STATE OF TEXAS §

September 21, 2020

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on September 21, 2020.

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

MEMBERS ABSENT: **NONE.**

CALL TO ORDER — **CALL TO ORDER**

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

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Called City Council Meeting of September 8, 2020. Council Member Melton moved to approve the Minutes, as presented; Second by Council Member Stevenson; All present voted AYE.
MOTION CARRIED.

CITIZEN'S COMMENTS

SHERMAN MUSEUM — **SHERMAN MUSEUM**

Dickie Gerig, 2420 N. Woods, addressed Resolution No. 6654, and thanked the City Council for the $50,000 contract with the Sherman Museum, and the opportunity to match another $20,000.

The contract has the same terms as the current contract, and they were on their way to matching the funds until COVID-19 hit and the museum had to close.

She described some of the activities at the museum this year and some of the planned exhibits.

Mayor Plyler introduced Ordinance No. 6326 and called for a public hearing: — **ORD 6326 IMPACT FEES**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES TO ADD A NEW CHAPTER 15 TO BE ENTITLED "IMPACT FEES"; ESTABLISHING WATER, WASTEWATER, AND ROADWAY IMPACT FEES PER SERVICE UNIT; ESTABLISHING PROCEDURES FOR THE ASSESSMENT, COLLECTION, COMPUTATION, EXPENDITURE, REFUND AND GENERAL ADMINISTRATION OF IMPACT FEES; PROVIDING FOR THE ESTABLISHMENT OF ACCOUNTS FOR IMPACT FEES; ESTABLISHING AN APPEAL PROCEDURE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE.

Robby Hefton, City Manager, updated the Council on the proposed Impact Fees. He said there had been a "healthy amount of dialogue" over the last few weeks, about the proposal.

Impact Fees are fees that help pay for a portion of new infrastructure that adds capacity to the existing system. The fees relate to three types of infrastructure, roadways, water, and wastewater.

For water and wastewater fees, the City has one service area, which is the entire City. There are four service areas for roadway fees.

Mr. Hefton said at the last Council Meeting the Council asked to revise the effective date of the proposed ordinance, to provide additional rate scenarios, to provide recommendations on infill development and retail development, and to consider the effect on local developers.

First, he recommended revising the effective date to January 15, 2021, to give more time for developers to get their final plat submitted to the City.

He presented collection rate scenarios based on the maximum fee allowed and the staff recommended rate. He said after discussions and talking with developers, a different amount is now being proposed. Called the "Mayor's Proposal," the recommendation presented a fee with reduced impact on developers.

The new proposal is that the roadway fee be a "flat fee" of $1,000; the water fee be $1,000; and the wastewater fee be $500; which would be a total, single-family equivalent, of $2,500. This takes the fees from a maximum of $7,000 to $2,500 for a reduced impact on developers.

Additional aspects of the proposal include a 75% reduction of total fees in Service Area 3 to accommodate in-fill development, and a 75% reduction of total fees for religious and non-profit uses. Service Area 3 covers most of the target area for infill development.

For the retail reductions, there would be a 75% reduction of total fees for recreational uses, dining uses, and all other retail. In addition, fees would be reviewed annually as part of the budget process, and the effective date would be January 15, 2021. The intent is to significantly reduce the impact of the Impact Fee on future retail establishments.

Mr. Hefton added that the staff felt the fee should be reviewed annually, as part of the budget process. At least every five years, the City will need to do a significant review of the entire CIP Plan and the Land Use Assumptions.

He also clarified credits, offsets, and netting, in conjunction with the Impact Fees. He explained that "credit" refers to the 50% general credit applied up-front, by law, which is reflected in the maximum rate allowed.

Offsets refer to consideration given to construction costs incurred by the developer, toward improvement projects that are part of the Impact Fee CIP. These costs are applied against Impact Fees that would otherwise be assessed on the construction. Not all City projects will be on the Impact Fee CIP list.

He explained that residential netting would be, if an existing structure is demolished and another structure is rebuilt on the same site, no Impact Fee would be collected.

Commercial or other netting would pertain to a reduction of the number of square feet if an existing building is demolished and rebuilt on the same site. Impact Fees would be based on the new additional square footage, not on the original square footage of the building.

