

COUNCIL MINUTES – MARCH 1, 2021

The City has no paving or utilities in the alley, and franchise utilities have been notified and do not contest the abandonment of the alley.

No citizens appeared before the City Council to discuss Ordinance No. 6361.

Mayor Plyler introduced Ordinance No. 6362 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED RIGHT-OF-WAY IDENTIFIED AS “LILA STREET” IN SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN VOLUME 3, PAGE 63, PLAT RECORDS, GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

**ORD 6362
ABANDON PORTION
OF LILA STREET**

Mr. Lee said Lila Street was a proposed “stub out” from the old Copley Addition Plat, to join the neighboring property to the east. It was never built or developed.

The new developer is proposing to replat the properties and turn the 50’ wide stub out into a buildable lot. None of the franchising utilities have any issues with the request and the staff recommends that a portion of Lila Street be abandoned.

No citizens appeared before the City Council to discuss Ordinance No. 6362.

Mayor Plyler introduced Ordinance No. 6363 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A REVISED OFFICIAL ZONING MAP; PROVIDING A PENALTY CLAUSE, REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

**ORD 6363
OFFICIAL ZONING MAP**

Rob Rae, Director of Development Services, said this item is to update the official Zoning Map, that is located in the City Clerk’s Office, the Council Chambers, and the Development Services Office.

Since July 15, 2019, there have been 21 building cases, of which 17 have been approved. This map update would reflect those cases in the official Zoning Map.

No citizens appeared before the City Council to discuss Ordinance No. 6363.

Mayor Plyler introduced Ordinance No. 6364 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM,

**ORD 6364
SPEED LIMITS ON
HWY 82 FRONTAGE
ROADS**

REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF THE U.S. HIGHWAY 82 FRONTAGE ROADS IN THE CORPORATE LIMITS OF SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPELAER.

Clint Philpott, Assistant City Manager, said this was requested by the Texas Department of Transportation, as part of the construction on the US Hwy 75-82 Interchange. They requested a reduction in speed on the Frontage Road between Texoma Parkway and Travis Street, from 50 mph to 45 mph. This would produce safer working conditions and allow TxDOT to continue with their work projects.

Once the project is complete, the speed would increase back to 50 mph.

No citizens appeared before the City Council to discuss Ordinance No. 6364.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6361

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE PLATTED ALLEY WEST OF LOTS 1 & 2, BLOCK 3, LUCKETT PARK ADDITION (TRACT ONE) AND A PORTION OF THE PLATTED ALLEY WEST OF LOTS 1-3, BLOCK 4, MILDRED HEIGHTS ADDITION (TRACT TWO) IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN VOLUME 292, PAGE 52, AND VOLUME 191, PAGE 1, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE SURROUNDING PROPERTY OWNER, BOYS AND GIRLS CLUB OF SHERMAN, INC.; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6361
ABANDON ALLEY
LUCKETT PARK
ADDITION & MILDRED
HEIGHTS ADDITION

Council Member Steele said he would like to abstain from the discussion and voting on Ordinance No. 6361, because he serves on the Board of Directors of the Boys and Girls Club.

Ordinance 6362

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED RIGHT-OF-WAY IDENTIFIED AS "LILA STREET" IN SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN VOLUME 3, PAGE 63, PLAT RECORDS, GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; PROVIDING A

ORD 6362
ABANDON PORTION
OF LILA STREET

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REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE
AND AN EFFECTIVE DATE.

Ordinance 6363

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, ADOPTING A REVISED OFFICIAL ZONING
MAP; PROVIDING A PENALTY CLAUSE, REPEALING/
SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN
EFFECTIVE DATE.

ORD 6363
OFFICIAL ZONING MAP

Ordinance 6364

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, ESTABLISHING MAXIMUM,
REASONABLE AND PRUDENT RATES OF SPEED ON
CERTAIN PORTIONS OF THE U.S. HIGHWAY 82 FRONTAGE
ROADS IN THE CORPORATE LIMITS OF SHERMAN,
GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR
VIOLATION THEREOF; DECLARING AN EMERGENCY;
PROVIDING FOR SEVERABILITY; PROVIDING FOR A
REPEALER.

ORD 6364
SPEED LIMITS ON
HWY 82 FRONTAGE
ROADS

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance
Nos. 6361, 6362, 6363, and 6364, as presented. Second by
Council Member Melton.

