

STATE OF TEXAS

§

August 15, 2022

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 August 15, 2022.

MEMBERS PRESENT:

MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.
COUNCIL MEMBERS DOBBS, HOLLAND, MARROQUIN,
STEVENSON.

MEMBERS ABSENT:

COUNCIL MEMBER TEAMANN.

CALL TO ORDER

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

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meetings of August 1, 2022, and the Called Meeting of the Tax Increment Financing Board #3 of August 1, 2022. Council Member Stevenson moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZEN'S COMMENTS

CONSENT AGENDA

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

CONSENT AGENDA

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

CONSENT AGENDA

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

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Howeth moved to approve the Consent Agenda, subject to the Staff Review Letter. Second by Council Member Dobbs. All present voted AYE.

PUBLIC HEARING

CAPITAL IMPROVEMENT PROGRAM 2022-2027

Mary Lawrence, Director of Finance, explained that the Capital Improvement Program was developed through information discussed at the Budget Work Session. A Public Hearing was then

PUBLIC HEARING
CAPITAL
IMPROVEMENT
PROGRAM

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held at the August 1, 2022 City Council Meeting. The proposed CIP is unchanged from this last meeting. Approval of the Plan will be by Resolution later during this meeting.

No citizens appeared before the City Council to discuss the Capital Improvement Program for 2022-2027.

Mayor Plyler introduced Ordinance No. 6508 and called for a public hearing:

ORD 6508
ANNUAL BUDGET

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A BUDGET AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; DECLARING THAT THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$2,760,000 AND 14%, AND OF THAT AMOUNT \$476,000 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

Ms. Lawrence said this is the second and final Public Hearing on the Budget this year. The proposed Budget remains unchanged from the last Public Hearing of August 1, 2022.

Adoption of the Budget will be by Ordinance, later in the meeting.

No citizens appeared before the City Council to discuss Ordinance No. 6508.

Mayor Plyler introduced Ordinance No. 6509 and called for a public hearing:

ORD 6509
AD VALOREM TAXES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2022; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A LIEN OF ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREOF; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Ms. Lawrence said this Public Hearing is required for the Council to consider adoption of the tax rate tonight. The proposed tax rate is \$0.466932 per \$100 valuation, a decrease from the current year's tax rate of \$0.489. The M&O rate is about \$0.265, and the debt rate is about \$0.205. The tax rate will generate almost \$22 million in property taxes.

No citizens appeared before the City Council to discuss Ordinance No. 6509.

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Mayor Plyler introduced Ordinance No. 6510 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO REVISE THE NUMBER OF AUTHORIZED POSITIONS IN THE POLICE DEPARTMENT AND FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6510
POLICE & FIRE
AUTHORIZED
POSITIONS

Zach Flores, Executive Director of Public Safety, said this stays in line with the City's Charter and Civil Service rules, and reflects the number of positions that will be funded in FY 2023. This would give the Police Department 78 positions, and the Fire Department 93 positions.

No citizens appeared before the City Council to discuss Ordinance No. 6510.

Mayor Plyler introduced Ordinance No. 6511 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE 2022-23 ANNUAL SERVICE AND ASSESSMENT PLAN UPDATE FOR THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT.

ORD 6511
BEL AIR VILLAGE
SERVICE &
ASSESSMENT
PLAN UPDATE

Clint Philpott, Assistant City Manager, said this approved the Annual Service Plan for Bel Air Village Public Improvement District, and details the assessment for each lot, as it's sold and developed. There will be a contract to assess the fee through the Appraisal District.

The Plan includes about \$9.1 million in public infrastructure, streets, water, sewer, drainage, that qualifies for reimbursement. He said, to date, they have spent nearly \$8 million of that amount, on infrastructure.

Josh Hart, Representative for Muniy Cap, who serves as the Public Improvement District Administrator for the Bel Air Village, said the annual update is required by Chapter 372 of the Local Government Code. The update addresses any changes to the improvement budget.

He said there were a few line item changes, but if there were costs above the \$9.1 million cost and the assessments, the cost would be carried by the developer, and would not result in any increases in assessments to property owners.

Mr. Hart said this was the second annual update report, however last year there were no building permits issued, so no funds were collected.

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This year, through the end of June, there were 86 building permits issued, so there will be 86 properties assessed during this upcoming tax cycle. He felt that the builders would probably be the ones responsible for paying the assessments by January 31, 2023.

The report also addresses any changes to the assessment methodology. Mr. Hart said there had been no changes to this methodology.

He also addressed parcel subdivisions, and said there was a Phase One plat recorded in June 2021. This plat subdivided the 333 residential lots, within Phase One, of which there are 327 residential units. Of these, 86 actually have building permits issued.

He reiterated that this report updates the improvement cost budget, establishes an annual budget for the upcoming cycle, and allocates the amounts to be billed to each property.

No other citizens appeared before the City Council to discuss Ordinance No. 6511.

Mayor Plyler introduced Ordinance No. 6512 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 (BUILDING REGULATIONS), ARTICLE 3.12 (FLOOD DAMAGE PREVENTION) OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS; ESTABLISHING NEW REGULATIONS DESIGNED TO MINIMIZE FLOOD LOSSES; DEFINING TERMS; DELEGATING AUTHORITY TO THE FLOODPLAIN ADMINISTRATOR; REQUIRING A FLOODPLAIN DEVELOPMENT PERMIT; SETTING FORTH VARIANCES PROCEDURES; ESTABLISHING FLOOD HAZARD REDUCTION STANDARDS; ADOPTING FLOOD INSURANCE RATE MAPS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6512
FLOODPLAIN
DEVELOPMENT

Mr. Philpott said in 2017, the City hired Halff Associates to look at the Post Oak Creek Drainage Basin, and to update the current data on the maps, with more accurate information. The study was complete in 2018, and was submitted to FEMA for adoption.

In 2022, FEMA has officially accepted the City's data, updated the maps, and are expected to publish those maps next month. Part of their requirement was that the City review the Floodplain Ordinance, which is what this public hearing is about.

The City again worked with Halff to update the Floodplain Ordinance.

Audrey Giesler, Civil Engineer, Halff Associates, presented the proposed updates to the Floodplain Ordinance. Several definitions were either removed or added to the ordinance and there were several section changes.

Mr. Philpott said the Engineering Department has already been doing a lot of the items discussed, but the ordinance just “added some teeth.”

Ms. Giesler said they did add a new section that deals with violations. These violations include developing in a floodplain without a floodplain development permit; failure to return a property to previous state after developing without a floodplain development permit; and deviating from the regulations in Article 3.12 without first obtaining a variance.

She addressed one comment from FEMA and outlined the final wording that was proposed for the ordinance, along with a clause that allows the City’s enforcement.

Mr. Philpott presented map changes for Site 8A, which was constructed in 2000. The previous map didn’t account for the flood control dam, so with construction of the dam, the floodplain on the backside of the dam got considerably larger. Downstream of the dam, the floodplain got narrower, as expected. He said the map was representing risk, but it was representing it incorrectly. The maps are now more accurate, however, Mr. Philpott said the maps don’t mean “you won’t flood, ever.” It just means that these are the areas of highest risk.

He also presented a map of the Archer Street Apartment area. He addressed an area that grew and an area on the backside that got smaller. Mr. Philpott said creeks tend to move over a period of time, and this creek has shifted to the north.

After the 2007 flood, the City actually sent representatives to knock on doors to ask if residents flooded. The City can attest that, that area does flood. FEMA’s map showed it being outside the flood zone.

He said there were also areas where FEMA stopped their study on tributaries, and the City extended it farther up the creek to be more accurate. He felt this would be a more accurate, better model for use by the City.

No other citizens appeared before the City Council to discuss Ordinance No. 6512.

Mayor Plyler introduced Ordinance No. 6513 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 8TH DAY OF NOVEMBER, 2022, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6513
REGULAR ELECTION

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Linda Ashby, City Clerk, explained that this fulfills a requirement by the State for calling the Regular Municipal Election for November 8, 2022.

No citizens appeared before the City Council to discuss Ordinance No. 6513.

Mayor Plyler introduced Ordinance No. 6514 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280 SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 715 NORTH ELM STREET, BEING LOT 18, L.C. CHAPMAN'S ADDITION (DP CAPSTONE LLC, OWNER; AUSTIN HOOVER, REPRESENTATIVE; HD DESIGN BUILD, DESIGNER; AND SARTIN SURVEYING, LLC, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6514
ZONE CHANGE
(715 N. ELM ST)

Rob Rae, Director of Development Services, said this was for rezoning from a C-1 District to an R-1 District, for a single-family home. The owners originally got a Specific Use Permit to build a single-family home, but that has expired.

The property is under construction and the building official has inspected it and determined that construction can continue. The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6514.

Mayor Plyler introduced Ordinance No. 6515 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A MONTESSORI SCHOOL, GRADES 3-12 IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT AT 5615 NORTH FM 1417 (HERITAGE PARKWAY), BEING 3.00 ACRES IN THE JOHN GOODE SURVEY, ABSTRACT NO. 468 (GREGG HOLBROOK, OWNER; BAYLEE KOWERT, APPLICANT; AND HELVEY-WAGNER SURVEYING, INC, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6515
SUP FOR
MONTESSORI
SCHOOL
(5615 N. FM 1417)

Mr. Rae said this is for a Specific Use Permit to allow a Montessori School in a C-1 District. The school would temporarily be located in the Leap of Faith Church, which they would be subleasing.

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

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Baylee Kowert, 5615 N. FM 1417

Ms. Kowert is the applicant and was available to answer any questions that the Council might have.

No other citizens appeared before the City Council to discuss Ordinance No. 6515.

Mayor Plyler handed the meeting over to Deputy Mayor Howeth for the next three agenda items, for transparency purposes.

Deputy Mayor Howeth introduced Ordinance No. 6516 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 2305 AND 2615 GRAYSTONE DRIVE, BEING 19.95 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (LLOYD PLYLER CONSTRUCTION LLP, OWNER; TERRIN BERTHOLF, B & H DEVELOPMENT, LLC, PROSPECTIVE BUYER/REPRESENTATIVE; AND MANHARD ENGINEERING, SURVEYOR/ENGINEER); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6516
ZONE CHANGE
(2305 & 2615
GRAYSTONE DR)

Mr. Rae said Ordinance 6516 and 6517 are connected. The first is a zone change from a C-2 (Commercial) District to an R-1 (Single-Family) District. The applicant is proposing to build 99 single-family homes.