He presented the new rate comparisons with nearby cities. He also discussed potential revenues for 2019 building permits at the maximum rate, ($3.4 million); the staff recommended rate of $3,500, ($1.8 or $1.9 million); and the Mayor's proposed rate of $2,500, ($1.4 million, or with 75% reductions $1.1 or $1.2 million).

Potential revenue for 2020 would be, at the maximum rate, ($1.7 million); the staff recommended rate of $3,500, ($959,000); and the Mayor's proposed rate of $2,500, ($707,000, or with 75% reductions $615,000).

Mr. Hefton said the public hearing and consideration of the ordinance is being held at tonight's meeting, and the proposed effective date, which is January 15, 2021, could be changed to whatever date the Council would like to use.

<u>Bill Magers, 4 Timbercreek</u>
Judge Mages, appeared as a member of SSCGC Holdings, LLC, and thanked Mayor Plyler for his leadership on this issue. He thanked the Council, Mr. Hefton, and Rob Rae, Director of Development Services, for listening to the concerns of the development community.

He said he supported the following issues for Impact Fees, the maximum residential single family lot impact fee of $2,500; consideration for improvements already in place and that they will not apply toward Impact Fees; a $625 maximum Impact Feed for infill development; a 75% reduction in the cost of retail, restaurants, and non-profits; and an implementation date of July 6, 2021.

He added that the Council is considering a January 1 effective date, however he did not feel that was enough time for

developers to get things done. The July effective date was proposed based on the upcoming holiday season and the schedule for Planning and Zoning Commission Meetings. He said there is generally a six to nine month time frame from when a deal is closed and when construction begins.

Judge Magers added that revenue from Impact Fees is not included in the 2021 budget, so it would have a neutral impact.

<u>Todd Young, 3103 Bandera Drive</u>
Mr. Young appeared representing Young Enterprises, a local real estate developer and contractor. He proposed the same bullet points that Judge Magers did.

He said the $2,500 maximum per residential lot was a good compromise, and he supported the 75% discount on infill lots. He did feel there should be a major consideration for either a credit or discount on land that has an existing infrastructure to its location, but is not considered an infill lot. This basically means "raw land" versus platted lots. He said developers are already required to pay the pro-rata fee to the City of Sherman for infrastructure that is previously in place, which he felt created a "double-dipping" standard.

Mr. Young also asked that the Council push the effective date to July 6, 2021, in order to give the current economy time to stabilize.

Council Member Melton asked about the pro-rata charges for pre-existing infrastructure. Mr. Young explained that there is a pro-rata fee that is currently charged for water and sewer. He said if the Impact Fee is added on top of the pro-rata fee, it would be paying twice for the same thing.

Mr. Hefton said it would be either an Impact Fee or a pro-rata fee, but not both. Clint Philpott, Assistant City Manager, explained that the pro-rata fee is for infrastructure that would not be on the CIP Plan. It would be a charge for the water and sewer that a developer is tapping onto.

The pro-rata fee that is paid, goes back to whoever originally installed it. If the City installed it, they would collect that fee, but if a different developer installed it, the fee would go to the developer.

Mr. Hefton asked if there was a scenario where someone could be charge both an Impact Fee and a pro-rata charge. Mr. Philpott said there could be, but he verified that most of the projects where the pro-rata fee would apply would not be on the Impact Fee CIP Plan. Mr. Hefton said a policy could be adopted that there was no "double dipping" with Impact Fees and pro-rata fees.

Council Member Melton asked if there could be an expense that wouldn't be covered. Mr. Philpott said on residential, if a developer is extending water or sewer, that pro-rata fee is

already waived. The only time someone would be charged double is if they were building on a lot that already had everything set up, and on which the project is on the Impact Fee CIP Plan. He said it doesn't happen that often, but it could.

Mr. Hefton said he did not feel the City should be "double dipping" with the fees. Council Member Stevenson said the City could waive their own pro-rata, but if it was for a developer, the City couldn't waive it.

Jeff Harkinson, 4560 Beltline Road, Ste 400, Addison, Texas
Mr. Harkinson appeared representing Sherman Crossroads Development, a 130 acre site on Hwy 75, that is 100% commercial. He also thanked the Mayor, City Council, and staff for their approach to Impact Fees.