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

ABSTAIN: Steele.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 6701 – AUTHORIZING THE PURCHASE OF
A NEW 40 CUBIC YARD FRONTIER FRONT LOADER BODY
FROM BRIDGEPORT MANUFACTURING FOR THE SOLID
WASTE DEPARTMENT THROUGH HOUSTON-GALVESTON
AREA COUNCIL OF GOVERNMENTS (H-GAC)**

RES 6701
SOLID WASTE
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A
NEW 40 CUBIC YARD FRONTIER FRONT LOADER FROM
BRIDGEPORT MANUFACTURING FOR THE SOLID WASTE
DEPARTMENT THROUGH HOUSTON-GALVESTON AREA
COUNCIL (H-GAC).

Kevin Winkler, Public Works Manager, said they had
requested a new Solid Waste truck to be purchased from the
current budget. While moving forward with that purchase, it
was determined that the lead time on the purchase had
increased significantly.

Putting this additional truck in the next budget, the lead time
would be about 15 months, so they wouldn't receive the truck
until 2023. By ordering the truck now, they will have the ability
to actually pay for the truck out of the next budget year.

Mr. Winkler said purchase of this truck would also allow the
City to add a fifth sanitation route next year. They are currently
experiencing an increase in overtime.

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Council Member Steele confirmed that this truck would be a commercial front load truck and not a residential truck. Council Member Melton confirmed that the truck could be ordered without paying for it up front.

Mr. Hefton said the budget has not been built for FY 2022 yet. This truck was on the list for the next budget, and he said if it is ordered this year and a purchase order submitted, it would automatically be encumbered for next year.

In order to receive it and pay for it next year, the staff would need the Council's authority to order it this year.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6701, as presented. Second by Deputy Mayor Holland.

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

VOTING NAY: None.

MOTION CARRIED.

Council Member Steele asked about the additional fifth route Mr. Winkler was talking about. Mr. Winkler said there are currently five residential routes and this would move the front load to a fifth route as well.

He said during the last four years, they have increased the daily load they should be picking up by about 15%. The trucks are making many extra stops per day and must also drive to the landfill, so they are being overworked.

RESOLUTION NO. 6702 – AUTHORIZING THE PURCHASE OF A NEW 2021 AUTOCAR XPEDITOR ACX64 SUITABLE FOR USE AS A COMMERCIAL FRONT END LOADER FROM CHASTANG ENTERPRISES FOR THE SOLID WASTE DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2021 AUTOCAR XPEDITOR ACX64 SUITABLE FOR USE AS COMMERCIAL FRONT END LOADER FROM CHASTANG ENTERPRISES FOR THE SOLID WASTE DEPARTMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

**RES 6702
SOLID WASTE
EQUIPMENT**

Mr. Winkler said this is the second part of that original truck. One resolution is for the body and the other is for the chassis.

ACTION TAKEN.

Motion by Deputy Mayor Holland to adopt Resolution No. 6702, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6703 – AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE U.S. DEPARTMENT OF HOMELAND SECURITY – FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO FUND THE PURCHASE OF TECHNICAL RESCUE EQUIPMENT INCLUDING, BUT NOT LIMITED TO, HIGH ANGLE, SWIFT WATER, CONFINED SPACE, TRENCH RESCUE, ETC. FOR THE CITY OF SHERMAN FIRE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY

**RES 6703
FEMA GRANT FOR
FIRE DEPT.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION FOR A GRANT AWARDED UNDER THE U.S. DEPARTMENT OF HOMELAND SECURITY – FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO FUND THE PURCHASE OF TECHNICAL RESCUE EQUIPMENT INCLUDING, BUT NOT LIMITED TO, HIGH ANGLE, SWIFT WATER, CONFINED SPACE, TRENCH RESCUE, ETC. FOR THE CITY OF SHERMAN FIRE DEPARTMENT; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT ON BEHALF OF THE CITY.

Danny Jones, Fire Chief, said the funds from this FEMA grant would allow the Fire Department to replace some equipment in the technical rescue arsenal. They have had this equipment for quite a few years and it has reached its end of life. It will also allow them to add to the equipment needed.

A couple of years ago there were two fatalities in a vehicle that entered the drainage ditch, adjacent to US Hwy 75. One body was recovered quickly and the other took about a day and a half. At the time, they didn't have a boat that was suitable to use in the drainage ditch. The grant funding will allow purchase of a suitable boat.

