUP POWER PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC. DBA PARKHILL FOR THE WATER SYSTEM EMERGENCY BACKUP POWER PROJECT.

Mr. Philpott said this resolution was for additional engineering fees for the Water Treatment Plant Emergency Generator Project. The increase was because the project will now be divided into three phases to increase the speed and effectiveness of the phases.

Phase 1 will include the switch gear and the automatic transfer switch, which was a concern from the plant staff on switching from one Oncor feed to the other Oncor feed. This would allow automatic switching. Eaton will start providing the equipment and installation.

Phase 2 will engage and bid out the actual generator. Eaton will supply everything needed except the generator. Phase 3 is for the generator and switch gear that will be needed at the Lake Pump Station.

Part of this process is included in the next agenda item, where North Texas Municipal Water District is making electrical improvements to the Pump Station in Lake Texoma. Because of that, the City can't do their design until they know what NTMWD's design is.

Therefore, the third phase is to get the final design from NTMWD, so Parkhill, Smith & Cooper can be sure that what they are doing will work with the new generator switch gear.

Council Member Teamann said there are similar issues at the Wastewater Treatment Plant, and he was assured that was on a separate contract.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6815, as presented. Second by Council Member Holland.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6816
NTMWD COST SHARE AGREEMENT FOR LAKE TEXOMA PUMP STATION ELECTRICAL IMPROVEMENTS

<u>RESOLUTION NO. 6816 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) FOR THE COST SHARE AGREEMENT FOR LAKE TEXOMA PUMP STATION 2019 ELECTRICAL IMPROVEMENTS PROJECT NO. 101-0530-19</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH NORTH TEXAS MUNICIPAL WATER DISTRICT FOR THE COST SHARE AGREEMENT FOR LAKE TEXOMA PUMP STATION 2019 ELECTRICAL IMPROVEMENTS PROJECT NO. 101-0530-19.

Mr. Philpott said this resolution would allow the Greater Texoma Utility Authority to enter into a cost share agreement with the NTMWD. In the agreement, GTUA is designated as the City's sponsoring entity for water rights.

The total agreement is for $3.46 million, which is 20% of the total cost incurred by the NTMWD for the design and construction. The first phase will be Oncor's substation, with construction starting in March 2022.

Phase 2 is the North Texas side of the substation. Oncor will actually operate and maintain the substation, and deliver power to the City of Sherman or to NTMWD. NTMWD will design a switch

gear for their pumps, starting next month, with expected construction to start this time next year.

He said the City should have a final design this summer, to move forward with our portion of the generator. The construction of the generator will depend on how quickly this project moves forward. He said it is a very significant project that will add redundancy to the substations and allow for future expansion. This expansion will be needed very soon for additional pump capacity for both NTMWD and for the City of Sherman.

Council Member Stevenson asked how an additional six-foot line affects the future. Mr. Philpott said this design is set up for the ultimate pump capacity for all that Sherman and all that NTMWD currently have rights for.

He added that part of the ultimate design for NTMWD is to have three lines, the existing 72-inch, a proposed 84-inch, and sometime in the next 20 years, an additional 84-inch. The expansion capacities will include all three of these very large lines.

Council Member Dobbs asked if the project qualifies for the grant funding, and if so, how will that change Sherman's expense. Mr. Philpott said the City was awarded grant funding of about $9 million. The government has put certain stipulations on that money.

The City has a lot of projects, so the money will be spent according to the Federal guidelines. If it can't be spent on this project, it will go toward some of the other projects on the Capital Improvement Program list, that fall into the Federal guidelines. He said the grant money will be used.

Council Member Teamann clarified that the $13 million cost is just for the upgrade to the electrical system, not including generators. Council Member Holland asked about possible change orders to the project next year.

Mr. Philpott said these are estimated costs, so whatever the actual costs end up being, the City will be expected to pay 20% of that new cost. Oncor's portion of the cost is now "fixed."