He said many of the local developers have been having meetings about the proposed Impact Fees. He said they are now supporting the ordinance, as it has been presented under the Mayor's proposal. They felt this was a "reasonable" proposal.

Mr. Harkinson also appreciated the 75% reduction for retail. He supported the July 6, 2021, effective date, saying it would give him, and other developers time to set their projects in motion.

No other citizens appeared before the City Council to discuss Ordinance No. 6326.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6326 **ORD 6326**
IMPACT FEES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES TO ADD A NEW CHAPTER 15 TO BE ENTITLED "IMPACT FEES"; ESTABLISHING WATER, WASTEWATER, AND ROADWAY IMPACT FEES PER SERVICE UNIT; ESTABLISHING PROCEDURES FOR THE ASSESSMENT, COLLECTION, COMPUTATION, EXPENDITURE, REFUND AND GENERAL ADMINISTRATION OF IMPACT FEES; PROVIDING FOR THE ESTABLISHMENT OF ACCOUNTS FOR IMPACT FEES; ESTABLISHING AN APPEAL PROCEDURE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE.

Council Members discussed several possible effective dates for the ordinance. They tried to plan around Planning and Zoning Commission Meeting dates. Council Members supported a June 7, 2021 effective date.

Council Member Teamann thanked everyone that gave input into the ordinance for Impact Fees. He said it makes their job easier. He also advised retailers that the sales tax incentive program is still going on and could offset most Impact Fees.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6326, with the Mayor's Plan, to move the effective date to June 7, 2021, and investigate the pro-rata fee to make sure no one is getting double charged for water. Second by Deputy Mayor Steele.

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

Mr. Hefton thanked Jeff Whitacre, Vice President, Kimley-Horn, for his assistance on the Impact Fee Study and his work with the City.

CONSENT AGENDA — **CONSENT AGENDA**

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

RESOLUTION NO. 6650 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND BROWN LEWISVILLE RAILROAD FAMILY FIRST LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES FOR 695 HIGHWAY 11, SHERMAN, TX, IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ) — **RES 6650 DEVELOPMENT AGREEMENT BIG CITY CRUSHED CONCRETE WATER LINE (695 HWY 11) (TABLED)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND BROWN LEWISVILLE RAILROAD FAMILY FIRST LP FOR THE CONSTRUCTION OF PUBLIC FACILITIES FOR 695 HIGHWAY 11, SHERMAN, TX, IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

Wayne Lee, Director of Engineering, said the developer of this project contacted him and asked that this item be tabled and brought back at the next Council Meeting. Some additional costs have come up and are being incorporated into the contract.

ACTION TAKEN.

Motion by Council Member Stevenson to table Resolution No. 6650, at the request of the applicant. Second by Council Member Teamann.

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

RESOLUTION NO. 6651 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND CFT NV DEVELOPMENTS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN REPLAT OF SHERMAN CROSSROADS, PHASE II, LOTS 1R-1 AND 6, BLOCK 2, A 1.012-ACRE DEVELOPMENT OFF OF — **RES 6651 DEVELOPMENT AGREEMENT SHERMAN CROSSROADS PHASE II**

(CROSSROADS BLVD)

CROSSROADS BOULEVARD, NORTH OF F.M. 1417 (HERITAGE PARKWAY) IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND CFT NV DEVELOPMENTS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN REPLAT OF SHERMAN CROSSROADS, PHASE II, LOTS 1R-1 AND 6, BLOCK 2, A 1.012-ACRE DEVELOPMENT OFF OF CROSSROADS BOULEVARD, NORTH OF F.M. 1417 (HERITAGE PARKWAY) IN THE CITY OF SHERMAN.

CONSENT AGENDA.

RES 6652
SISD GRANT FUNDING FOR CORONAVIRUS

RESOLUTION NO. 6652 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT FOR GRANT FUNDING AWARDED BY THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT CORONAVIRUS RELIEF FUND

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE SHERMAN INDEPENDENT SCHOOL DISTRICT FOR GRANT FUNDING AWARDED BY THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT CORONAVIRUS RELIEF FUND.