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

No citizens appeared before the City Council to discuss Ordinance No. 6516.

Deputy Mayor Howeth introduced Ordinance No. 6517 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 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 2305 AND 2615 GRAYSTONE DRIVE, BEING 19.95 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (LLOYD PLYLER CONSTRUCTION LLP, OWNER; TERRIN BERTHOLF, B & H DEVELOPMENT, LLC, PROSPECTIVE BUYER/REPRESENTATIVE; AND MANHARD ENGINEERING, SURVEYOR/ENGINEER) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6517
SUP FOR
PATIO HOMES
(2305 & 2615
GRAYSTONE DR)

Mr. Rae said the applicant plans to develop patio homes on the 99 lots, which would be 50-foot lots. They are proposing to include 12% open space. The requirement for this development, by ordinance, would be 10%. They plan to provide a wet pond and a

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trail surrounding the pond and connecting throughout the neighborhood.

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

Terrin Bertholf, B&H Development, is the prospective buyer/representative, and he explained that the development will consist of 99 patio homes, 34,000 square feet of park space, a pond, walking trails around the park and pond, and a row of evergreen trees.

They are currently talking with various national and regional homebuilders to determine which one can fit the site best with the quality they are wanting.

He said he is agreeable to everything in the Staff Review Letter, and is already talking with City staff about how to handle certain items. He said one item in the letter mentions the widening of Graystone Road, from 19 feet to 24 feet on the frontage of the property.

He was available to answer any questions the Council might have.

Thad Thompson, 3706 Heatherwood Lane

Mr. Thompson said he was not opposed to the project, but wanted to give them some information.

From the U.S. Department of Transportation Rail Crossing Database, there are eight trains on that crossing daily. There is also a drainage ditch running parallel to the railroad crossing with 22 feet headwalls on the east end and 24 feet headwalls on the west end. He thought this culvert was on the BNSF right-of-way.

He said, in order to widen the road more than 22 feet at that culvert, the City would need permission from the railroad and would have to pay for the widening. He said it is basically a one-lane road now. The culvert drops off three feet on each side.

He said this new project would put 99 units; 200 cars; 400 people; 200 children, with at least 200 of them school-age; from three to six school busses, twice daily; on this road. He asked that the widening of the road and culvert be included with the subdivision so it will be sufficient to handle the increased traffic from the subdivision.

He asked about the size and cost of the new homes in this subdivision, and asked who will be able to afford them. He said a \$375,000 home with a conventional loan would be \$1,610 monthly, about \$9,000 in real estate taxes, and at least \$2,000 in home owner's insurance. He said it would cost about \$2,500 monthly to "live in one of these homes."

Robby Hefton, City Manager, said with this project, and the one to the south, Graystone Drive will be improved, most likely through the City of Sherman. The developer has agreed to pay for the improvements, widening it to 24 feet. He said there may be a need

for the road to be wider than 24 feet, so the staff may propose that the developer put funds into escrow for the City to use, along with any other funds from the southern development, to widen the road.

He said Mr. Thompson's concerns would be handled by the City staff or consulting engineer at the right time. The developer has agreed to pay for these improvements, and will be escrowing these funds, then the City will determine the scope of the project on Graystone Drive, in the upcoming months.

Mr. Philpott said even widening the road would require coordination with the railroad and they would also look at the drainage culvert.

Alec Anderson, 2512 Village Road

Mr. Anderson said crews recently repaired East Graystone Drive and did a really good job. He urged them to hire a structural engineer to work with the steel reinforcements.

He asked about the 8" waterline that would be coming in and expressed concern about the water pressure and sewage with 99 new patio homes.

Mr. Philpott said the City is in the process of doing a master water and sewer plan, and a large part of that is the water model. The information about any new development is forwarded to the consultants and they run an analysis on the project. The water has recently been calibrated and they are 95% finished. They can now plug projects into the model and determine what effects it will have on the water pressure all over Sherman.

Mary Anderson, 2512 Village Road

Ms. Anderson expressed her concern about the train, which runs around 7:00 a.m., and blocks Graystone Drive, Dripping Springs Road, and North Baker Road. She said 99 new homes will greatly increase the traffic. As it is now, she said it blocks the streets for 15 minutes. She added that North Baker Road is also gravel since the new blacktop was laid on it.

She also expressed concern that there were no sidewalks and people would walk in the street. She said that would add a lot of cars for an area with no sidewalks.

No other citizens appeared before the City Council to discuss Ordinance No. 6517.

Deputy Mayor Howeth introduced Ordinance No. 6518 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 1016 EAST CHERRY STREET, BEING A PORTION OF LOT 3, BLOCK 2 OF HAZELWOOD AND VADEN ADDITION (AXALT DENISON TX HOLDINGS, LLC, OWNER; CHRISTOPHER WYATT, REPRESENTATIVE AND CBG SURVEYING TEXAS LLC,

ORD 6518
ZONE CHANGE
(1016 E. CHERRY ST)

SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

Mr. Rae said this request was for a zone change from a C-1 to an R-1, for a single-family home. The Planning and Zoning Commission recommended approval of the Zone Change, subject to the Staff Review Letter.

Christopher Wyatt, 4308 Ridgewood Road, Melissa, Texas

Mr. Wyatt said he was the owner of the property, and it has always been a single-family residence, and is surrounded by single-family residences. He said it has been zoned commercial, but should be zoned residential again.

No other citizens appeared before the City Council to discuss Ordinance No. 6518.

The Public Hearing was closed.

Deputy Mayor Howeth handed the meeting back over to Mayor Plyler

OTHER BUSINESS

PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE

PROPERTY TAX INCREASE

Ms. Lawrence said the State has requirements for adopting the Budget and the Property Tax Ordinance. This item is related to the adoption of the Budget, but is required to be a separate vote. It is required if the adoption of the Budget will require raising more property taxes.

She said, even though the rate is decreasing, the amount of revenue the City will be receiving is increasing, therefore this is required by the Texas Local Government Code.

The ratification of this item should be by Motion and Order, with the prescribed wording, and a record vote of each Council Member.

ACTION TAKEN.

Motion by Council Member Holland to ratify the Property Tax increase reflected in the Budget, as presented. Second by Council Member Marroquin.

VOTING AYE: Plyler, Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

ADOPTION OF ORDINANCES

Ordinance 6508

ORD 6508 ANNUAL BUDGET

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING A BUDGET AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; DECLARING THAT THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN

LAST YEAR'S BUDGET BY \$2,760,000 AND 14%, AND OF THAT AMOUNT \$476,000 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to adopt Ordinance No. 6508, as presented. Second by Council Member Stevenson.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 6509

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2022; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A LIEN OF ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREOF; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6509
AD VALOREM TAXES

ACTION TAKEN.

Motion by Deputy Mayor Howeth that the Property Tax Rate be increased by the adoption of a Tax Rate of \$.469932 per \$100, which is effectively a 13% increase in the Tax Rate, as presented. Second by Council Member Dobbs.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.
VOTING NAY: None.
MOTION CARRIED.

Mayor Plyler again turned the meeting over to Deputy Mayor Howeth

Ordinance 6510

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED "PERSONNEL", ARTICLE 9.05, ENTITLED "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", AT SECTION 9.05.026, ENTITLED "AUTHORIZED NUMBER OF POSITIONS", TO REVISE THE NUMBER OF AUTHORIZED POSITIONS IN THE POLICE DEPARTMENT AND FIRE DEPARTMENT; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6510
POLICE & FIRE
AUTHORIZED
POSITIONS

Ordinance 6511

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE 2022-23 ANNUAL SERVICE AND ASSESSMENT PLAN UPDATE FOR THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT.

ORD 6511
BEL AIR VILLAGE
SERVICE &
ASSESSMENT
PLAN UPDATE

Ordinance 6512

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 (BUILDING REGULATIONS), ARTICLE 3.12 (FLOOD DAMAGE PREVENTION) OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS; ESTABLISHING NEW REGULATIONS DESIGNED TO MINIMIZE FLOOD LOSSES; DEFINING TERMS; DELEGATING AUTHORITY TO THE FLOODPLAIN ADMINISTRATOR; REQUIRING A FLOODPLAIN DEVELOPMENT PERMIT; SETTING FORTH VARIANCES PROCEDURES; ESTABLISHING FLOOD HAZARD REDUCTION STANDARDS; ADOPTING FLOOD INSURANCE RATE MAPS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6512
FLOODPLAIN
DEVELOPMENT

Ordinance 6513

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 8TH DAY OF NOVEMBER, 2022, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6513
REGULAR ELECTION

Ordinance 6514

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS AMENDING SECTION 12, ORDINANCE NO. 2280 SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 715 NORTH ELM STREET, BEING LOT 18, L.C. CHAPMAN'S ADDITION (DP CAPSTONE LLC, OWNER; AUSTIN HOOVER, REPRESENTATIVE; HD DESIGN BUILD, DESIGNER; AND SARTIN SURVEYING, LLC, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6514
ZONE CHANGE
(715 N. ELM ST)

Ordinance 6515

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A MONTESSORI SCHOOL, GRADES 3-12 IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT AT 5615 NORTH FM 1417 (HERITAGE PARKWAY), BEING 3.00 ACRES IN THE JOHN GOODE SURVEY, ABSTRACT NO. 468 (GREGG HOLBROOK, OWNER; BAYLEE KOWERT, APPLICANT; AND HELVEY-WAGNER SURVEYING, INC, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6515
SUP FOR
MONTESSORI
SCHOOL
(5615 N. FM 1417)

Ordinance 6516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT LOCATED AT 2305 AND 2615 GRAYSTONE DRIVE, BEING 19.95 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (LLOYD PLYLER CONSTRUCTION LLP, OWNER; TERRIN BERTHOLF, B & H DEVELOPMENT, LLC, PROSPECTIVE BUYER/REPRESENTATIVE; AND MANHARD ENGINEERING, SURVEYOR/ENGINEER); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6516
ZONE CHANGE
(2305 & 2615
GRAYSTONE DR)

Ordinance 6517

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 PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 2305 AND 2615 GRAYSTONE DRIVE, BEING 19.95 ACRES IN THE SAMUEL M. McGLOTHLIN SURVEY, ABSTRACT NO. 811 (LLOYD PLYLER CONSTRUCTION LLP, OWNER; TERRIN BERTHOLF, B & H DEVELOPMENT, LLC, PROSPECTIVE BUYER/REPRESENTATIVE; AND MANHARD ENGINEERING, SURVEYOR/ENGINEER) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6517
SUP FOR
PATIO HOMES
(2305 & 2615
GRAYSTONE DR)

Ordinance 6518

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 1016 EAST CHERRY STREET, BEING A PORTION OF LOT 3, BLOCK 2 OF HAZELWOOD AND VADEN ADDITION (AXALT DENISON TX HOLDINGS, LLC, OWNER; CHRISTOPHER WYATT, REPRESENTATIVE AND CBG SURVEYING TEXAS LLC, SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

ORD 6518
ZONE CHANGE
(1016 E. CHERRY ST)

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6510, 6511, 6512, 6513, 6514, 6515, 6516, 6517, and 6518, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

Deputy Mayor Howeth handed the meeting back over to Mayor Plyler

RESOLUTION NO. 6938 – APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS

RES 6938
CIP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS.