The grant would allow the purchase of between \$79,000 and \$80,000 worth of equipment, and the City would match the grant by 10%, or \$7,900 or \$8,000.

Council Member Melton said she was pleased that they always looked for ways to save money, by going out for these grants.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6703, as presented. Second by Council Member Teamann.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RESOLUTION NO. 6704 – APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

**RES 6704
CERTIFICATES OF
OBLIGATION**

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND AUTHORIZING PUBLICATION AND POSTING OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Mary Lawrence, Director of Finance, said this pertains to the required notice that must be issued for the Certificates of Obligation. This was discussed at the last Council Meeting and the amount will be \$30 million.

Bids will be accepted at the April 19, 2021 Council Meeting, and will close on May 18, 2021. The bonds will be used for funding capital projects such as the Police Department Headquarters, as well as street projects depending on which developments happen first.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6704, as presented. Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6705 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH YOUNG ENTERPRISES, L.P. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN COTTAGES AT MAGNOLIA VILLAGE, A 6.166-ACRE DEVELOPMENT EAST OF HILRE DRIVE AND NORTH OF NORTH CREEK DRIVE IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH YOUNG ENTERPRISES, L.P. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN COTTAGES AT MAGNOLIA VILLAGE, A 6.166-ACRE DEVELOPMENT EAST OF HILRE DRIVE AND NORTH OF NORTH CREEK DRIVE IN THE CITY OF SHERMAN.

**RES 6705
DEVELOPMENT
AGREEMENT
MAGNOLIA VILLAGE**

Mr. Lee said this is a development agreement with Young Enterprises for the Cottages at Magnolia Village, a 6.166 acre development with 40 residential lots.

They will construct 4,000 feet of waterlines and streets, 3,500 feet of wastewater mains, and 2,000 feet of storm drains. All will be built to City specifications and inspected, and will be turned over to the City once completed.

There will be no City participation in the developer's agreement.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6705, as presented. Second by Deputy Mayor Holland.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6706 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WEISINGER INCORPORATED BASED ON AN INVITATION TO BID, FOR THE LUELLA 3 TRINITY WELL REPAIR

**RES 6706
WATER WELL
REPAIR**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WEISINGER INCORPORATED, BASED ON AN INVITATION TO BID FOR THE LUELLA 3 TRINITY WELL REPAIR.

Tom Pruitt, Utility Engineer, said bids have been opened for the Luella 3 Trinity Well repair. The project was estimated at \$275,000. There were two responsive bidders, with the low bidder being Weisinger, Inc., with a low bid of \$240,870.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6706, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6707 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ENGINEERING SERVICES FOR A WASTEWATER MASTER PLAN

**RES 6707
WASTEWATER
MASTER PLAN**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ENGINEERING SERVICES FOR A WASTEWATER MASTER PLAN.

Mr. Lee said Resolution 6707 and 6708 are related and pertain to a Wastewater Master Plan and a Water Master Plan. The staff is recommending that Freese and Nichols, Inc. provide these Master Plans, as they have for many other cities.

Sherman is growing and these plans will help with future planning for water lines, wastewater lines, and elevated storage tank locations. The Master Plans will also help with rate studies and impact fee studies.

Clayton Barnard, 36 Mirror Lake Court, Gunter, Texas 75058

Mr. Barnard appeared representing Freese and Nichols, Inc., to explain the process, and what a Master Plan is and what it does.

The plan identifies existing infrastructure and future needs, regulatory compliance issues, and assesses current known developments and zoning issues. It also addresses

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maintaining the desired level of service offered by the City. They will begin with population growth and demand projections, and will address what the City already has.

Mr. Barnard said they will also look at ways to serve customers outside the City, and how areas such as Howe, Dorchester, and Marilee would impact the City.

He gave an example of installing wastewater flow monitors that will help determine the existing system and how much inflow and infiltration the system receives during a storm event.

On the water side, Mr. Barnard said they install pressure testing on fire hydrants to see how the system is impacted in summer months. With the data collected, they determine a model development of the system for analysis.

Through these models they will be looking at what the City has today and where the deficiencies are. It will also project needs for future development. On the wastewater side, they will look at the process capacity of the system.

The water model will determine the ability to deliver water for the fire flow system to the specific parts of town. It will also determine storage capacity for ground and elevated storage, and pumping requirements. Through this analysis, they will determine needs within the system.