Drew Satterwhite, GTUA General Manager, confirmed that Oncor's portion of the cost is fixed, and the engineering is fixed. Immediately on completion of this project, that Pump Station will have 15 mgd more capacity, because they can run their pumps unrestricted. This means that Sherman will get an additional 3 mgd, day one with the new electrical system being in place. This is in addition to the bigger pumps.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6816, as presented. Second by Council Member Holland.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6817 WWTP STORMWATER MANAGEMENT PROJECT

RESOLUTION NO. 6817 – ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION LLC AS COMPLETE FOR THE CONSTRUCTION OF THE SHERMAN WASTEWATER TREATMENT PLANT STORMWATER MANAGEMENT PROJECT
A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC AS COMPLETE FOR THE CONSTRUCTION OF THE SHERMAN WASTEWATER TREATMENT PLANT STORMWATER MANAGEMENT PROJECT.

Tom Pruitt, Utility Engineer, said this resolution formally accepts the construction as complete on the Wastewater Treatment Plant Stormwater Lift Station Project. Lynn Vessels Construction officially completed the project on June 24, 2021, and the project includes a two-year warranty.

There was one change order on the project, which reduced the project from $1.17 million to $933,000, reducing the original contract by $184,000. Funding was from loans made to GTUA, from the Texas Water Development Board.

Council Member Stevenson confirmed that the warranty begins at the date of "substantial completion," which would be June 24, 2021. Council Member Teamann said these projects are seldom brought back to the Council for final approval, and asked why this one was. Mr. Philpott said this is a requirement of the Water Development Board. Using their funding, requires the City Council to formally accept the project.

Mr. Pruitt added that this is the first project of the $13.595 million undertaking at the Wastewater Treatment Plant. There are seven more projects remaining.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6817, as presented. Second by Deputy Mayor Howeth.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6818 ENCROACHMENT ACCESS DRIVE, PARKING, & DRAINAGE PIPE (WEST TRAVIS ADDITION)

RESOLUTION NO. 6818 – AUTHORIZING EXECUTION OF AN ENCROACHMENT AGREEMENT WITH ENTERPRISE TEXAS PIPELINE, LLC FOR THE INSTALLATION OF A TWENTY-FOUR (24) FOOT WIDE ACCESS DRIVE, PARKING, AND A TWENTY-FOUR (24) INCH DRAINAGE PIPE WITHIN THE 50' PIPELINE EASEMENT AS FILED IN VOLUME 4518, PAGE 741, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS, FOR ENTRY PURPOSES TO LOT 1 OF THE PROPOSED SHERMAN PD FACILITY ON WEST TRAVIS ADDITION IN THE CITY OF SHERMAN
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT AGREEMENT WITH ENTERPRISE TEXAS PIPELINE, LLC FOR THE INSTALLATION OF A TWENTY-FOUR (24) FOOT ACCESS DRIVE, PARKING, AND TWENTY-FOUR (24) INCH DRAINAGE PIPE WITHIN THE 50' PIPELINE EASEMENT AS FILED

IN VOLUME 4518, PAGE 741, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS, FOR ENTRY PURPOSES TO LOT 1 OF THE PROPOSED SHERMAN PD FACILITY ON WEST TRAVIS ADDITION IN THE CITY OF SHERMAN.
CONSENT AGENDA.

RES 6819
VALVE MAINT.
TRAILER

<u>RESOLUTION NO. 6819 – AUTHORIZING THE PURCHASE OF A NEW SINGLE TURNER VALVE MAINTENANCE TRAILER FROM E.H. WACHS FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW SINGLE TURNER VALVE MAINTENANCE TRAILER FROM E.H. WACHS FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RES 6820
COMPACT MINI
EXCAVATOR

<u>RESOLUTION NO. 6820 – AUTHORIZING THE PURCHASE OF A NEW COMPACT MINI EXCAVATOR FROM HOLT CAT FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH SOURCEWELL PURCHASING COOPERATIVE</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW COMPACT MINI EXCAVATOR FROM HOLT CAT FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH SOURCEWELL PURCHASING COOPERATIVE.
CONSENT AGENDA.

RES 6821
DUMP TRUCK

<u>RESOLUTION NO. 6821 – AUTHORIZING THE PURCHASE OF A NEW INTERNATIONAL MV607 DUMP TRUCK FROM SOUTHWEST INTERNATIONAL FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW INTERNATIONAL MV607 DUMP TRUCK FROM SOUTHWEST INTERNATIONAL FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBORD).
CONSENT AGENDA.