Ms. Lawrence said this resolution would adopt the Five-Year Capital Improvement Program, that was discussed earlier. The notice was advertised and the public hearing was held, and now the staff recommends adoption of the resolution.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve Resolution No. 6938, as presented. Second by Council Member Dobbs.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6939 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH THE PUBLIC RESTROOM COMPANY FOR THE PURCHASE AND INSTALLATION OF SITE IMPROVEMENTS FOR THE MARTIN LUTHER KING PARK RESTROOM REPLACEMENT PROJECT

RES 6939
MLK PARK
RESTROOM
REPLACEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH THE PUBLIC RESTROOM COMPANY FOR THE PURCHASE AND INSTALLATION OF SITE IMPROVEMENTS FOR THE MARTIN LUTHER KING PARK RESTROOM REPLACEMENT PROJECT.

Theresa Hutchinson, Parks and Recreation Manager, said this would authorize a contract with Public Restroom Company to replace the restroom at MLK Park. The company scored the highest on the City's scoring criteria, and were also the lowest bid.

ACTION TAKEN.

Motion by Council Member Dobbs to approve Resolution No. 6939, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6940 – AUTHORIZING EXECUTION OF A MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT KNOWN AS HICKORY HILL, BEING AN APPROXIMATE 150.434-ACRE RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS

RES 6940
SHERMAN HICKORY
HILL MASTER
DEVELOPMENT
AGREEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SHERMAN AND SHERMAN HICKORY HILL, LLC, FOR THE CONSTRUCTION OF PUBLIC FACILITIES OF THE PLANNED DEVELOPMENT

KNOWN AS HICKORY HILL, BEING AN APPROXIMATE 150.434-ACRE RESIDENTIAL DEVELOPMENT WEST OF CARRIAGE ESTATES ROAD IN THE CITY OF SHERMAN, TEXAS.

Mr. Philpott said this was another step for this development. Earlier this summer, the Council approved a request for an annexation and this development. This is a Master Development Agreement on some of the infrastructure costs that will be shared on the development.

The agreement outlines who pays for what, including the dedication of over 20 acres of park land. The City is responsible for the off-site sewer, and will also expand all four lanes of Lamberth Road, through Carriage Estates.

There will be a shared cost with the developer, on the extension of a portion of Lamberth Road and Friendship Road, through the development. It will also include two lanes, concrete curb and gutter, similar to Moore Street. The City will be responsible for some of the park improvements and dedication for some of the internal streets.

They hope to start construction later this year. An engineering contract will be brought to the Council in the future for consideration. They will also have the contract for Lamberth and Friendship Roads, and there will probably be a reimbursement agreement. Hopefully, all the construction will be done at the same time.

Mr. Hefton added that the sewer line on the south end, that will extend from the existing sewer main that runs down Sand Creek, to the south end of the development, will also be the City's responsibility.

He said, this agreement is about infrastructure in and adjacent to the Hickory Hill Development, but the project is larger than that, and extends from Lamberth Road, eastward to Shady Oaks, and then to the off-site sewer.

Mr. Philpott said the staff is working to make sure the sewer line has the ability to also serve the property to the north.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Resolution No. 6940, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6941 – AUTHORIZING EXECUTION OF A RELOCATION AGREEMENT WITH ATMOS ENERGY CORPORATION FOR THE RELOCATION OF A HIGH-PRESSURE TRANSMISSION GAS LINE

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

**RES 6941
ATMOS RELOCATION
OF HIGH-PRESSURE
TRANSMISSION
GAS LINE**

AGREEMENT WITH ATMOS ENERGY CORPORATION, FOR RELOCATION OF A HIGH-PRESSURE TRANSMISSION GAS LINE. CONSENT AGENDA.

RESOLUTION NO. 6942 – AUTHORIZING EXECUTION OF A CONTRACT WITH BUSINESS ESSENTIALS FOR FURNITURE FOR THE NEW SHERMAN POLICE DEPARTMENT HEADQUARTERS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH BUSINESS ESSENTIALS FOR FURNITURE FOR THE NEW SHERMAN POLICE DEPARTMENT HEADQUARTERS. CONSENT AGENDA.

RES 6942
POLICE DEPT
FURNITURE

RESOLUTION NO. 6943 – AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 8, 2022
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 8, 2022. CONSENT AGENDA.

RES 6943
JOINT ELECTION
AGREEMENT

RESOLUTION NO. 6944 – AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE CITY OF DURANT, OKLAHOMA
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE CITY OF DURANT, OKLAHOMA. CONSENT AGENDA.

RES 6944
MUTUAL AID
AGREEMENT
WITH DURANT,
OKLAHOMA

RESOLUTION NO. 6945 – AUTHORIZING EXECUTION OF AN EASEMENT TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE INSTALLATION OF OVERHEAD AND UNDERGROUND ELECTRIC SUPPLY FOR THE NEW CITY OF SHERMAN POLICE STATION HEADQUARTERS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EASEMENT TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE INSTALLATION OF OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY FOR THE NEW CITY OF SHERMAN POLICE STATION HEADQUARTERS. CONSENT AGENDA.

RES 6945
POLICE DEPT
INSTALLATION OF
ELECTRIC SUPPLY

RESOLUTION NO. 6946 – AUTHORIZING THE CONTRACTING OF UNIFORMS SERVICES FOR MULTIPLE DEPARTMENTS FROM CINTAS THROUGH THE OMNIA PARTNERS PURCHASING COOPERATIVE
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CONTRACTING OF UNIFORMS SERVICES FOR MULTIPLE DEPARTMENTS FROM CINTAS THROUGH THE OMNIA PARTNERS PURCHASING COOPERATIVE. CONSENT AGENDA.

RES 6946
ANNUAL UNIFORM
CONTRACT

OTHER BUSINESS

RECEIVE A PRESENTATION FROM KIMLEY-HORN AND ASSOCIATES ON THE AMENDMENT TO THE ROADWAY, WATER, WASTEWATER LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, AND IMPACT FEE STUDY AND THE AMENDMENT OF THE IMPACT FEE ORDINANCE

**AMENDMENT TO
ROADWAY, WATER,
WASTEWATER LAND
USE, CIP, IMPACT
FEES**

Mr. Rae said in 2020, the City Council approved Ordinance 6326, establishing a Water, Wastewater, Roadway Impact Fee. The Impact Fee went into effect on June 7, 2021, and they began collecting the fee. From June 7, 2021 until June 7, 2022, there was a grace period for any properties that had already been platted, and they did not pay Impact Fees. The grace period ended on June 7, 2022, and the City has been collecting Impact Fees on any new standard commercial development.

Since the passage of Impact Fees, Mr. Rae said there has been “an explosion of growth,” and a lot of changes in the infrastructure needs. Because of this, the City contracted with Kimley-Horn to update the study.

He introduced April Escamilla, Engineer, Kimley-Horn and Associates, to present proposed amendments to the study. She addressed the process and the role the City Council would play in the adoption process.

Components of the Impact Fee include the service area, the land use assumptions, the Capital Improvement Plan, a maximum fee calculation, and sample calculations.

Service areas of the Impact Fee are for the roadway, water, and wastewater. Boundaries must be established for each service area. The service area boundary for water and wastewater is the entire City. The service area for the roadway is a six mile trip length limit, is limited to the corporate limits of the City, and cannot include the ETJ.

They proposed extending the water and wastewater service areas to the ETJ. There are four service areas for the roadway, that extend to the City limits and not the ETJ. They are making a minor update to service areas three and four for roadways. The revised limits follow Post Oak Creek, which Mr. Rae said is a more natural boundary. Previously the boundary was FM 1417.

Ms. Escamilla also presented a list of proposed projects for the water and wastewater systems, and presented a map of each roadway service area. She discussed the maximum fee calculation per service area, and how it was determined.

Ms. Escamilla compared the 2020 adopted Impact Fee and the proposed 2022 “Minor Update” fee in each of the areas. The CIAC will also make their recommendation to the Council. She explained how the sample calculations were determined for the various land uses.

The study calculates the maximum Impact Fee, while the actual collection rate will be set in the ordinance, by the City Council. The

COUNCIL MINUTES – AUGUST 15, 2022

CIAC will discuss their recommendations to Council on August 30, 2022, and the City Council will hold a public hearing on September 6, 2022.

Mr. Hefton said no decision was needed tonight, and the Council should entertain the CIAC recommendations first. He added that they can choose anything between zero and the maximum allowable. If the Council takes no action, to change the current rate that the City's charging, they still have to revise and update the ordinance that sets the maximum. That will still require action at a future meeting.

He asked if the Council "was leaning" a certain way towards increasing the fee. He reiterated the current maximum amounts. He said the amount Sherman is charging is considerably lower than our other peer cities. Also, the program was adopted in 2021, but had a year's grace period, so very little revenue has been received from the program. Therefore, it's hard to determine the impact that the fee has had.

