

STATE OF TEXAS §
 February 18, 2019
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 February 18, 2019.

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

MEMBERS ABSENT: NONE.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of February 4, 2019. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Holland. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

FIRST PUBLIC HEARING

CONDUCT THE FIRST PUBLIC HEARING CONCERNING THE ANNEXATION OF A 9.758 ACRE TRACT OF LAND ON WEST WASHINGTON STREET, WEST OF F.M. 1417 (HERITAGE PARKWAY), ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

Clint Philpott, Director of Engineering, said the annexation was requested by Washington Bend, the owners and developers of a 30 acre subdivision. One-third of the development is currently outside the City limits.

ANNEXATION
W. WASHINGTON,
WEST OF FM 1417

With the annexation, they will be extending water, sewer, streets and drainage for the development.

No citizens appeared before the City Council to discuss the annexation of 9.758 acres on West Washington Street, west of F.M. 1417 (Heritage Parkway).

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6179 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 CARRUS BEHAVIORAL HOSPITAL FOR INPATIENT/OUTPATIENT CARE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT AT 1724 WEST U.S. HIGHWAY 82, SUITE 200, BEING LOT 1,

ORD 6179
SUP FOR CARRUS
BEHAVIORAL
HOSPITAL

CARRUS MEDICAL PLAZA, REPLAT LOT 5 (CARRUS HEALTH HOLDINGS, LLC, OWNERS; ANBARASU NACHIMUTHU, CONTRACTOR; AND McCALLA DESIGN GROUP, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Scott Shadden, Director of Development Services, said this is a Specific Use Permit for behavioral inpatient, outpatient care that will be in the existing building. The State requires a Specific Use Permit so they can obtain their license.

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

Jon Rains, 1810 U.S. Hwy 82 West

Mr. Rains appeared representing Carrus Behavioral Hospital and was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6179.

Mayor Plyler introduced Ordinance No. 6180 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 AN EXISTING DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 917-919 NORTH BRENTS AVENUE, BEING LOT 7, BLOCK 2, COLLING ADDITION, SECTION 2 (KNIGHTBRIDGE PROPERTY GROUP, LLC, OWNERS; AND LISA BIDDLE, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6180
SUP FOR DUPLEX
(917 & 919 N. BRENTS)

Mr. Shadden said this Specific Use Permit was for an existing duplex that was built in 2007, when R-1 zoning permitted this. Duplexes are now allowed in R-2 zoning or with a Specific Use Permit. The property is changing owners and the lender is requiring a Specific Use Permit so it could be rebuilt if it was destroyed.

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

Lisa Biddle, 312 N. Powell Parkway, Anna

Ms. Biddle appeared as the realtor representing the seller. She was available to answer any questions the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6180.

Mayor Plyler introduced Ordinance No. 6181 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 BEING MIDWAY DRIVE, NORTH OF FALLON DRIVE, AS SHOWN ON PLAT IN VOLUME 6, PAGE 11 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, DEDICATING OWNERSHIP OF SAID RIGHT-OF-WAY TO THE ADJACENT OWNER, DATAVAULT JOINT VENTURE, BEING MORE PARTICULARLY DESCRIBED AND SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ORD 6181
CLOSE & ABANDON
R-O-W ON MIDWAY DR.

Mr. Philpott said Midway Drive was originally dedicated as a part of the Master Plan for Midway Industrial Park. The road was dedicated but it was never constructed.

Currently there is a new developer interested in purchasing 20 acres, through that area and further east. This abandonment will be included on a Planning and Zoning Commission agenda in March 2019, to rededicate it per plat. Essentially, this just moves the road further to the east.

No citizens appeared before the City Council to discuss Ordinance No. 6181.

Mayor Plyler introduced Ordinance No. 6182 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", ARTICLE 8.07, ENTITLED "NOISE", AT SECTION 8.07.009, ENTITLED "BUILDING AND EXCAVATING OPERATIONS"; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 6182
NOISE – BUILDING
OPERATIONS

Robby Hefton, City Manager, said since the last Council Meeting, the staff has researched the current noise ordinance in relation to construction noise. They contacted other cities to see how they addressed the situation and talked about it internally.

It was determined that Sherman's ordinance was outdated and probably needed some adjustments, pertaining to the hours of construction, especially in residential areas.