Mr. Barnard addressed the project schedule, which covers two years, and includes the timeframe for gathering the data. The end result will be a Master Plan Report, which includes Capital Improvement Projects, and a CIP Map with numbered projects. Projects will also include project summary sheets, which include the driver of the project, a description of the project, and an estimated cost for the project.

The model will provide a high level feasibility study that will provide help with development for the future.

Mr. Hefton said the Wastewater Master Plan will have some industrial aspects, and he asked if the study would look at local limits and the threshold of what they would receive at the plant. Also, would it address how pretreatment limits should be divided between the various industries. Mr. Barnard said their study would stay at the plant level and not “go back upstream.”

Council Member Teamann said considering how fast a City can grow, how long would the Master Plan be relevant. Mr. Barnard said it varies, but many cities complete Master Plans when they consider Impact Fees. If there has been a lot of changes, or a lot of development has come in, a new Master Plan would probably be needed.

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He said it's a dynamic tool, but an update might be looking at a snapshot and not completing the entire study again.

Mr. Hefton said an update could be tied into the update of the Comprehensive Master Plan, which considers many different elements to the study. The last Comprehensive Master Plan was adopted in 2009. Many of the elements have been revised since that time. These studies will now become integral parts of the Comprehensive Master Plan and be updated with that plan. He felt it should be updated in no more than five years.

Mr. Barnard said this original study would be more intense because they are building it from scratch and it will include a lot of background on the Wastewater Treatment Plant. They already had this data on the Water Treatment Plant. An update of the Comprehensive Plan builds upon the previous study.

Council Member Stevenson asked if the study would address pressure monitoring for the system. Mr. Barnard said they ask City staff about known issues and where the problems lie.

Mr. Hefton said that data would be useful to have, and low pressure monitors would be valuable to identify issues. The City just faced low pressure issues, as did much of Texas, during the recent snow storms. He wanted the study to identify areas that might be susceptible to low pressure problems.

Council Member Melton said she thought the study would take up to 24 months, and reiterated that the City had some major changes coming up. Mr. Barnard said if a new development came in, it would certainly be included, because they want the study to be as accurate as possible.

Mr. Hefton asked if it was possible for the City to set the direction of the study, and to suggest what would be reviewed first. There could be some large developments that have a direct impact on the City and they would need to be included.

Mr. Barnard said that might be possible, but it could be challenging. If you look at it before the model is developed, it becomes a "best guess" situation. If the City is dealing with a lot of issues with the infrastructure, that might move it up on the list.

Council Member Teamann said there are a lot of issues with the preexisting infrastructure, and he asked if the study would deal with older infrastructure or new infrastructure.

Mr. Philpott said they have models that have been developed, and have run those models on the "water side" to determine projected need, and they have worked well. He said the staff has a very good idea of where they stand on water. They do have questions on the sewer system.

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Council Member Melton mentioned sewer issues in the downtown area. Mr. Lee said the theoretical water model is not a calibrated one.

Council Member Teamann asked if the study would provide a better idea of what the impacts actually are and might be used to determine Impact Fee amounts. Mr. Hefton said it would.

Council Member Steele asked how the money for the Master Plans would be paid. Mr. Lee said it would be paid through monthly billing over the two year period, through the Greater Texoma Utility Authority.

Mary Lawrence, Director of Finance, added that it would be in the 2021 bond issue, to be considered at the March 15, 2021 Council Meeting. Mr. Hefton said it was in the City's budget for this year, and was about \$655,000 for both projects. About 75% of that will be for the Wastewater Master Plan, since that one is starting from scratch.

Council Member Teamann felt money should be budgeted every year to fund the updates, but funded through GTUA. Council Member Melton confirmed that it wouldn't be as expensive each time, since it would be an update and not from scratch.

Mr. Hefton said, in the future, if the Council wants, the cost associated with a planning effort like this, can be included in Impact Fees. Mr. Lee said the Master Plans were included in the Impact Fees already.

RESOLUTION NO. 6708 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ENGINEERING SERVICES FOR A WATER MASTER PLAN

**RES 6708
WATER MASTER PLAN**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ENGINEERING SERVICES FOR A WATER MASTER PLAN.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution Nos. 6707 and 6708, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6709 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BURGESS & NIPLE, INC. FOR THE DOWNTOWN SANITARY SEWER EVALUATION SURVEY

**RES 6709
DOWNTOWN
SANITARY SEWER
EVALUATION SURVEY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A

PROFESSIONAL SERVICES AGREEMENT WITH BURGESS & NIPLE, INC. FOR THE DOWNTOWN SANITARY SEWER EVALUATION SURVEY.