RES 6822
VEHICLE PURCHASE

<u>RESOLUTION NO. 6822 – AUTHORIZING THE PURCHASE OF A NEW 2022 FORD F 250 CREW CAB 4X4 FROM SILSBEE FORD FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH TIPS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2022 FORD F250 CREW CAB 4X4 FROM SILSBEE FORD FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH TIPS.
CONSENT AGENDA.

RES 6823
SEWER CAMERA

<u>RESOLUTION NO. 6823 – AUTHORIZING THE PURCHASE OF A NEW ROVVER X SEWER CAMERA FROM ENVIROSIGHT FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS</u>

LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW ROVVER X SEWER CAMERA FROM ENVIROSIGHT FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6824 – AUTHORIZING THE PURCHASE OF A NEW KUBOTA SKID STEER FROM ZIMMERER KUBOTA FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6824
SKID STEER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW KUBOTA SKID STEER FROM ZIMMERER KUBOTA FOR THE DISTRIBUTION SERVICES DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

RESOLUTION NO. 6825 – AUTHORIZING THE PURCHASE OF TWO (2) 2022 FORD F150 CREW CAB TRUCKS FOR THE SHERMAN FIRE DEPARTMENT AND THE EMERGENCY MANAGEMENT DEPARTMENT FOR SILSBEE FORD THROUGH THE TIPS PURCHASING COOPERATIVE

RES 6825
VEHICLE PURCHASE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF TWO (2) 2022 FORD F150 CREW CAB TRUCKS FOR THE SHERMAN FIRE DEPARTMENT AND THE EMERGENCY MANAGEMENT DEPARTMENT FROM SILSBEE FORD THROUGH THE TIPS PURCHASING COOPERATIVE.
CONSENT AGENDA.

RESOLUTION NO. 6826 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF SOUTHLAKE FOR POTENTIAL SAVINGS IN PURCHASING VARIOUS GOODS AND SERVICES

RES 6826
PURCHASING
AGREEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF SOUTHLAKE FOR POTENTIAL SAVINGS IN PURCHASING VARIOUS GOODS AND SERVICES.
CONSENT AGENDA.

REQUEST TO ADVERTISE
ANNUAL SUPPLY OF WATER CHEMICALS

REQ TO ADVERTISE
ANNUAL SUPPLY
OF CHEMICALS

The City Council approved the request to advertise for the annual supply of water chemicals for the calendar year 2022. These chemicals are used at the Water Treatment Plant and the Wastewater Treatment Plant.
CONSENT AGENDA.

<u>ANNUAL SERVICES FOR FINISH AND ROUGH MOWING OF VARIOUS CITY PROPERTIES</u>

FINISH & ROUGH MOWING

The City Council approved the request to advertise for finish and rough mowing of various City properties. This includes the annual mowing of City boulevards, islands, street rights-of-way, and other City properties.
CONSENT AGENDA.

<u>OTHER BUSINESS</u>

<u>REPLAT APPROVAL OF SWEETWATER SPRINGS, PHASE 2, A REPLAT OF LOT 15, BLOCK B, LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, BLOCK 7, HILLTOP ESTATES, LOTS 6-9. BLOCK 1, LOTS 2-5, BLOCK 6, MIDWAY ESTATES ADDITION, LOTS 2-9, BLOCK 1, LOTS, 2-9, BLOCK 3, LOT 1, BLOCK 2 AND LOT 1, BLOCK 4, HILLTOP 2 ESTATES, PHASE 1, BEING 44.044 ACRES IN EUSTACIO CANTON SURVEY, ABSTRACT NO. 221 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND BEING ALL OF LOTS 15, BLOCK B AND LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, AND BEING A PART OF BLOCK 7 OF A REPLAT OF A PART OF BLOCK NO. 5 AND ALL OF BLOCK NUMBERS 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 26, 27, 28, 29, AND 30 OF HILLTOP ESTATES, INCLUDING A PART OF BLOCKS 1 AND 3 AND ALL OF BLOCKS 2 AND 4 OF THAT REPLATTED PORTION OF SAID BLOCK 7 KNOWN AS PHASE 1, HILLTOP 2 ESTATES ADDITION, ALSO INCLUDING ALL OF THAT PORTION OF SAID BLOCK 7 KNOWN AS MIDWAY ESTATES PHASE 2, AND 5.21 ACRES LYING WITHIN THE LIMITS OF THE DEDICATED STREETS (HILLTOP DIRVE, BRYAN LANE, MARION LANE, HARRIET DRIVE AND CARTER COURT); BARTON CAPITAL LTD AND JAMES AND LAURA FRAME, OWNERS; S2 LAND DEVELOPMENT, DEVELOPER; STRAND, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR (3100-3500 BLOCKS DRIPPING SPRINGS ROAD)</u>