Mary Lawrence, Director of Finance, said the City was awarded $2.4 million by the Texas Department of Emergency Management to fund expenditures incurred from the Coronavirus. Seventy-five percent must be used for medical and public health costs, not included in the City's budget.

The remainder may be spent on COVID response measures, such as expenses to facilitate distance learning. The Sherman Independent School District was presented with an opportunity to receive a dollar-for-dollar match with a City or County's Coronavirus Relief Funds.

She explained that this resolution authorizes the City to share this money with the School District, in the amount of $35,000 which is the maximum the City can give them, with the 25% limitation. The agreement also says if they have any expenses that would qualify under the 75% requirement, the City can reimburse them for those expenses too.

Deputy Mayor Steele asked what kind of "strings" are attached to the money. Ms. Lawrence said the 75% portion is allocated for direct medical supplies, such as protective supplies for the Police and Fire, sanitizer used for public areas, and unbudgeted overtime, but only for public safety personnel.

She said it would be hard for the City to spend that much, unless they had a health department. The requirements for the 75% portion are very specific. The checks must be written by December 30, 2020.

Council Member Teamann asked how much of the $2.4 million allotment the City has been able to spend. Ms. Lawrence said so far, the City has spent a little less than $200,000. She said there will be some other expenditures.

Council Member Holland asked if there were other organizations that might qualify for some of the funds. Ms. Lawrence said the Chamber of Commerce had a project that qualified for "a few thousand dollars," but for the 25%, not the 75%. Grayson County also has their own fund of money.

Council Member Teamann verified that any other non-profit organizations that could benefit from the funding would also fall into the 25% portion.

Ms. Lawrence said the City also received an allocation from HUD of about $215,000, and that has been used for agencies such as the Boys Club, to help with their COVID related expenses. The rest was given out as economic support, such as rent payments or utility payments.

She said the City just received $289,000 more from HUD, but they have not said how that money should be spent.

Mr. Hefton said the SISD is able to use this money to get a dollar-for-dollar match from the Texas Education Agency to help "double the effect" for distance learning.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution No. 6652, as presented. Second by Council Member Holland.

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

RES 6653
BUDGET AMENDMENT

<u>RESOLUTION NO. 6653 – AMENDING THE 2019-2020 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE 2019-2020 BUDGET OF THE CITY OF SHERMAN, TEXAS, APPROPRIATING AND ALLOCATING ADDITIONAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020.

Ms. Lawrence introduced a budget amendment to increase the FY 2019-2020 Budget for year-end expenditure reconciliation. The amendment includes $4.3 million in additional revenue and $6 million in additional expenditures, making a net difference of about $1.7 million.

The difference was largely due to some Utility Fund improvements that weren't budgeted. These projects included the water line relocation at Center Street that had to be moved

as part of the Hwy 75 GAP project, the water line relocation for the railroad, the new sewer line out to Sherman High School, a fire truck, several police vehicles, the animal adoption trailer, and hangar activity at the Airport.

Council Member Melton asked if the Fire Department overtime costs could have been paid out of COVID money. Ms. Lawrence said a portion was charged to a grant because it only allows charges for items that weren't scheduled. Some overtime was already scheduled, but some of the portion that was over that amount was charged to the grant.

Council Member Melton mentioned the additional expenditure of $400,000 for Fire Department overtime. Mr. Hefton said, at the Budget Workshop, they discussed the change in how they kept time. Because they are FSLA and the way overtime must be tracked, COVID was classified as overtime.

Council Member Teamann said these were all expenses that the Council voted on throughout the year. He asked about the additional revenue.

Ms. Lawrence said $1.5 million in revenue was a transfer out of the Group Health Fund into other funds. She said that was an unusual transfer. There were also some reimbursements from the Greater Texoma Utility Authority, which were unusual.

Deputy Mayor Steele confirmed that the difference between the revenues and expenditures in the amendment, was about $1.7 million.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6653, as presented. Second by Council Member Melton.