Mayor Plyler verified that there will be Council action to adopt the maximum allowed, but they can adopt or change the actual fee at any time. "No action" would be to not change the fee that is already being collected.

Mr. Philpott said the Council definitely wanted to adopt the updated study, because it includes areas that have recently been annexed and need to be included for the Impact Fees.

Council Member Stevenson said he would like to see information about averaging across all four areas versus not averaging. He asked if there would be economic incentives for builders to build in some areas and not in others.

Deputy Mayor Howeth said she was glad they adopted Impact Fees when they did, because with the recent growth, she didn't know what they would have done about needed infrastructure. She did feel it needed to be re-evaluated, but did not feel that she had enough information to decide now. She felt the Impact Fee would need to be changed.

Mr. Hefton said the staff could make some assumptions. He mentioned some of the infrastructure that would be needed for Texas Instruments alone. He did say they couldn't determine the impact that this infrastructure would have yet, especially since there are several large developments in the works.

Council Member Teamann said the Impact Fees just started being charged in June 2022. Mr. Hefton said they started being charged in June 2021, for those that didn't already have something platted. There was a rush to get projects platted before the fee went into effect. He said Impact Fees have raised only about \$200,000, since they have been implemented.

COUNCIL MINUTES – AUGUST 15, 2022

Council Member Stevenson asked if the staff felt that Impact Fees had deterred single-family homebuilders from coming to Sherman. Mr. Hefton said the staff has not seen that.

Mayor Plyler confirmed that the CIAC was composed of local citizens.

Mr. Hefton clarified that the allowable maximum increased because the projected cost of infrastructure and the population increased. Council Member Dobbs said it seemed like the Council was conservative when Impact Fees began in 2020, but things have changed substantially and the City has a lot more leverage now. Council Member Stevenson said the Council wanted Impact Fees, but they didn't want "to scare anyone away" by having them.

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE COMPREHENSIVE PLAN PROJECT MANAGER FOR 11:00 A.M. ON THURSDAY, SEPTEMBER 22, 2022 TO REVIEW THE COMPREHENSIVE PLAN AND ZONING ORDINANCE UPDATES

Mr. Rae said Ryan Pittman, City Attorney, would not be available to attend a meeting on September 22, 2022. He asked Council Members if they wanted to change the date of the meeting. The alternative date for the meeting is September 21, 2022.

Mr. Hefton said half of the meeting will be about the Comprehensive Plan, and the other half will be about the Zoning and Development Ordinances. He did not want to spend the bulk of the meeting on the legal issues of the zoning ordinances, but on the zoning changes that would be presented.

Council Member Dobbs said he could not attend a meeting on September 21, 2022.

ACTION TAKEN.

Motion by Council Member Stevenson to schedule a Joint Meeting with the City Council and the Comprehensive Plan Project Manager, on September 22, 2022, at 11:00 a.m., to review the Draft 2022 Comprehensive Plan and Trails Master Plan and Zoning Ordinance Updates, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson.

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF BAKERSFIELD ADDITION LOT 1, BLOCK 1, BEING 13.564 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625; JOHN ADCKOCK, OWNER; CHARLIE MOUSSA, PREMIER MULTIFAMILY DEVELOPMENT, DEVELOPER; AND PACHECO KOCH CONSULTING ENGINEERS, SURVEYOR (4001 OB GRONER ROAD)

The City Council approved the Final Plat of Bakersfield Addition, Lot 1, Block 1, a 13.564 acre tract, located at 4001 O.B. Groner Road. The owner would like to plat the property into one lot for a multi-family residential development.

SCHEDULE JOINT MEETING WITH COUNCIL & COMPREHENSIVE PLAN PROJECT MGR (SEPT. 22, 2022)

APPROVE FINAL PLAT BAKERSFIELD ADDITION (4001 O.B. GRONER RD)

COUNCIL MINUTES – AUGUST 15, 2022

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

REPLAT APPROVAL OF OPEL ADDITION, PHASE TWO, BEING PART OF THE G.B. PILANT SURVEY, ABSTRACT NO. 963 AND BEING ALL OF LOTS 2 AND 3 OF OPEL ADDITION, CONSISTING OF 2.170 ACRES; BERANEA CRUZ, OWNER AND HELVEY-WAGNER SURVEYING INC., SURVEYOR (912 AND 916 SOUTH GRIBBLE STREET)

APPROVE REPLAT
OPEL ADDITION
PHASE 2
(912 & 916 S. GRIBBLE)

The City Council approved the Replat of Opel Addition, Phase Two, a 2.170 acre tract, located at 912 and 916 South Gribble Street. The owner would like to plat the property into two lots for residential development.

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

REPLAT APPROVAL OF LOTS 8 & 9, BLOCK 1, PRESTON CLUB THE CLASSICS – PHASE THREE, BEING PART OF THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128 AND BEING ALL OF LOTS 8 AND 9, BLOCK 1, PRESTON CLUB THE CLASSICS-PHASE THREE, CONSISTING OF 0.452 ACRES; WUI DEVELOPMENTS LLC, OWNER AND HELVEY-WAGNER SURVEYING INC., SURVEYOR (112 AND 128 ROBERTS RUN)

APPROVE REPLAT
PRESTON CLUB
THE CLASSICS-
PHASE THREE
(112 & 128 ROBERTS
RUN)

The City Council approved the Replat of Lots 8 and 9, Block 1, Preston Club The Classics – Phase Three, a 0.452 acre tract, located at 112 and 128 Roberts Run.

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

REPLAT APPROVAL OF GRAYSON CHIN BAPTIST CHURCH ADDITION, BEING PART OF THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AND BEING ALL OF LOTS 1, 2, 3, & 4 AND A 20' ALLEY IN BLOCK 4, W. ELLIOTT'S ADDITION CONSISTING OF 0.685 ACRES; GRAYSON CHIN BAPTIST CHURCH, OWNER; REVEREND KHEN CHUM, REPRESENTATIVE; J. VOLK CONSULTING, ENGINEER; AND COPLEY LAND SURVEYING, SURVEYOR (527 SOUTH WILLOW STREET AND 909 EAST KING STREET)

APPROVE REPLAT
GRAYSON CHIN
BAPTIST CHURCH
ADDITION
(527 S. WILLOW &
909 E. KING STS)

The City Council approved the Replat of Grayson Chin Baptist Church Addition, a 0.685 acre tract, located at 527 South Willow and 909 East King Streets.

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

FINAL PLAT APPROVAL OF USOW SHERMAN ADDITION, BEING 2.814 ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 827 AND THE S. MCGLOTHLIN SURVEY, ABSTRACT NO. 808; H. BLUME LOE, JR., OWNERS AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR (2450 NORTH FRISCO ROAD)

APPROVE FINAL PLAT
USOW SHERMAN
ADDITION
(2450 N. FRISCO RD)

COUNCIL MINUTES – AUGUST 15, 2022

The City Council approved the Final Plat of USOW Sherman Addition, a 2.814 acre tract, located at 2450 North Frisco Road. The owner would like to plat the property into one lot for commercial development.

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

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF 903 BREWER'S ADDITION, BEING 11.111 ACRES AND ALSO BEING LOTS 1 AND 2, BLOCK 1 NORTHGATE BUSINESS PARK, PHASE 1; SEDCO, OWNER; KENT SHARP, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR (3231 NORTHGATE DRIVE)

APPROVE REPLAT
903 BREWER'S
ADDITION
(3231 NORTHGATE DR)

The City Council approved the Replat of 903 Brewer's Addition, a 11.111 acre tract, located at 3231 Northgate Drive. The owner would like to plat the property into one lot for commercial development.

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

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT APPROVAL OF JUAREZ ADDITION, BEING 0.161 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO 763; HANNAH AND DANIEL JUAREZ, OWNERS AND COPLEY LAND SURVEYING, SURVEYOR (407 EAST COLLEGE STREET)

APPROVE REPLAT
JUAREZ ADDITON
(407 E. COLLEGE ST)

The City Council approved the Replat of Juarez Addition, a 0.161 acre tract, located at 407 East College Street. The owner would like to plat the property into one lot for residential development.

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

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

FINAL PLAT APPROVAL OF TEXAS INSTRUMENTS SHERMAN ADDITION, BEING 559.333 ACRES IN THE M.G. FELERS SURVEY, ABSTRACT 427, THE C.S. DALE SURVEY, ABSTRACT NO. 356, THE WILLIAM MARTIN SURVEY, ABSTRACT 765, THE HEIRS OF SHERROD DUNMAN SURVEY, ABSTRACT NO. 329, THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248 AND THE JAMES A. FOSTER SURVEY, ABSTRACT NO. 418; TEXAS INSTRUMENTS INCORPORATED, OWNER; PATRICK BRAUN, PACHECO KOCH, REPRESENTATIVE; AND RINGLEY & ASSOCIATES, INC, SURVEYOR (501 WEST SHEPHERD DRIVE)

APPROVE FINAL PLAT
(501 W. SHEPHERD DR)

The City Council approved the Final Plat of Texas Instruments Sherman Addition, a 559.333 acre tract, located at 501 West Shepherd Drive. The owner would like to plat the property into one lot for commercial development.

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

CONSENT AGENDA, SUBJECT TO STAFF REVIEW LETTER.

REPLAT OF LOT 2 OF INDEPENDENCE SQUARE ADDITION, SECTION 3, BEING 8.93 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, AND BEING ALL OF LOT 2 OF THE REPLAT OF LOT 3, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION 3; RUSSELL SPEARS, POST OAK LIQUIDATING TRUST, OWNERS; BRAD TIDWELL, OAK VIEW CAPITAL PARTNERS, DEVELOPER; AND UNDERWOOD SURVEYING, SURVEYOR (2100-2200 BLOCKS NORTH TRAVIS STREET)

APPROVE REPLAT
INDEPENDENCE
SQUARE ADDITION
(2100-2200 BLOCKS
N. TRAVIS ST)

The City Council approved the Replat of Lot 2 of Independence Square Addition, Section 3, an 8.93 acre tract, located in the 2100 to 2200 blocks of North Travis Street. The owner would like to plat the property into two lots for commercial development.