APPROVE REPLAT SWEETWATER SPRINGS PHASE 2 (3100-3500 BLOCKS DRIPPING SPRINGS RD)

Mr. Rae said this item was removed from the Consent Agenda because its approval is contingent on the approval of the Specific Use Permit and the Zone Change for Sweetwater Springs, Phase 2. This is the plat for those items.

The Planning and Zoning Commission approved the item through consent and it is presented for the Council's approval.

Deputy Mayor Howeth asked what is located in the area that this area "wraps around." Mr. Rae said it is property owned by a different owner that is not involved in this project.

Council Member Teamann said he appreciated the developer giving 18% of the property or more to greenspace, versus the 10% that was required.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Replat of Sweetwater Springs, Phase 2, located in the 3100 to 3500 blocks of Dripping Springs Road, subject to the Staff Review Letter, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

<u>REPLAT APPROVAL OF L.R. KANE ADDITION, LOTS 1 & 2, BLOCK A, BEING A REPLAT OF LOTS 57 & 59, BLOCK F, MAXEY ADDITION, BEING LOTS 57 AND 59, BLOCK F, MAXEY ADDITION; THE DURHAM GROUP, LLC AND KATELYN DAVID, LLC, OWNERS; AND ELD ENGINEERING, INC., CIVIL ENGINEER/SURVEYOR (1808 NORTH LOCKHART STREET)</u>

APPROVE REPLAT L.R. KANE ADDITION (1808 N. LOCKHART)

Mr. Rae said the owner of this property has requested that it be replatted into two lots for a Single-Family development. The Planning and Zoning Commission approved the request in consent.

ACTION TAKEN.

Motion by Council Member Teamann to approve the Replapt of L.R. Kane Addition, located at 1808 North Lockhart Street, subject to the Staff Review Letter, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Teamann.
VOTING NAY: None.
ABSTAIN: Stevenson.
MOTION CARRIED.

<u>REPLAT APPROVAL OF LOT 1 AND PART OF LOT 3, BLOCK 3, R.A. KING ADDITION, BEING A REPLAT OF LOT 1 AND PART OF LOT 3, BLOCK 3 OF THE R.A. KING ADDITION, BEING 0.269 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING ALL OF LOT 1 AND PART OF LOT 3, BLOCK 3, ROBERT A KING'S ADDITION; JAMES GARZA, OWNER; GEORGE ODWESSO, DEVELOPMENT; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR (702 SOUTH MONTGOMERY STREET)</u>

APPROVE REPLAT R.A. KING ADDITION (702 S. MONTGOMERY)

The City Council approved the Replat of a tract of property in the R.A. King Addition, located at 702 South Montgomery Street. The 0.269 acre tract is zoned an R-2 (Multi-Family Residential) District. The owner would like to plat the property into one lot for residential development.

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

<u>REPLAT APPROVAL OF THE NORTH 70 FT. OF LOT 3, BLOCK 4, W.D. FITCH ADDITION, BEING 0.225 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 AND BEING THE NORTH 70' OF LOT 3, BLOCK 4, W.D. FITCH ADDITION; M&G HOME BUILDERS, OWNER; AND HELVEY-WAGNER SURVEYING, INC. SURVEYOR (1207 SOUTH FIRST STREET)</u>

APPROVE REPLAT W.D. FITCH ADDITION (1207 S. FIRST ST)

The City Council approved the Replat of a tract of property in the W.D. Fitch Addition, located at 1207 South First Street. The 0.225 acre tract is zoned an R-1 (One-Family Residential) District. The owner would like to plat the property into one lot for residential development.