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

RES 6654
SHERMAN MUSEUM FUNDING

RESOLUTION NO. 6654 – AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SHERMAN MUSEUM FOR EXPENDITURE OF A PORTION OF THE FUNDS COLLECTED BY THE CITY OF THE HOTEL-MOTEL OCCUPANCY TAX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SHERMAN MUSEUM FOR EXPENDITURE OF A PORTION OF THE FUNDS COLLECTED BY THE CITY OF THE HOTEL-MOTEL OCCUPANCY TAX.

CONSENT AGENDA.

RES 6655
POLICE & FIRE SALARY STRUCTURES

RESOLUTION NO. 6655 – REVOKING AND REPLACING RESOLUTION NO. 6536; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY

SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE — **& INCENTIVE PAY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 6536; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Stevenson asked for additional information on this resolution.

Mr. Hefton said this is the annual resolution that sets the compensation for the Police and Fire Departments. It includes the direction that was received from the Council at the budget workshop and through the adoption of the budget.
CONSENT AGENDA.

RESOLUTION NO. 6656 – ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN — **RES 6656 INVESTMENT POLICY**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN.
CONSENT AGENDA.

REQUEST TO ADVERTISE
ANNUAL TWO-WAY RADIO AND EARLY WARNING SIREN MAINTENANCE — **REQUEST TO ADV TWO-WAY RADIO & EARLY WARNING SIREN MAINTENANCE**

The City Council approved a request to advertise for maintenance of the annual Two-Way Radio and Early Warning Siren system. The contract will include parts replacement, repairs, and maintenance for two-way radios used by police, fire, and public works vehicles. It also includes maintenance on the early warning siren system for Emergency Management.
CONSENT AGENDA.

MEDIA QUESTIONS — **MEDIA QUESTIONS**

There were no media questions.

COUNCIL COMMENTS
IMPACT FEES — **IMPACT FEES**

Council Member Melton said she was glad they could come to a middle ground on the Impact Fees. She thanked the Council, the staff, and the citizens for their input.

IMPACT FEES — **IMPACT FEES**

Council Member Teamann said it was a fine example of the way local government should work. They get input from the citizens it will have the most impact on and changes are made to reach a middle ground. They recognized the willingness of people in the construction industry that were able to come

together and have discussions and help reach a middle ground.

IMPACT FEES — **IMPACT FEES**

Council Member Holland said he appreciated the time that it took them to come together on Impact Fees. The City will be faced with new things, but it is worth the time it took to meet the needs of the developers as well as the citizens.

PECAN GROVE PARK WEST OPENING — **PECAN GROVE PARK WEST OPENING**

Deputy Mayor Steele said he was very impressed with, and proud of, the new portion of Pecan Grove Park West that was recently opened. He recognized everyone involved with the project, down to the guys that mowed the grass. He said it looked like a "first class" facility.

GRANT MONEY TO HELP SISD — **GRANT MONEY TO HELP SISD**

Council Member Holland thanked Ms. Lawrence for her efforts to help the SISD with the COVID grant money. He was glad the City had the ability to help them out.

IMPACT FEES — **IMPACT FEES**

Council Member Howeth thanked the City Council Members and the developers that worked together to get the Impact Fees. She was also pleased that the City would offer an incentive for Service Area 3 for infill development. She hoped that would encourage new development and new homes in that area.

ANNOUNCEMENTS — **ANNOUNCEMENTS**

Mayor Plyler announced the following:

- **Thanked Sarah McRae, Tourism/Main Street Manager; Michelle Adams, Tourism/Event Specialist; and Albert Garza, Event Coordinator; and the rest of the team that put on Sherman Arts Fest this past weekend.**
- **The next Coffee With the Mayor will be held October 2, 2020, at Old Iron Post.**
- **The Sherman Chamber of Commerce's Annual Legislative Luncheon will be held online this year, on November 6, 2020, at 12:00 noon.**

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

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

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

SECTION 551.071 --	**CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**
SECTION 551.074 --	**PERSONNEL MATTERS: DELIBERATE THE EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE ANNUAL PERFORMANCE EVALUATION OF THE CITY MANAGER**
	DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE
SECTION 551.087 --	**DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:05 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:09 p.m. and reconvened in Open Meeting.

OPEN MEETING **OPEN MEETING**

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

ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 7:09 p.m.

MAYOR

CITY CLERK