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

REPLAT APPROVAL OF KING STREET ADDITION, BEING PART OF THE G.B. PILANT SURVEY, ABSTRACT NO. 963 AND BEING ALL OF LOT 5 AND THE NORTH 25 FT. OF LOT 6, C.L. STOWES ADDITION, CONSISTING OF 0.321 ACRES; TIMBER REALTY MANAGEMENT LLC, OWNER AND HELVEY-WAGNER SURVEYING INC., SURVEYOR (602 SOUTH CHARLES STREET)

APPROVE REPLAT
KING STREET
ADDITION
(602 S. CHARLES ST)

The City Council approved the Replat of King Street Addition, a 0.321 acre tract, located at 602 South Charles Street). The owner would like to plat the property into one lot for residential development.

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

REPLAT APPROVAL OF LOTS 17 & 18, BLOCK 1, PRESTON CLUB THE CLASSICS – PHASE THREE, BEING PART OF THE J.M. THOMAS SURVEY, ABSTRACT NO. 1234 AND BEING ALL OF LOTS 17 AND 18, BLOCK 1, PRESTON CLUB THE CLASSICS-PHASE THREE, CONSISTING OF 0.798 ACRES; WUI DEVELOPMENTS LLC, OWNER AND HELVEY-WAGNER SURVEYING INC., SURVEYOR (252 AND 268 ROBERTS RUN)

APPROVE REPLAT
PRESTON CLUB
THE CLASSICS
PHASE THREE
(252 & 268 ROBERTS
RUN)

The City Council approved the Replat of Lots 17 and 18, Block 1, Preston Club The Classics – Phase Three, a 0.798 acre tract, located at 252 and 268 Roberts Run. The owner would like to plat the property into one lot for residential development and dedicate 0.152 acres of the property for right-of-way purposes.

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

COUNCIL COMMENTS UPCOMING FESTIVALS

UPCOMING FESTIVALS

Council Member Marroquin said the Arts Fest would be held on the Municipal Grounds on September 17, 2022, and the Hispanic Heritage Festival would be held the following weekend, on September 10, 2022 on the Municipal Grounds. He invited everyone to attend both festivals.

DOWNTOWN CITY PARKING LOT

Deputy Mayor Howeth thanked the Street Department for redoing the parking lot, across from Old Iron Post Restaurant. She said it looks great.

DOWNTOWN CITY
PARKING LOT

MARTIN LUTHER KING PARK RESTROOMS

Daron Holland thanked the Parks Department for moving forward with the restrooms at Martin Luther King Park

MARTIN LUTHER
KING PARK
RESTROOMS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Sherman Public Library will host Midnight Madness game night on August 19, 2022. Games and food for those 18 and older.
- Still a few days left for Dino Days at the Sherman Museum, with the exhibit closing on August 20, 2022.
- Bonus Hot Summer Nights concert on September 29, 2022, at 7 p.m. Come see Jo Dee Messina.

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

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

COUNCIL MINUTES – AUGUST 15, 2022

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

Mayor Plyler said the Executive Session was not needed.

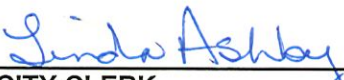
ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:27 p.m.

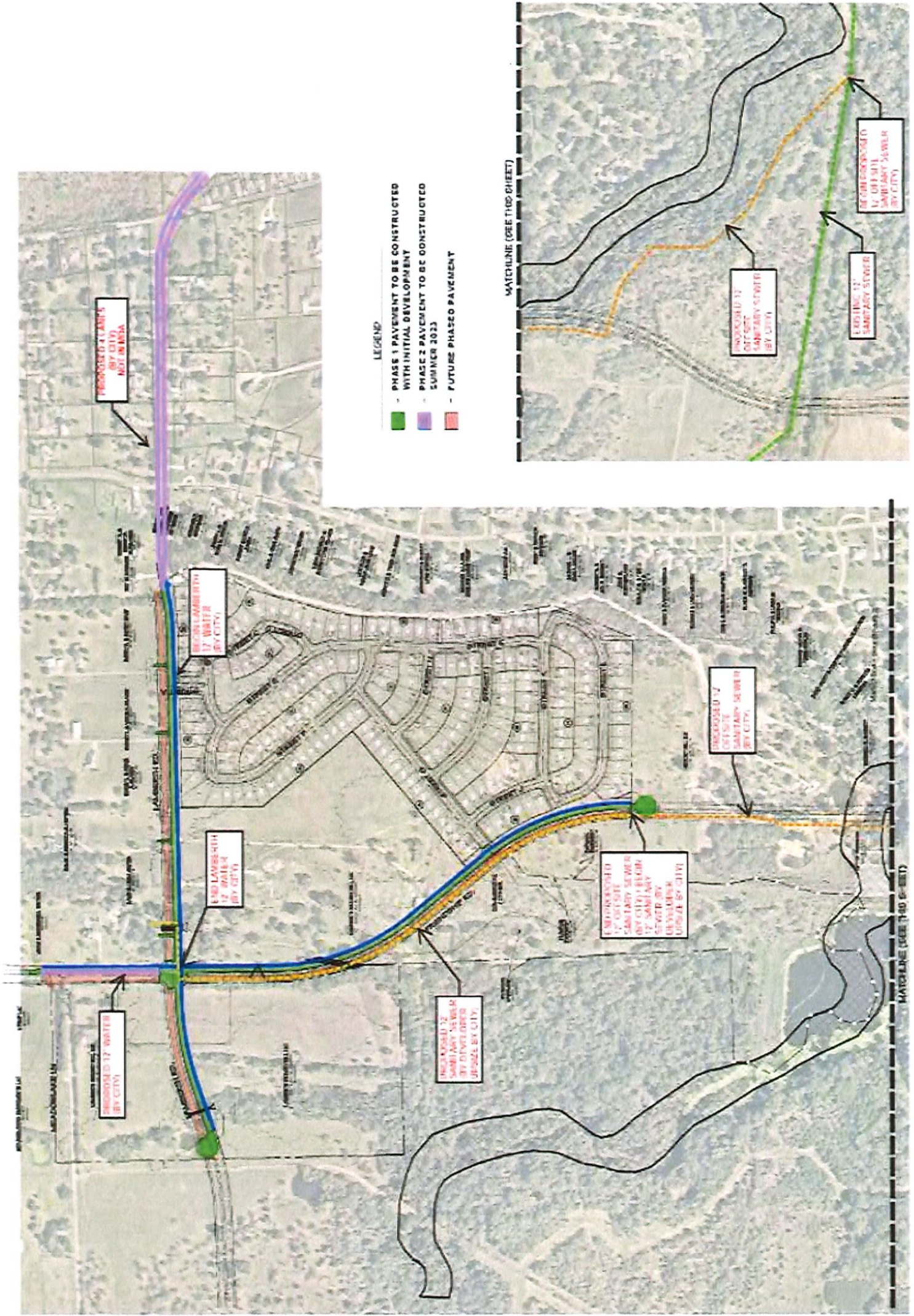
ADJOURNMENT



MAYOR



CITY CLERK





Impact Fee Minor Update

City of Sherman City Council Work Session

August 15, 2022



Kimley»Horn



Overview

Impact Fee Process

Role of City Council

Updates to Impact Fee Components

Comparisons

Today's Actions

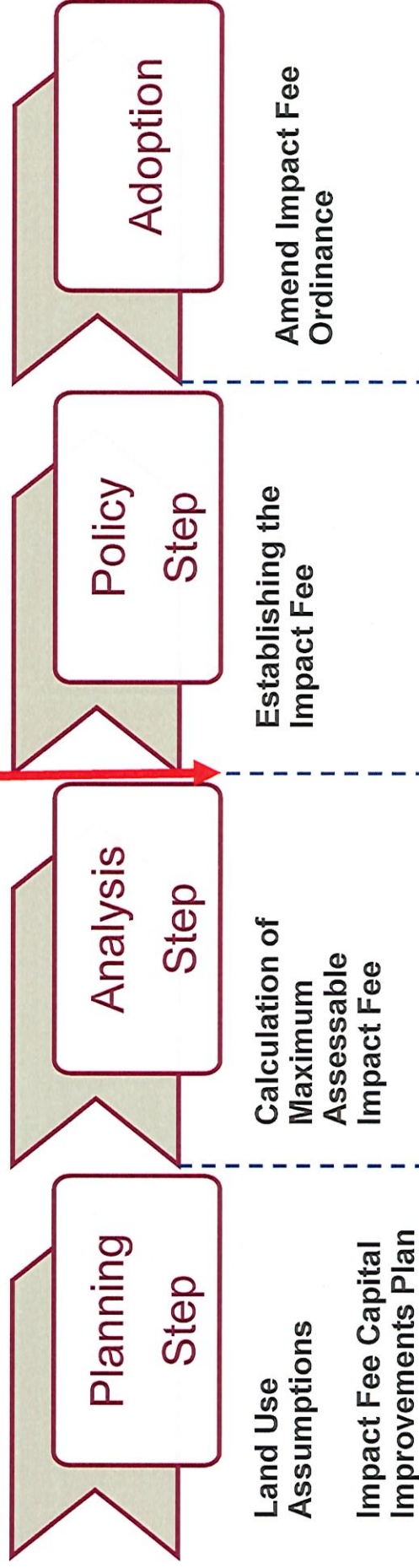
Schedule



Impact Fee Update Process



We are here in process



Role of the City Council

During the Adoption Process



Land Use Assumptions (LUA)

Review LUA and CIAC Comments

Impact Fee Capital Improvements Plan (CIP)

Review Impact Fee CIP and CIAC Comments

Impact Fees

Review Impact Fee and Provide Impact Fee Recommendation

Impact Fee Components

- Service Area
- Land Use Assumptions
- Capital Improvements Plan
- Maximum Fee Calculation
- Results: Sample Calculations



Service Areas

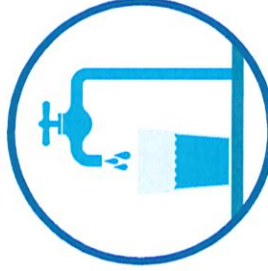


Establish the boundary to which funds can be collected and specify areas to be served by the IF CIP