Based on that, the staff proposed modifying the existing ordinance to include hours from 7:00 a.m. to 8:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturday; and 12:00 p.m. to 7:00 p.m. on Sunday. Additionally there should be no construction noise on holidays, which would include New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day.

Mr. Hefton added that most cities contacted, do not differentiate between weekdays and weekends, and many allowed construction noise between 6:00 a.m. and 9:00 p.m. The staff felt it would be a good compromise to limit the hours during the weekends.

Alex and Cynthia Sherman, 3405 Hanan Street

Ms. Sherman felt that the builders were being given more leeway to continue to do what they've been doing, without anything happening. She said they have lived at this location since the end of August 2018, and the builders have worked every Saturday, every Sunday, and every holiday.

Instead of addressing the resident's concerns, the builders have been given the advantage. She did not feel this was right and said they paid the taxes. She asked the Council to reconsider, and at least not allow construction on Sunday.

Mr. Sherman asked that additional research be completed and said he had invited Mr. Hefton to visit with him in his neighborhood. Mr. Hefton said they spoke after the Council Meeting and staff members had spoken with Ms. Sherman.

Mr. Sherman said the builders are building on random lots and there are more than "a few" lots under construction. He said their quality of life would "suffer for some time." He said the changes to the ordinance are "not right."

No other citizens appeared before the City Council to discuss Ordinance No. 6182.

SECOND PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF A 9.758 ACRE TRACT OF LAND ON WEST WASHINGTON STREET, WEST OF F.M. 1417 (HERITAGE PARKWAY), ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

Mr. Philpott said this is the second public hearing for the annexation, which was requested by the owner of the property.

No citizens appeared before the City Council to discuss the annexation of 9.758 acres on West Washington Street, West of F.M. 1417 (Heritage Parkway).

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6182

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND NUISANCES", ARTICLE 8.07, ENTITLED "NOISE", AT SECTION 8.07.009, ENTITLED "BUILDING AND EXCAVATING OPERATIONS"; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR

ANNEXATION
W. WASHINGTON,
WEST OF FM 1417

ORD 6182
NOISE – BUILDING
OPERATIONS

INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

Council Member Stevenson asked what the enforcement aspect would be if the ordinance is modified and more clearly defines when contractors can work. He asked what the penalty would be and how it would be enforced if they didn't follow the rules.

Mr. Hefton said enforcement would be through the Police Department as it is with any violation of the noise ordinance, however the duration of the situation would be longer. Brandon Shelby, City Attorney, confirmed that the violation would be a Class C Misdemeanor, subject to a fine.

Council Member Melton verified that the police have been called several times but no fines have been levied. Mr. Hefton said they have talked to the builders, who have made efforts to address the situation.

Terrence Steele, Assistant City Manager, said he spoke with the builder and they have been cleaning up and purchased a sweeper to sweep mud from the streets. On Saturday, they tried to sweep the streets and the police were called to stop them.

Mr. Sherman said the builders are constructing homes on "staggered" lots instead of building away from the current neighbors. Mr. Steele explained that the homebuyer purchases the lot they want their home built on. Mr. Sherman accused Mr. Steele of "defending the builder" and allowing them to "abuse" the citizens. Mr. Steele said Mr. Sherman moved into an area where development is happening.

Mr. Hefton said there is more than one issue around Mr. Sherman's property that is frustrating to him, including noise, drainage issues, and cleanliness of the lot. But the City must consider the needs of the property owner, rights of other property owners around them, and the needs of the builders, and try to keep things in balance.

Council Member Melton said the Council is trying to set some rules to get the problem taken care of for all the citizens of Sherman. She said they are working "for the City."

Deputy Mayor Teamann asked if the City would take these offenses more seriously once the ordinance is in place. Mr. Hefton said the ordinances are enforced on a complaint basis. He felt the current ordinance was outdated and the staff is trying to address that issue. They will continue to enforce the ordinance on a complaint basis, but it needs to be based on rules that are reasonably balanced for everyone involved.

Steve Ayers, Assistant City Manager, said from the police side, the City will try to work with citizens on an ordinance violation.

As the ordinance is finalized, the staff will work with the Police Department, the citizens, and the builders through education.

The first complaint will probably result in a talk with the offender and documentation in the system so there will be a record. The real concern is for repeat offenders. They try to be fair to everyone, however a fine can be levied if needed.