Mr. Lee said this is a professional services agreement to hire Burgess & Niple to perform a Sanitary Sewer Evaluation Study in the downtown area. This originated from a request by the Council to look at utilities downtown, because a number of businesses have complained about the odor.

Burgess & Niple will televise the lines and perform smoke testing to try and identify the lines and manholes that need to be rehabilitated or replaced. Cost will be about \$87,000, and will come from TIRZ #2.

Council Member Howeth confirmed that after this testing, the staff will know whether the problem is the City's lines, the individual businesses' lines, or a combination of the two. Mr. Lee said the company will provide a report, with recommendations.

Council Member Melton asked how this would impact the Wastewater Treatment Plant Master Plan that was just discussed. Mr. Lee said any pertinent data that Burgess & Niple obtain in their study, will be given to Freese & Nichols. However, the scope of the studies will be different.

Council Member Melton felt that part of the problem downtown was with the overflow in the manholes when it rains.

Council Member Teamann said this is not a runoff study, but asked if they do a fresh water study to determine if the City would have adequate water downtown if large businesses or apartments wanted to locate there. He ask if there was adequate runoff in that area. There are no storm sewers in the downtown area.

Mr. Philpott said Freese and Nichols is focused on the larger lines, and these are smaller lines. They don't check every line in the City, because the cost would be astronomical. They look at the large diameter lines for the Master Plan.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6709, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6710 – IN SUPPORT OF THE APPLICATION OF 1201 E. PECAN NORTH REAL ESTATES, LLC, TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION AT 1201 E. PECAN ST., SHERMAN, GRAYSON COUNTY, TEXAS

**RES 6710
MUNICIPAL SETTING
DESIGNATION
(1201 E. PECAN ST)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, IN SUPPORT OF THE APPLICATION OF 1201 E. PECAN NORTH REAL ESTATE, LLC, TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION AT 1201 E. PECAN ST., SHERMAN, GRAYSON COUNTY, TEXAS.

Mr. Lee said this is from Presco, and is Sherman's first Municipal Setting Designation application, and they must do this before they submit their application to the Texas Commission on Environmental Quality. City support for the project is a requirement from TCEQ.

This would allow their site to become a "brownfield site," which means there are ground contaminants, but they are not increasing or spreading, and not affecting any water well sites. This means that the site doesn't need to be cleaned and remediated to be sold or redeveloped. Halff Associates were hired to assist with review of the application.

Council Member Teamann said he understood that the site would still be cleaned up, but it would not be as extensive as it could have been.

Paul Manley, 1506 N. Alexander

Mr. Manley, is the Vice President of Engineering at Presco, and appeared representing the company. He said Council Member Teamann was correct. Under normal circumstances, they would be required to clean the groundwater to drinking water standards. With the designation, the scope of work would be less.

Mr. Manley said they volunteered to clean up their own site, and Council Member Melton verified that they are doing that on their own. They will follow TCEQ's direction as to what needs to be cleaned up.

Council Member Teamann said most of the sites are very old sites with very old contamination. Mr. Manley said their site is over 100 years old.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6710, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

REQUEST TO ADVERTISE

LEGACY SOUTH SURFACE WATER LINE PHASE I PROJECT

Tom Pruitt, Utility Engineer, said the request to advertise is for the Legacy South Surface Water Line Phase 1 Project, in Constitution Village. The engineering firm has designed the project and it is ready to advertise for bids.

REQ TO ADVERTISE

LEGACY SOUTH

SURFACE WATER LINE

PHASE 1 PROJECT

The project includes the construction of approximately 2,000 linear feet of 20" surface water line, and would be timed to coordinate with the Bel Air Planned Development.

Mr. Hefton added that the timing of the water lines is for Bel Air, but it would still be needed for growth. Bel Air is just the first part of that growth.

Mr. Pruitt said Phase 1 and Phase 2 will be tied to ground water for now, but will eventually be surface water. Mr. Hefton added that the capacity of the ground water is full, so this will extend surface water to the areas of town as a source of growth.