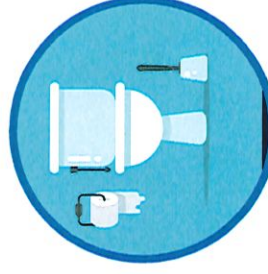
Roadway



Water



Wastewater



Service Areas



Funds collected within a service area must be spent on projects within the same service area within 10 years

Roadway

6 mile trip length limit

Service Area:
Limited to Corporate Limits
and cannot include the ETJ

Water

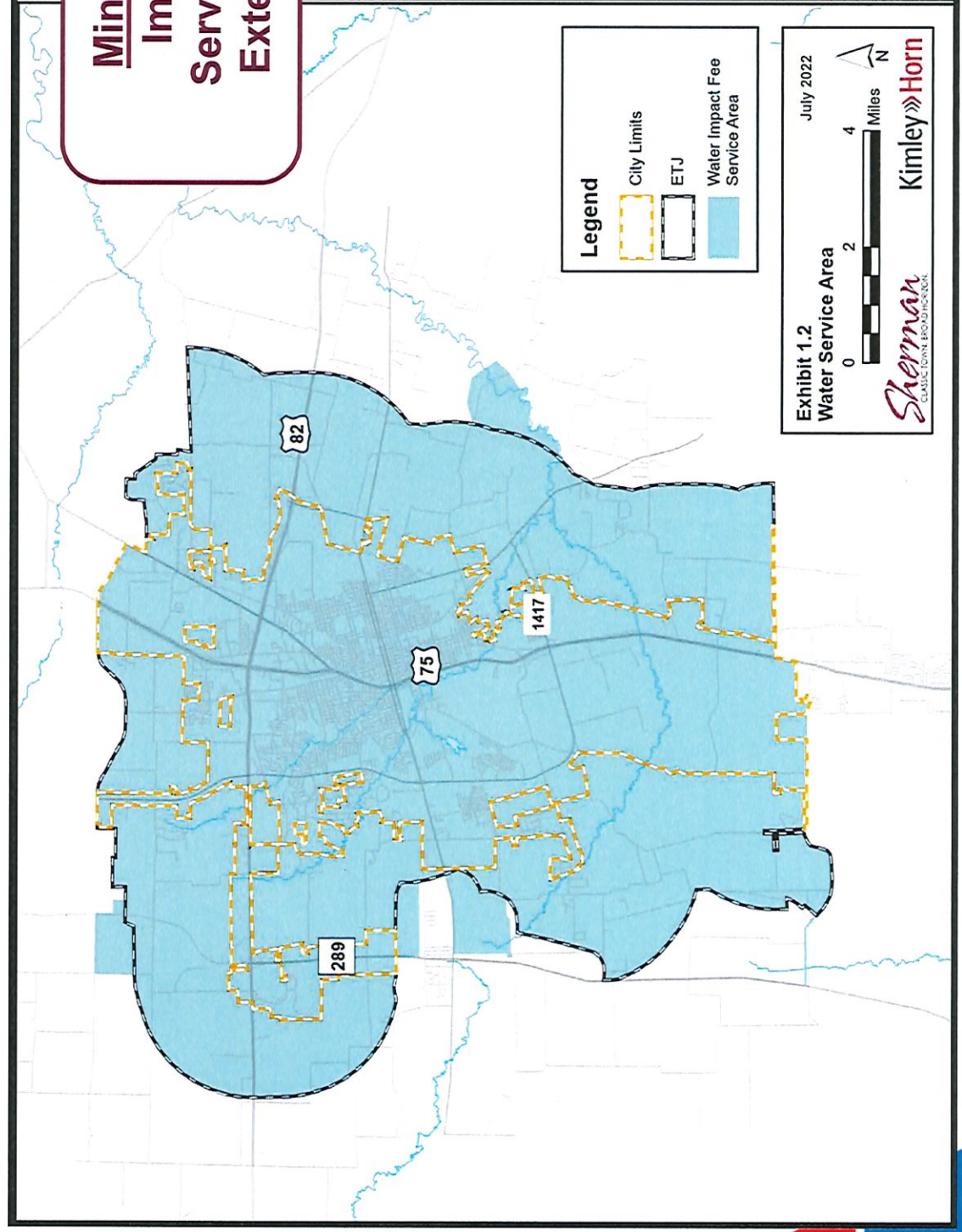
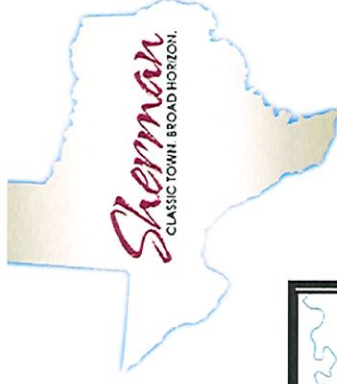
Service Area:
City Wide