Council Member Howeth asked if any other residents of that area had contacted the Police Department with a noise complaint against the builder. Zachary Flores, Police Chief, said he was not sure if there had been other complaints.

Chief Flores explained the process for working this type of complaint and said they are worked on a “case-by-case” basis. The first step is for voluntary compliance and not “hard action.” They must know that it’s a perpetual issue, and he said they will make the officers aware of this.

Mr. Ayers added that it will be recorded where there is an accurate record of past activity and past violations. When the point of a “repeat offender” is reached, the officers can address it through a citation, if necessary.

Mr. Sherman asked that the vote on the ordinance be tabled until additional data could be gathered.

Council Member Stevenson said there will be more building in Sherman in the future, than there has been in the past, and the Council wants to prevent this issue from recurring with other citizens as well. He felt it was important to consider the ordinance now.

He also wanted to be sure the builders know the ordinance is in place and there are times when they can’t work. He felt it should be explained to them during the permitting or inspection process, including notification of the penalty they could pay for a violation.

Mr. Sherman asked if the ordinance passes, if he has the right to protest against the builder. He felt they were infringing on his peace. Chief Flores asked him to allow the Police Department a chance to address the situation with the new ordinance. He said they would address the issue in a reasonable manner.

Mr. Steele addressed the situation with the street sweeper when the builder was trying to clean the streets last Saturday. Someone called the Police Department. Mr. Sherman said they were not cleaning the streets, they were behind his house “playing with the machine.”

Mr. Steele said the builder purchased the machine to clean the streets. When they tried to clean the streets, the police were called and told them that, because there was a complaint, they could not clean the streets with the sweeper.

COUNCIL MINUTES – FEBRUARY 18, 2019

Council Member Howeth asked about the proposed hours on the weekend. She said the proposed hours were 8:00 a.m. until 5:00 p.m. on Saturday and 12:00 p.m. to 7:00 p.m. on Sunday. She asked why it wasn't cut off at 5:00 p.m. on Sunday too. Mr. Hefton said the proposed hours are less than most cities, but the City Council can select whatever hours they would like.

She also asked if there was any restriction on lighting that could be used with the building. Mr. Hefton said this ordinance addresses noise only. Mr. Shelby said lighting is addressed through another ordinance.

Mr. Hefton added that if someone is remodeling or painting inside their home after hours, and there is no noise, then there would be no noise violation. This ordinance limits noise only during certain hours.

Mr. Sherman asked Council Members to consider the property owner's rights. Council Member Howeth said the builder is also a property owner and the rights must be balanced between the property owner that is a builder and the property owner that is actually living in the home.

Council Member Stevenson felt the Sunday hours should be amended to start at 1:00 p.m. Council Member Steele felt the Sunday hours should be 1:00 p.m. until 5:00 p.m. Council Member Melton felt Saturday hours should start at 10:00 a.m. Council Members discussed the specific weekend hours. Council Member Stevenson said because of inclement weather, working on the weekend is sometimes the only way to complete the construction project.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6182, amending it to include the Sunday hours as 1:00 p.m. to 5:00 p.m., and to approve the holidays as listed by the City Manager, including New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day, as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

Council Member Steele added that many of Mr. and Mrs. Sherman's concerns would fall under environmental code enforcement. He said there does seem to be a lack of silt fencing and erosion control in that area.

Mr. Hefton agreed that they have dealt with multiple issues and he understood that it is frustrating. Some of the issues are civil issues. He said that, to the extent that there are violations of other City codes, the staff should be looking at those, as well.

Ordinance 6179

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 CARRUS BEHAVIORAL HOSPITAL FOR INPATIENT/OUTPATIENT CARE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT AT 1724 WEST U.S. HIGHWAY 82, SUITE 200, BEING LOT 1, CARRUS MEDICAL PLAZA, REPLAT LOT 5 (CARRUS HEALTH HOLDINGS, LLC, OWNERS; ANBARASU NACHIMUTHU, CONTRACTOR; AND McCALLA DESIGN GROUP, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6179
SUP FOR CARRUS
BEHAVIORAL
HOSPITAL