Mr. Pruitt said the water lines will be laid first so the City doesn't have to dig up their street to lay the lines. This will also put Constitution Village on surface water. Mr. Hefton said water demand in this area will dictate when it is actually switched to surface water.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the request to advertise for the Legacy South Surface Water Line Phase I Project, as presented. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

NORTH TRAVIS STREET & US 75 CROSSING WATER LINES PROJECT

Mr. Pruitt said this project has been in the Capital Improvement Program for a couple of years. There have been some easement delays, but the staff is now ready to advertise the project.

This is a two-phase project and includes the replacement of the existing water line on North Travis Street and a new US Hwy 75 water line crossing at Choctaw Creek. Both of the lines are replacing old water lines.

ACTION TAKEN.

Motion by Council Member Melton, to approve the request to advertise the North Travis Street and US 75 Crossing Water Lines Project, as presented. Second by Council Member Stevenson.

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

ABSTAIN: Teamann.

VOTING NAY: None.

MOTION CARRIED.

NORTHWEST SEWER AND FORCE MAIN IMPROVEMENTS AND NORTHWEST SEWER LIFT STATION PROJECT

Mr. Pruitt said this project has been on the list since 2017, when the City annexed Preston Club. They have been serving

**NORTH TRAVIS ST.
& HWY 75 CROSSING
WATER LINES
PROJECT**

**NORTHWEST SEWER
& FORCE MAIN
IMPROVEMENTS &
NORTHWEST SEWER
LIFT STATION**

them water and working to get easements for the project. That has been completed, and they now wish to advertise.

PROJECT

The project includes the Northwest Sewer and Force Main Improvements, and the Northwest Sewer Lift Station. That will put Preston Club on gravity sewer and allow for the abandonment of all their lift stations, treatment plant, and all remaining infrastructure.

ACTION TAKEN.

Motion by Council Member Melton to approve the Northwest Sewer and Force Main Improvements and Northwest Sewer Lift Station Project, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

DISCUSS AND CONSIDER APPROVAL OF THE BUDGET CALENDAR FOR FISCAL YEAR (FY) 2021-2022

BUDGET CALENDAR

Ms. Lawrence said the Budget Calendar is similar to last year, with the Budget Planning Meeting on April 22, 2021, and the Budget Workshop scheduled for June 17 and 18, 2021. However, she said it would probably only take one day.

Council Member Stevenson asked if the Budget Workshop could be scheduled for two days, because one day seems so rushed. Council Member Steele agreed that sometimes it was hard to get finished in one day.

Mr. Hefton said they could break it up so it's not a marathon of one day.

Council Member Melton asked if the June 3, 2021 Meeting for the Capital Improvement Program could be moved up. She may or may not be in town. Mr. Hefton said it could be moved to May 27 or 28, 2021.

ACTION TAKEN.

Motion by Deputy Mayor Holland to approve the Budget Calendar for Fiscal Year 2021-2022, moving the CIP Meeting. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

PRESENTATION TO PROVIDE AN UPDATE ON THE RECOVERY EFFORTS FROM THE FEBRUARY 2021 WINTER STORM OUTAGES

FEBRUARY 2021
WINTER STORM
OUTAGES

Mr. Hefton updated the Council on the recovery efforts from the February 2021 winter storm outages. He said there were problems across Texas with power and water, and it lasted for most of the week of February 15, 2021.

COUNCIL MINUTES – MARCH 1, 2021

Most water and power has been restored across the State, but many communities were under boil notices, and many residents have experienced burst pipes and water mains. Sherman is no exception and has had hundreds and hundreds of calls for water main breaks, and they are being handled on a priority basis.

As for weather, he said several records were set, including lowest low temperature, lowest high temperature, and lowest wind chill temperature. It was also the longest streak of days below freezing in decades. Daily lows were at or below freezing for 14 consecutive days. There were also power outages from rolling blackouts across the State, caused by an increased demand and decreased supply of gas-fired and “renewable energy.”

Sherman had power outages to thousands of residents and businesses for days, power shut-downs at the Water Treatment Plant, both primary and secondary feeds, and power instability at well-sites, shutting down well pumps and chlorinators.

Effects of the weather on the City’s water system included frozen well sites; frozen “process water” pipes and chemical feeds at the Water Treatment Plant, inside and outside of the buildings; main breaks in the distribution system from frigid temperatures; and service line problems at meters.