Wastewater

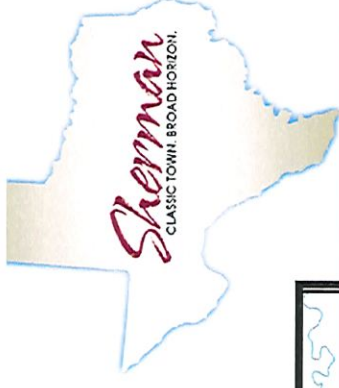
Service Area:
City Wide



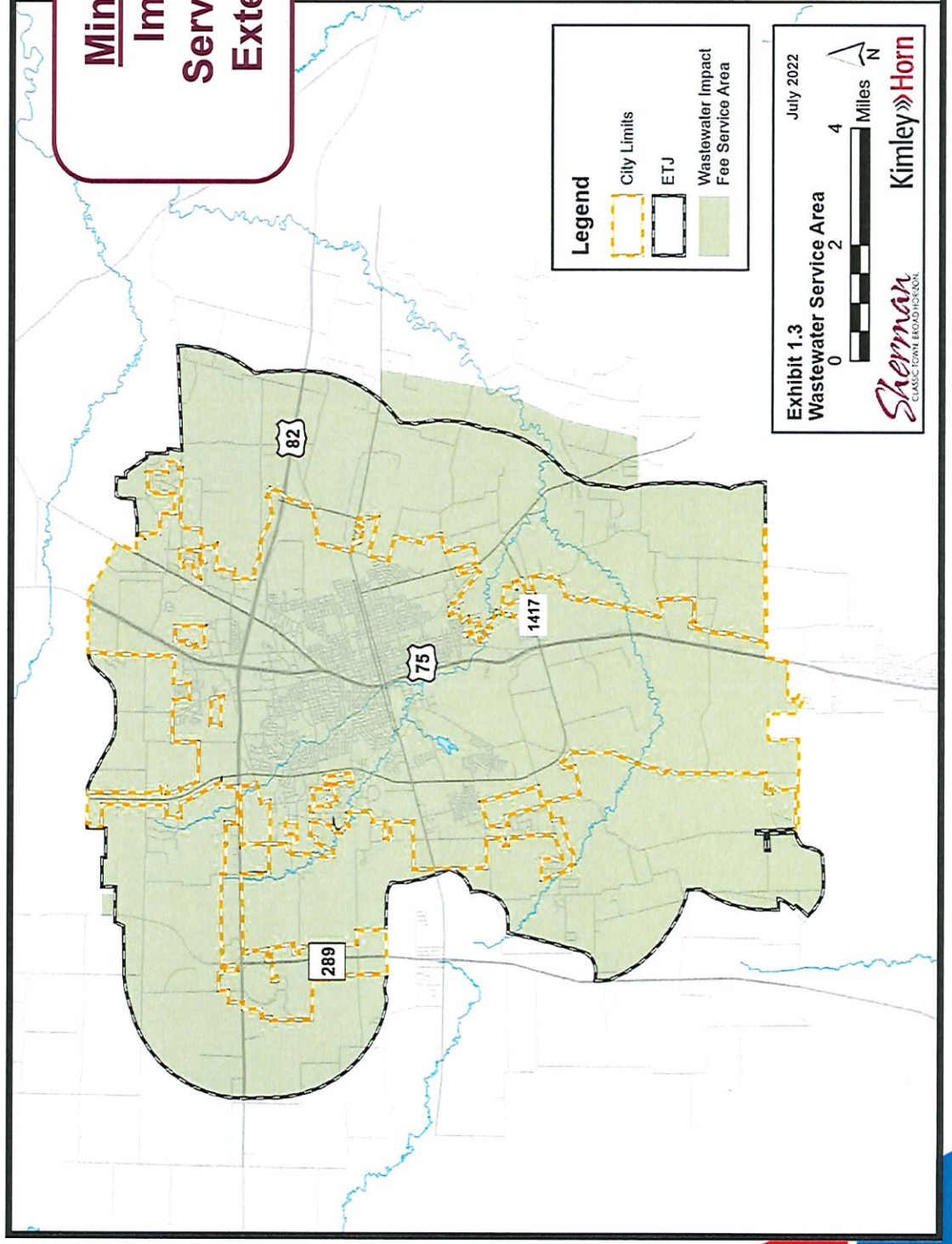
Service Areas Water



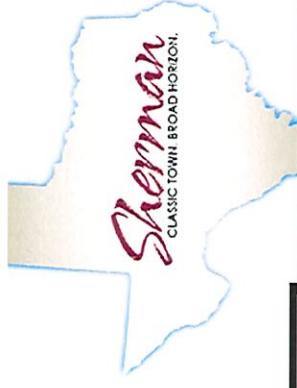
Service Areas Wastewater



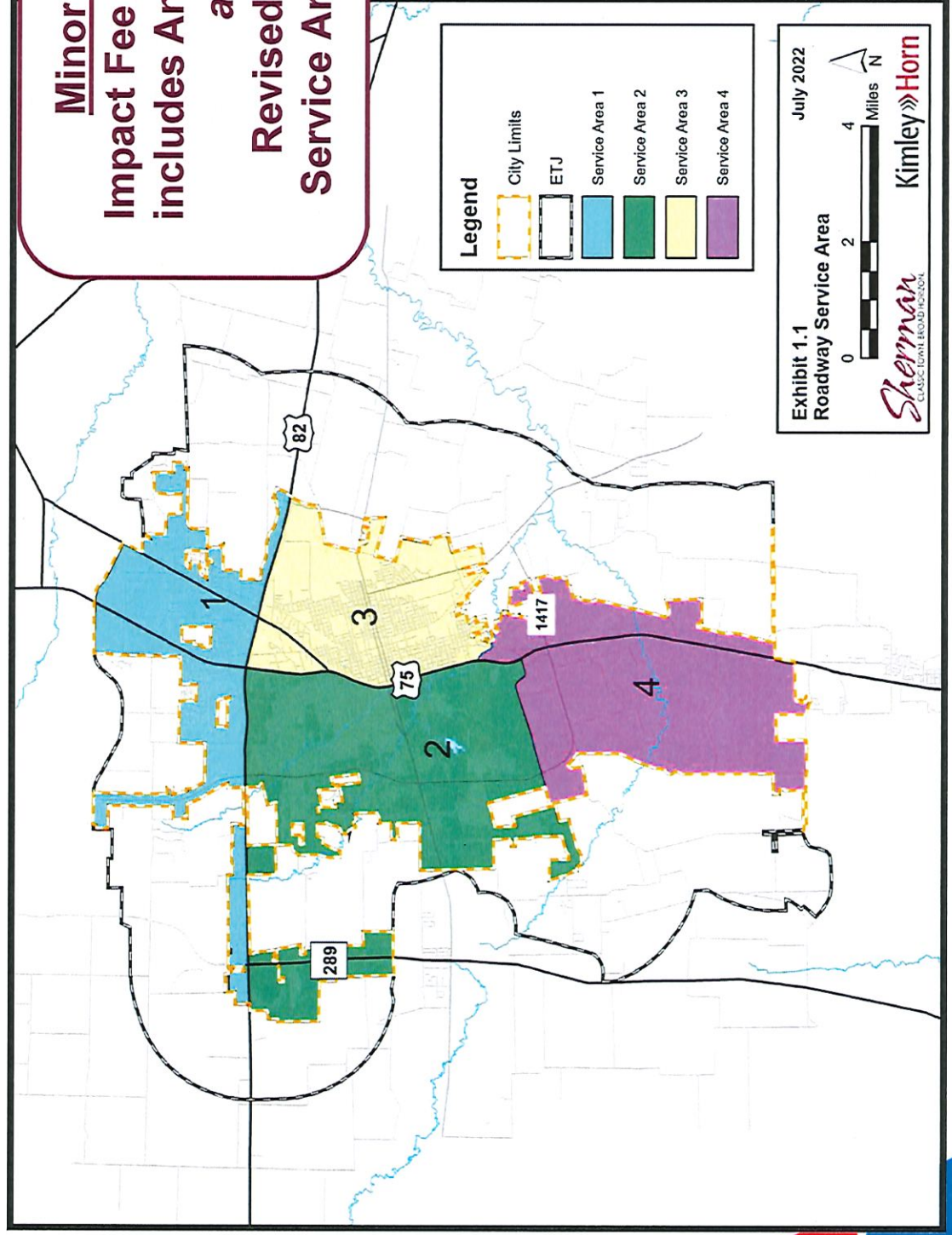
**Minor Update
Impact Fee
Service Area to
Extend to ETJ**



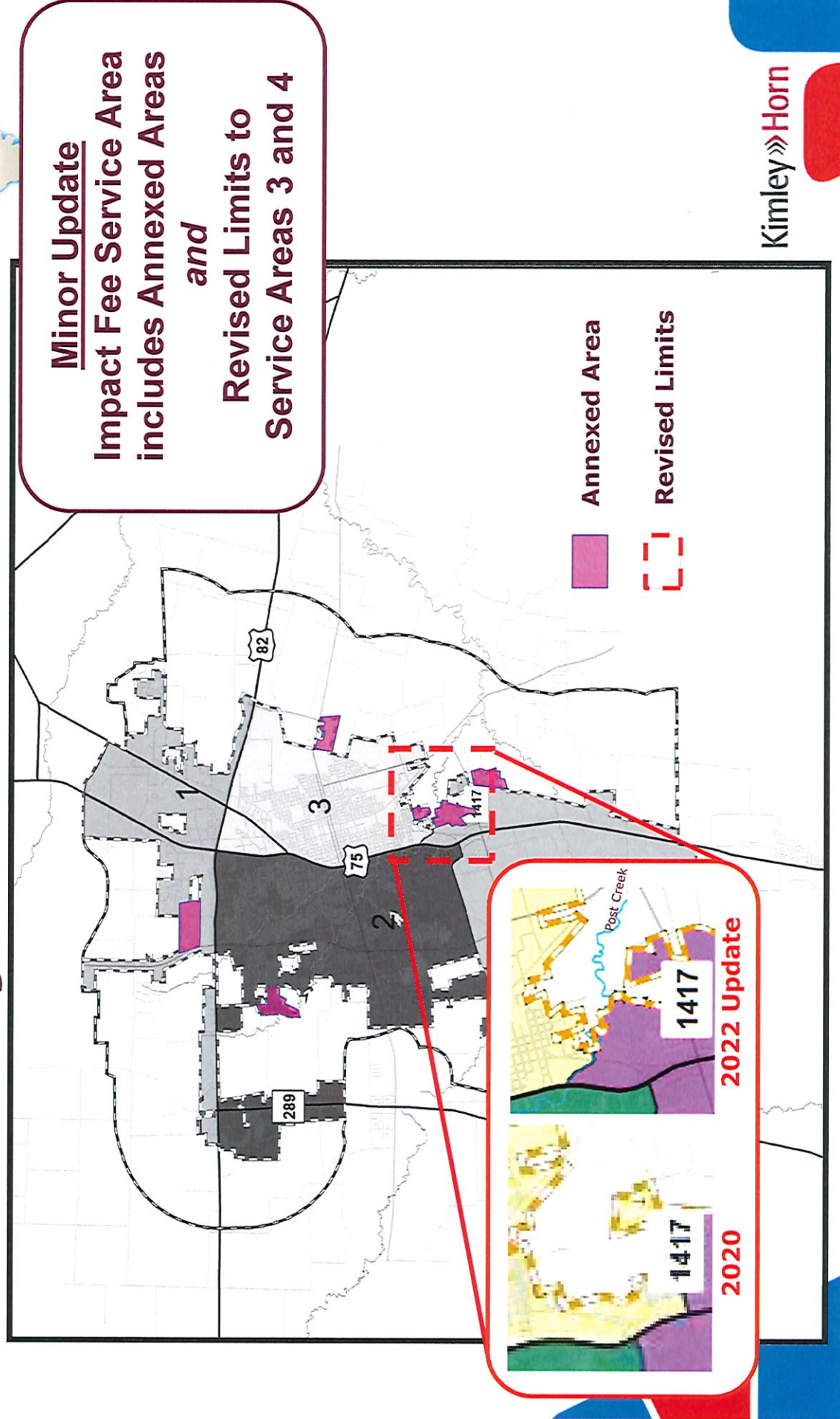
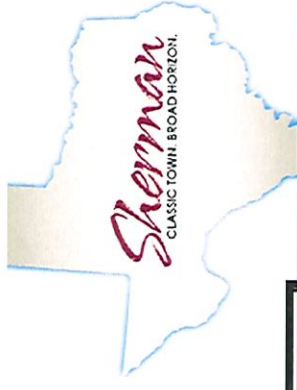
Service Areas Roadway



Minor Update
Impact Fee Service Area
includes Annexed Areas
and
Revised Limits to
Service Areas 3 and 4