Ordinance 6180

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 AN EXISTING DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 917-919 NORTH BRENTS AVENUE, BEING LOT 7, BLOCK 2, COLLING ADDITION, SECTION 2 (KNIGHTBRIDGE PROPERTY GROUP, LLC, OWNERS; AND LISA BIDDLE, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6180
SUP FOR DUPLEX
(917 & 919 N. BRENTS)

Ordinance 6181

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED RIGHT-OF-WAY BEING MIDWAY DRIVE, NORTH OF FALLON DRIVE, AS SHOWN ON PLAT IN VOLUME 6, PAGE 11 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, DEDICATING OWNERSHIP OF SAID RIGHT-OF-WAY TO THE ADJACENT OWNER, DATAVAULT JOINT VENTURE, BEING MORE PARTICULARLY DESCRIBED AND SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

ORD 6181
CLOSE & ABANDON
R-O-W ON MIDWAY DR.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance Nos. 6179, 6180, and 6181, as presented.

Second by Council Member Melton.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6457 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE STORMWATER LIFT STATION UPGRADE AT THE CITY'S WASTEWATER TREATMENT FACILITY

RES 6457
STORMWATER LIFT
STATION DESIGN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE STORMWATER LIFT STATION UPGRADE AT THE CITY'S WASTEWATER TREATMENT FACILITY.
CONSENT AGENDA.

RESOLUTION NO. 6458 – AUTHORIZING THE PURCHASE OF A NEW KUBOTA SKID STEER AND ATTACHMENT FOR THE STREET MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

RES 6458
STREET MAINT.
EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW KUBOTA SKID STEER AND ATTACHMENT FOR THE STREET MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).
CONSENT AGENDA.

REQUEST TO ADVERTISE

PURCHASE AND INSTALLATION OF A PAVILION, BENCHES AND OUTDOOR MUSICAL EQUIPMENT AT THE CITY OF SHERMAN LIBRARY PARK

REQ TO ADVERTISE
LIBRARY PARK
EQUIPMENT

The City Council approved the request to advertise for the purchase and installation of a pavilion, benches, and outdoor musical equipment at the City's Library Park.

One of the highest priority initiatives from the 2017 Parks Master Plan was special use parks, identified by unique characteristics within recreational, social, and community activities. The Sherman Public Library Park will host a number of social, recreational, and library-specific activities overseen by the Library.

CONSENT AGENDA

OTHER BUSINESS

DISCUSS AND CONSIDER APPROVAL OF THE BUDGET CALENDAR FOR FISCAL YEAR (FY) 2019-2020

BUDGET CALENDAR

Mr. Hefton presented the Budget Calendar including a proposed date of April 26, 2019 for the Budget Planning Meeting and June 13 and possibly June 14, 2019 for the Budget Workshop.

ACTION TAKEN.

Motion by Council Member Melton to approve the Budget Calendar for FY 2019-2020, as presented. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW (FORMERLY DOWNTOWN SHERMAN PRESERVATION & REVITALIZATION) TO TEMPORARILY CLOSE CERTAIN STREETS FOR “CRAFT THE NIGHT AWAY” ON SATURDAY, APRIL 13, 2019

CLOSE STREETS
CRAFT THE NIGHT
AWAY

Sarah McRae, Tourism/Main Street Manager, said her office helps facilitate many events from other organizations, that bring the community together and bring visitors to Sherman.

She introduced Karen Tooley, Executive Director, Downtown Sherman NOW. Ms. Tooley said for the last three years that “Craft the Night Away” has been held, 28% of the advance sale tickets have been purchased by people that do not live in Sherman. On the day of the event, 33% of the “walk-up” tickets are from out of town visitors.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the request of Downtown Sherman NOW to temporarily close certain streets for “Craft the Night Away” on April 13, 2019, as presented. Second by Council Member Holland.

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

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF WEST HILL CEMETERY ADDITION, ANNEX D, SECTION 1-5, BEING 5.478 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; CITY OF SHERMAN, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1304 WEST LAMAR STREET)

APPROVE FINAL PLAT
WEST HILL CEMETERY
(1304 W. LAMAR)

Mr. Shadden said it is a requirement that the property be platted prior to the sale of cemetery lots because of deed records.