Effects of the power outages on the water system included the Water Treatment Plant production ceased (causing a cascade of issues); water pressure loss at the Water Treatment Plant because the pumps couldn’t pump; and well production was interrupted (contributing to problems).

Mr. Hefton presented an overview of the water system to help in understanding the problems that the City experienced.

He also presented the chronology of what happened starting Monday, March 15, 2021, with the major snow event, exacerbated by the power outages.

- WTP went down with power failure early Monday morning
- Surface water system (SWS) drained, leaving half of Sherman without pressure or water
- WTP power returns Monday afternoon
- Boil notice issued for SWS
- Ground water system (GWS) was left to provide water to entire City, but couldn’t keep up with demand, much less with filling the empty SWS
- GWS elevated tanks emptied, leaving GWS with no storage/pressure in elevated tanks and little or no pressure in lines, especially in higher elevations
- Boil notice issued for GWS

COUNCIL MINUTES – MARCH 1, 2021

There were also major problems when the Water Treatment Plant lost power. He also outlined the problems at that level.

Council Member Steele asked if the power went out or was shut off. Mr. Hefton said the power was “shut off” and the City of Sherman was “on the list.” The City has a primary electrical feed and a secondary electrical feed, and they were both shut off. And that started the entire problem. Mr. Hefton said the City should have been exempt from the shut offs, and he has now been told that in the future, the City will be exempt from the shut offs.

Mr. Hefton also addressed what the staff had to do when power was finally restored to the Water Treatment Plant, in order to restore water to customers.

The staff is still assessing lessons learned as part of the crisis, but has identified areas for improvement. These areas include:

- Backup power supply for surface water system, beyond ONCOR dual feed system (for the WTP, Texoma Pump Station, WWTP)
- Well system improvements
 - Get wells currently down for maintenance/repair back in operation
 - Evaluate additional ground storage/pump station improvement opportunities
- Weatherization improvements at WTP
- Increase brine disposal capacity at WTP
- Water system mapping and master plan

Mr. Hefton said the City staff rose to the challenge and worked diligently to serve the citizens of Sherman. Many departments continued to provide services such as Public Safety, Solid Waste, Fleet Maintenance, Facilities Maintenance, City Council Members, Utilities, Emergency Management, Streets, Parks & Ground Maintenance, and Communications.

He also recognized the multiple avenues of communication that were used during the event to get information to the public, including Code Red, social media, and the website, when the hundreds of calls each day couldn't be answered.

Mr. Hefton asked for Council input on, and support for water system improvements and contingency planning to address issues that happened during the emergency event. He also said several Council Members asked if there was something that could be done for the citizens, such as relief on their next water bill.

He asked if the Council wanted to provide some relief for residential water customers, on their next water bill. Council Members did want to provide something, and Mayor Plyler said he felt it should be geared toward citizens and not businesses or industries.

COUNCIL MINUTES – MARCH 1, 2021

Mr. Hefton said a specific dollar amount of credit can be provided on the next utility bill. The average water/sewer bill for residents is about \$60 per month. He said he has heard that other surrounding towns are giving a \$25 credit to citizens. There are 14,000 residential accounts. Council Members discussed giving a \$25 credit or a \$30 credit.

Council Member Melton asked how that credit would be applied for the residents in apartments, since most apartments have a master meter and water is included in the rent. They discussed whether or not the apartment management would pass the credit along to their residents.

Council Member Steele said it should be left to the apartment complex to determine how that would be handled. Council Member Teamann said they should be “strongly encouraged” to pass that along to their residents. Mr. Hefton said there will also be coverage through the media to help encourage the apartment complex to pass along the credit.

ACTION TAKEN.

Motion by Council Member Stevenson to approve a \$30 credit to all residential water customers on their utility bill, as presented. Second by Deputy Mayor Holland.

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

VOTING NAY: None.

MOTION CARRIED.

Council Member Melton said she would also like to see something for the employees that went “over and beyond” to show up and work through the issues. Mr. Hefton said they have already done that, and it will be effective on the next paycheck.

Council Member Howeth asked if there were any legal ramifications with Oncor, since the City’s power should not have been shut down. They caused a lot of expense, time, energy, and frustration during the event. They said ERCOT is probably who needs to be addressed. Council Member Stevenson asked if there was any way to quantify the damages or lost revenue the City experienced.