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

REPLAT APPROVAL OF THE SOUTH 31 FT. OF LOT 3 AND THE NORTH 39 FT. OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION, BEING 0.241 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING THE SOUTH 31 FT. OF LOT 3 AND THE NORTH 39 FT. OF LOT 5, BLOCK 3, ROBERT A KING'S ADDITION; RIVERA & CINTRON, LLC, OWNERS AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (708 SOUTH MONTGOMERY STREET)

APPROVE REPLAT ROBERT A. KING'S ADDITION (708 S. MONTOMGERY)

The City Council approved the Replat of a tract of property in the Robert A. King's Addition, located at 708 South Montgomery Street. The 0.241 acre tract is zoned R-2 (Multi-Family Residential) District. The owner would like to plat the property into one lot for residential development.

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

FINAL PLAT APPROVAL OF LAUREL CREEK ADDITION, SECTION FOUR, BEING 9.620 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763, MITCHELL ENTERPRISES, LTD, OWNER; VILBIG & ASSOCIATES, PLLC, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (400 BLOCK LAUREL CREEK DRIVE)

APPROVE FINAL PLAT LAUREL CREEK ADDITION (400 BLOCK LAUREL CREEK DR)

The City Council approved the Final Plat of Laurel Creek Addition, Section Four, located in the 400 block of Laurel Creek Drive. The 9.620 acre tract is zoned an R-1 (One-Family Residential) District. The owner would like Final Plat approval for 24 residential lots.

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

COUNCIL COMMENTS
CHRISTMAS PARADE

CHRISTMAS PARADE

Council Member Holland commended the City staff for the great job they did with the Christmas Parade this year.

CHRISTMAS PARADE

CHRISTMAS PARADE

Council Member Teamann also commended the staff on the Christmas Parade and said he appreciated the efforts of the Police and Fire Departments.

NEW CITY COUNCIL MEMBER

NEW CITY COUNCIL MEMBER

Council Member Teamann recognized new Council Member Juston Dobbs, saying this was the first night with the full, new Council.

ANNOUNCEMENTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- **The groundbreaking for the new Police Headquarters will be held tomorrow at 11:00 a.m., at the corner of Northgate and West Travis Street.**

- The walking trail at Pecan Grove West will be filled with over 5.5 miles of twinkling lights this year, beginning on December 11, 2021. Parks and Recreation will turn the lights on at 5:30 p.m. for a celebration with music, food trucks, hot chocolate, and games. For the rest of December, the lights will turn on at 5:30 p.m. and turn off at 11:00 p.m., every night.

- Both the Senior Citizen's Center and the Library have a month full of holiday-themed events. A complete list is available on Facebook.

EXECUTIVE SESSION MOTION
MOTION
RES 6812

<u>**EXECUTIVE SESSION MOTION**</u>
ACTION TAKEN.
Motion by Deputy Mayor Howeth to convene in Executive Session to discuss Item E-1, Resolution No. 6812, under Section 551.072 of the Texas Open Meetings Act. Second by Council Member Stevenson.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

EXECUTIVE SESSION

<u>**EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)**</u>
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
(a) Receive legal advice regarding proposed interlocal agreement for animal shelter services with Grayson County, Texas, and related issues
(b) Receive legal advice regarding proposed amendment to the Bel Air Village development regulations

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

- **(a) Sherman Economic Development Corporation Board of Directors (3)**
- **(b) Sherman Economic Development Corporation Ex-Officio member (1)**

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

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

- **(a) Project Charge**
- **(b) Project Edge**

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 5:49 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:32 p.m. and reconvened in Open Meeting.

OPEN MEETING

<u>OPEN MEETING</u>
Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

SEDCO BOARD OF DIRECTORS & EX-OFFICIO MEMBER

<u>APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS</u>
<u>SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS (3)</u>
<u>SHERMAN ECONOMIC DEVELOPMENT CORPORATION EX-OFFICIO MEMBER (1)</u>
ACTION TAKEN.

Motion by Council Member Dobbs to reappoint Jason Brumm and Janie Bates, to the Sherman Economic Development Corporation Board of Directors, for a term from October 1, 2021

to October 1, 2024, to appoint Dr. Al Hambrick to serve from December 7, 2021 to October 1, 2024, to appoint Shawn Teamann to serve as an Ex-Officio Member for a term from October 1, 2021 to October 1, 2022, and to appoint Juston Dobbs to serve as an Ex-Officio Member for a term from December 7, 2021 to October 1, 2022. Second by Council Member Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:35 p.m.

____
MAYOR

____
CITY CLERK