The 5,478 acre tract is located at 1304 West Lamar Street, and the City would like to plat this into 3,146 cemetery lots. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

Council Member Howeth asked if the western edge of the property was located in the City’s flood plain. Mr. Philpott said the western edge of West Hill Cemetery is located in the City’s flood plain, however the area that is being platted is not.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Final Plat of West Hill Cemetery Addition, Annex D, Sections 1 through 5, located at 1304 West Lamar Street, as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF OLD CEMETERY ADDED LOTS AND MEMORIAL PARK, BEING 8,000 SQUARE FEET IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; CITY OF SHERMAN, OWNERS; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1304 WEST LAMAR STREET)

Mr. Shadden said this request accompanies the previous one, and includes 60 lots in the Old Cemetery and 120 lots in the Memorial Park.

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

ACTION TAKEN.

Motion by Council Member Steele to approve the Final Plat of Old Cemetery Added Lots and Memorial Park, located at 1304 West Lamar Street, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

APPROVE FINAL PLAT
OLD CEMETERY &
MEMORIAL PARK
(1304 W. LAMAR)

REPLAT APPROVAL OF HILL SMITH ESTATES, BLOCK 3, LOT 3R, 0.380 ACRES IN THE G.W. MCGLOTHLIN SURVEY; ABSTRACT NO. 827, ALSO BEING PART OF LOTS 3 AND 4, BLOCK 3, HILL SMITH ESTATES; BRIDGESTONE CONSTRUCTION, LLC, OWNERS; AND PRESTON TRAIL LAND SURVEYING, SURVEYOR (2211 EAST ALMA AVENUE)

The City Council approved the Replat of Hill Smith Estates, located at 2211 East Alma Avenue. The 0.380 acre tract is zoned an R-1 (One Family Residential) District and the owners would like to replat the property into one lot for residential construction.

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

CONSENT AGENDA.

APPROVE REPLAT
HILL SMITH ESTATES
(2211 E. ALMA)

FINAL PLAT APPROVAL OF HERITAGE CROSSING, PHASE 1, BEING 31.333 ACRES IN THE BACON FIELDING SURVEY, ABSTRACT NO. 120; SAPPHIRE GROUP, LLC, OWNERS; BLUESTONE PARTNERS, LLC, DEVELOPERS; AND WINKELMANN & ASSOCIATES, INC., CIVIL ENGINEER/ SURVEYOR (1600-1800 BLOCKS OF NORWOOD STREET AND 2700-3000 BLOCKS OF WEST MCGEE STREET)

The City Council approved the Final Plat of Heritage Crossing, Phase 1, located in the 1600 to 1800 blocks of Norwood Street and 2700 to 3000 blocks of West McGee Street. The owners of the 31.333 acre tract would like to plat the property into 44 lots for residential development.

APPROVE FINAL PLAT
HERITAGE CROSSING,
PHASE 1
(1600-1800 BLOCKS OF
NORWOOD ST. &
2700-3000 BLOCKS OF
W. MCGEE ST.)

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

REPLAT APPROVAL OF A PART OF LOTS 1, 4 & 5, BLOCK 1, G.W. BOND'S SECOND ADDITION, BEING PART OF LOTS 1, 4 & 5, BLOCK 1, G.W. BOND'S 2ND ADDITION, CONTAINING 0.259 ACRES IN THE J.B. McANAIR SURVEY, ABSTRACT NO. 763; HAMBRICK TRIPLE H INVESTMENT GROUP, LLC, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (521 EAST BROCKETT STREET AND 520 EAST CARTER STREET)

The City Council approved the Replat of a part of Lots 1, 4, and 5, Block 1, of the G.W. Bond's Second Addition, located at 521 East Brockett Street and 520 East Carter Street.

The 0.259 acre tract is zoned an R-1 (One Family Residential) District and is also located in the College Park Overlay District. The owners would like to replat the property into two lots to sell one of the lots.

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

REPLAT APPROVAL OF HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK 1, COUNTRY RIDGE ESTATES NO. 10, BEING LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, CONTAINING 26.106 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; WYLDEWOOD HOMES, LLC, OWNERS; VILBIG & ASSOCIATES, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR [1100-1300 BLOCKS OF SOUTH F.M. 1417 (HERITAGE PARKWAY)]

The City Council approved the Replat of Heritage Farms Estates, located in the 1100 to 1300 blocks of South F.M. 1417 (Heritage Parkway). The 26.106 acre tract is zoned an R-1 (One Family Residential) District. The owners would like to replat the property into 93 residential and six commercial lots.