Ryan Pittman, Attorney, said many cities experienced the same thing, and that is being monitored now. The shutoff is particularly concerning, when it shouldn’t have happened.

Mayor Plyler said many citizens and employees were affected, and they must address the issues going forward. He said it also had a major impact on the local industries. He said they needed to review backup for all the City services, going forward.

Mr. Hefton said the staff will present suggestions on projects to implement for the future. Mayor Plyler said they would get a report on what other cities are doing too.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS**

HISTORICAL PRESERVATION BOARD (5)

Mr. Rae said the last time appointments were made to the Historical Preservation Board was in 2013. The Historical District is located in the 300 to 1300 block of South Crockett Street.

**HISTORICAL
PRESERVATION
BOARD**

Any time there is a change in the appearance of buildings or homes in this District, the applicant is required to go in front of the Historical Board to get approval. The meetings happen infrequently, maybe once or twice a year, and they are set up as needed.

The staff has received five applications for this Board, including two that actually live on Heritage Row. Another applicant is a Planning and Zoning Commission Member, as required by the bylaws.

ACTION TAKEN.

Motion by Council Member Howeth to appoint Clay Mahone, Ivert Mayhugh, Roderick Tatchio, Terrin Bertholf, and Robin Phillips to the Historical Preservation Board, for a term from March 2, 2021, to March 2, 2025. Second by Council Member Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

PREPARATION FOR FUTURE WEATHER EVENTS

Council Member Stevenson said he remembered working at KXII when water went over the Denison Dam Spillway, and that was a 100 year event. Since that time, water has gone over the Spillway two more times. He felt this “cold snap” might be more frequent too.

**PREPARATION FOR
FUTURE WEATHER
EVENTS**

He said he would like for the City to explore how they could be independent of any State or Federal agency, for producing electricity to run Sherman water.

He also wanted to thank everyone who went above and beyond to provide for the needs of Sherman citizens. He said he was proud of the community and everyone took care of each other.

TEAMWORK DURING WEATHER EVENT

Council Member Teamann agreed saying, the City needs to focus on every avenue possible to become independent and to provide energy to the Water Treatment Plant and all essential operations.

**TEAMWORK DURING
WEATHER EVENT**

COUNCIL MINUTES – MARCH 1, 2021

He said he saw teamwork among the City staff and everyone changed gears and focused on what they needed to do. He said everyone was focused on helping, including businesses and individuals.

GRATEFUL FOR EFFORTS

Council Member Steele said he was grateful for the City we live in and for everyone's efforts to get the community back to normal.

EVERYONE HELPED TAKE CARE OF EACH OTHER

Deputy Mayor Holland said everyone he called, to get help for someone "took care of business." He said he was proud to live in Sherman and glad the community was able to take care of their own. He wanted to move forward in becoming independent with the services.

USE OF SOCIAL MEDIA

Council Member Howeth said she felt social media helped a lot during the event. She used FaceBook and Twitter to answer questions and get help for people. She said most people didn't complain and they showed what this City is made of. She said she was proud to serve this community.

GETTING TO KNOW EMPLOYEES AND CITIZENS

Council Member Melton said she agreed with everyone, and appreciated getting to know the employees and citizens. She said it "felt like a family."

SHERMAN IS A SPECIAL PLACE

Mayor Plyler said Sherman is a special place and he is very proud of the employees and the citizens. Everyone came together to handle the situation.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Coffee with the Mayor will be held March 5, 2021, at the new Sherman High School's indoor practice field, located at 2902 W. Travis Street.
- Sherman Main Street will host their annual St. Patrick's Day Parade on March 13, 2021, in Downtown Sherman.
- The Sherman Chamber of Commerce will hold their annual awards luncheon virtually this year, with a livestream of the event beginning at noon on March 26, 2021. Contact the Chamber for more information.

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.

GRATEFUL FOR
EFFORTS

EVERYONE HELPED
TAKE CARE OF
EACH OTHER

USE OF SOCIAL MEDIA

GETTING TO KNOW
EMPLOYEES AND
CITIZENS

SHERMAN IS A
SPECIAL PLACE

ANNOUNCEMENTS

EXECUTIVE SESSION

TEX. GOV'T CODE § 551.071 --

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

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

COUNCIL MINUTES – MARCH 1, 2021

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 7:01 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:23 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 7:25 p.m.

ADJOURNMENT

MAYOR

CITY CLERK