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

FINAL PLAT APPROVAL OF LOT 1, BLOCK A, GOLDEN OWENS ADDITION, BEING 5.161 ACRES IN THE BROWN AND RICKETTS SURVEY, ABSTRACT NO. 1553; GO PROPERTIES 7, LLC, OWNERS; PARAMOUNT HEALTHCARE, DEVELOPER; KEEN SURVEYING, LLC, SURVEYOR; AND JM CIVIL ENGINEERING, CIVIL ENGINEER (5011 NORTH U.S. HIGHWAY 75)

The City Council approved the Final Plat of the Golden Owens Addition, located at 5011 North U.S. Highway 75. The owners would like to plat the 5.161 acre tract into one lot for commercial development of a nursing home.

APPROVE REPLAT
G.W. BOND'S
SECOND ADDITION
(521 E. BROCKETT &
520 E. CARTER)

APPROVE REPLAT
HERITAGE FARMS
ESTATES
(1100-1300 BLOCKS OF
S. F.M. 1417)

APPROVE FINAL PLAT
GOLDEN OWENS
ADDITION
(5011 N. HWY 75)

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

CITIZENS REQUESTS

RESCIND APPEARANCE

Ronald Aycock, 220 E. Houston, said he would like to rescind his appearance before the City Council tonight due to the length of the meeting.

RESCIND
APPEARANCE

COVERAGE OF HOLES FROM THE REMOVAL OF UTILITY POLES

Peter Tracy, 705 S. Valentine, commended the City for taking action on his comments at the last meeting about dangerous holes from the removal of utility poles. The City covered a hole that was located near Crutchfield School.

COVERAGE OF HOLES
FROM THE REMOVAL
OF UTILITY POLES

STOP SIGN NEEDED

Mr. Tracy questioned why there was no stop sign at the northbound intersection of Vaden Street with Pecan Street. The location is in front of Presco and he felt a stop sign is needed because Pecan Street is a thoroughfare.

STOP SIGN NEEDED

NOISE ISSUE

Mr. Tracy said he has had some noise issues with property located behind his house. The noise was from four-wheelers and dirt bikes. He was told that the Police Department could not do anything about it because the landowners had not given them authorization to cite people on the property.

NOISE ISSUE

Mr. Tracy said he contacted the four landowners about the four-wheelers and about people dumping trash on the property. One of the landowners gave him permission to stop the activity on the property and he has since posted signs.

He also contacted the Police Department but no one responded so he confronted the people on the property and erected “literature boxes” saying it was private property and they were not allowed on the property or the City would cite them and the landowner would file charges.

MEDIA QUESTIONS

There were no media questions.

MEDIA QUESTIONS

COUNCIL COMMENTS

FIREMEN’S BANQUET

Council Member Holland said the Firemen’s Banquet was great and a really nice event. They welcomed the new firemen.

FIREMEN’S BANQUET

BEHAVIORAL HEALTH EVENT

Deputy Mayor Teamann said the Community Behavioral Health Conference, sponsored by the Texoma Behavioral Health Leadership Team, will be held February 28, 2019 at the Hilton Garden Inn, in Denison. The conference will help educate and inform citizens of the issues surrounding mental health in the area.

FIREMEN'S BANQUET

Council Member Steele thanked Fire Chief Danny Jones for including the City Council in the recent Firemen's Banquet. He said the City is in "very good hands."

FIREMEN'S BANQUET

FIREMEN'S BANQUET

Council Member Melton said the Firemen's Banquet was wonderful, but she also learned a lot about what the firemen go through every day. She thanked them for doing what they do and said she was impressed with the City and the Fire Department.

FIREMEN'S BANQUET

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Sherman Celtic Festival will be held on March 23 and March 24, 2019, and will be moved to the field north of Midway Mall, off of Fallon Drive.
- Parks and Recreation will host the Third Annual North versus South Red River Classic Softball Tournament on March 16, 2019.

ANNOUNCEMENTS

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.

EXECUTIVE SESSION

SECTION 551.087 --

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

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:55 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:29 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

COUNCIL MINUTES – FEBRUARY 18, 2019

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:30 p.m.

ADJOURNMENT

MAYOR

CITY CLERK