Service Areas Roadway



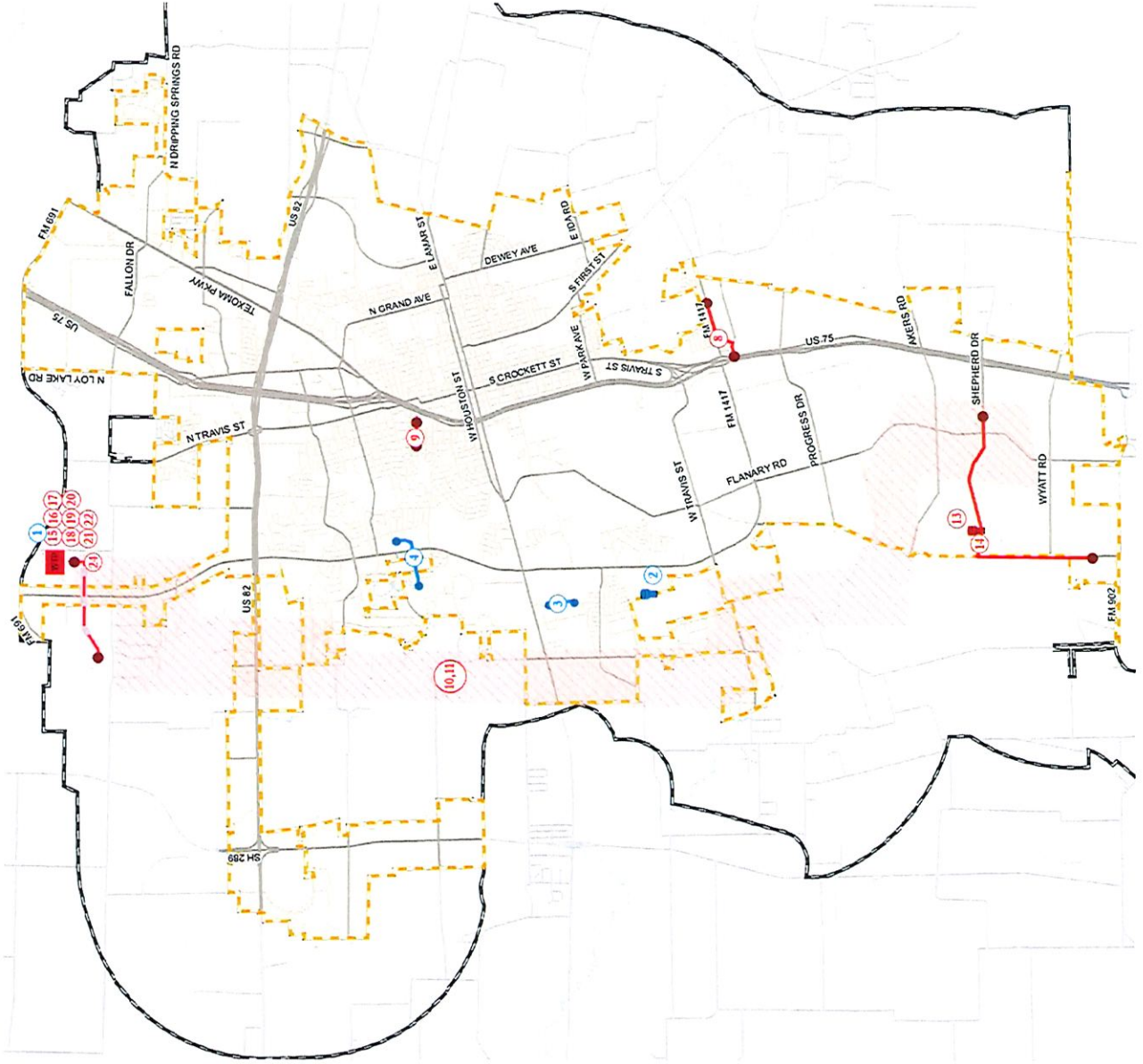
Land Use Assumptions



Service Area	2020*						2022 Minor Update					
	Residential Units		Employment Units				Residential Units		Employment Units			
	Single Family	Multifamily	Basic Sq Ft	Service Sq Ft	Retail Sq Ft		Single Family	Multifamily	Basic Sq Ft	Service Sq Ft	Retail Sq Ft	
1	550	521	154,000	77,000	889,000		1,427	1,480	154,000	1,166,000	1,978,000	
2	1,250	938	98,000	5,000	535,000		2,553	1,556	98,000	5,000	535,000	
3	100	-	66,000	3,000	136,000		977	409	66,000	3,000	136,000	
4	1,200	3,200	971,000	2,274,000	2,296,000		3,502	8,184	6,071,000	2,274,000	3,069,000	
<u>City Total</u>	<u>3,100</u>	<u>4,659</u>	<u>1,289,000</u>	<u>2,359,000</u>	<u>3,856,000</u>		<u>8,459</u>	<u>11,629</u>	<u>6,389,000</u>	<u>3,448,000</u>	<u>5,718,000</u>	

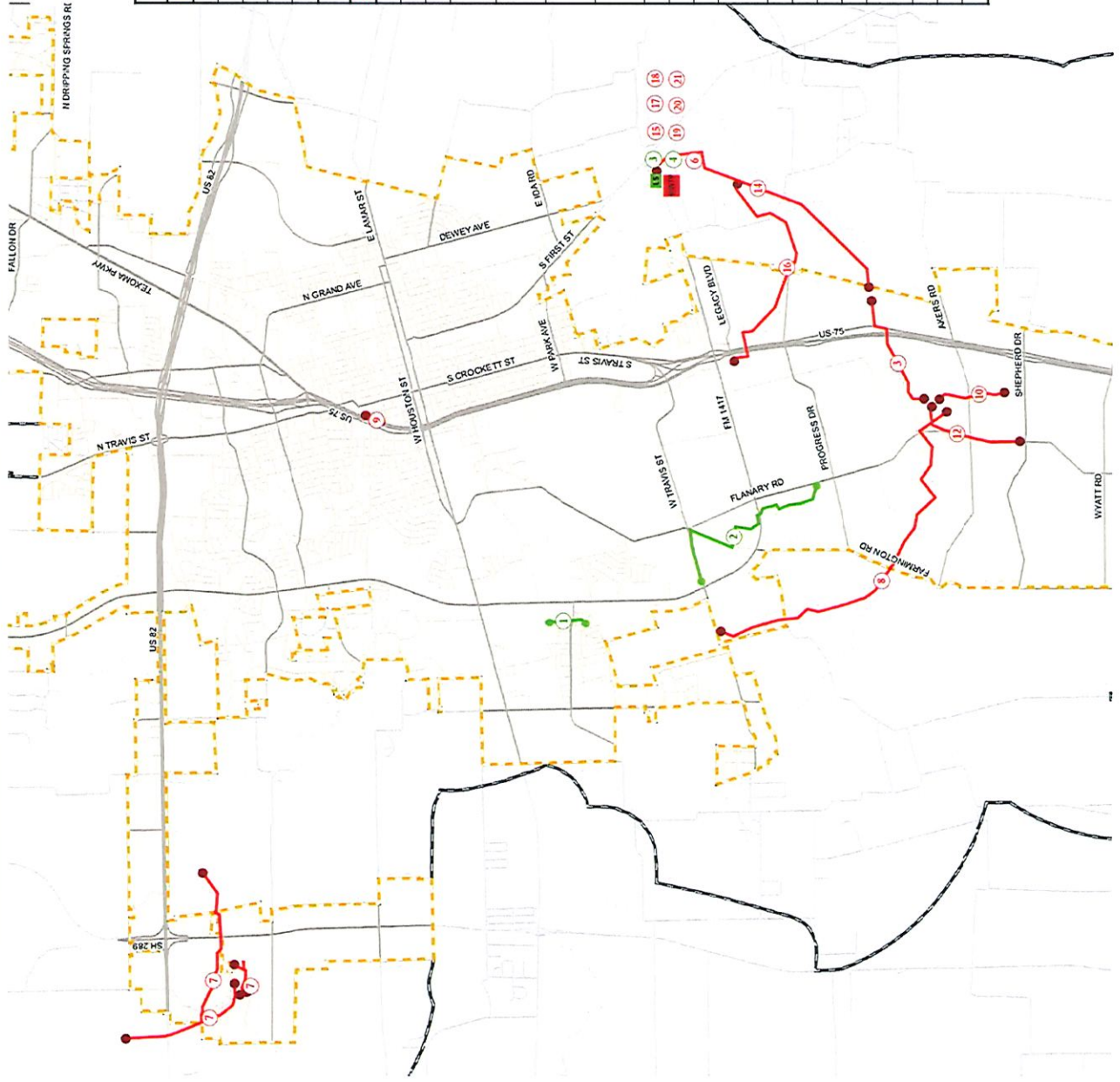
* 2020 Impact Fee Study Considered: 70 Single Family Units in ETJ for Water and Wastewater Service Areas, respectively

Impact Fee CIP Water



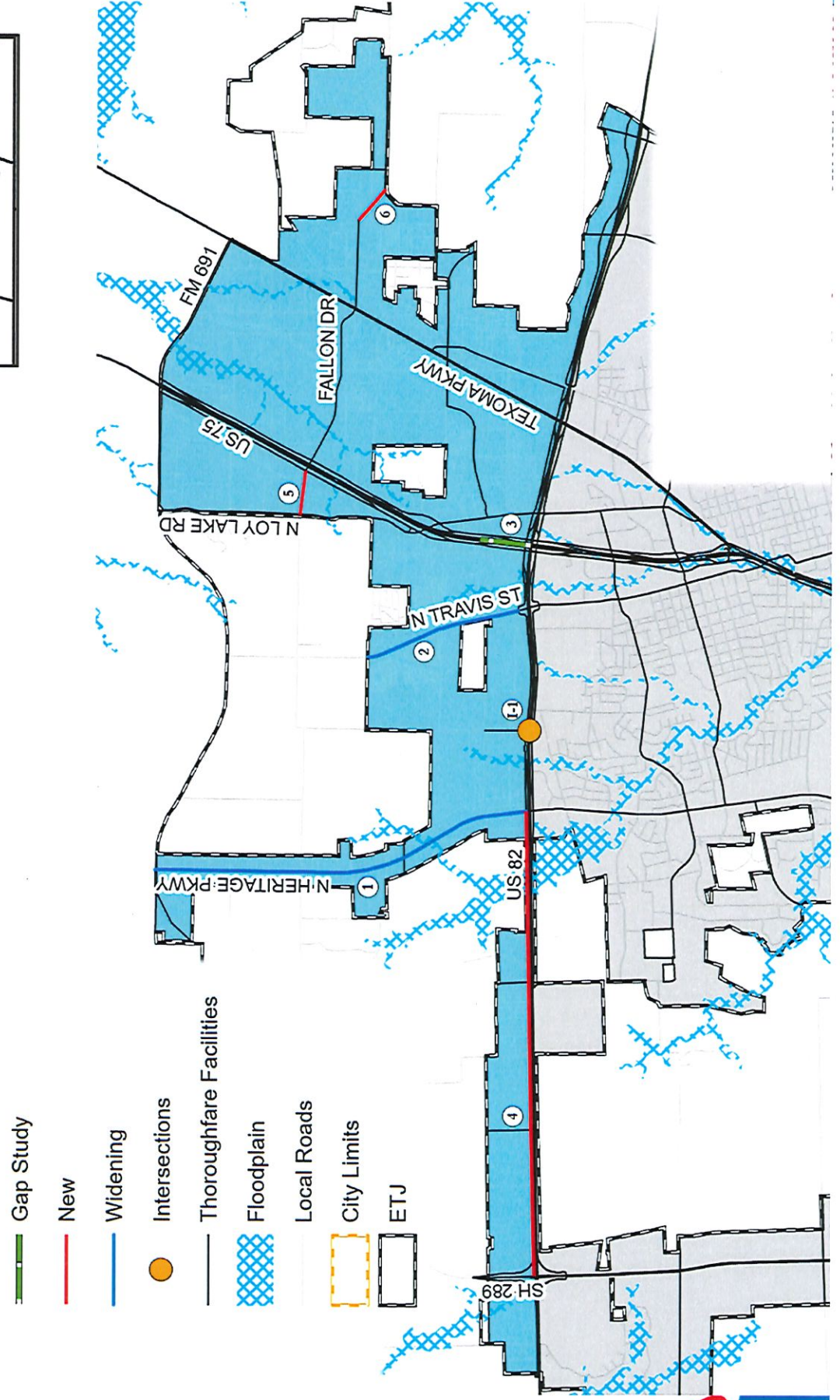
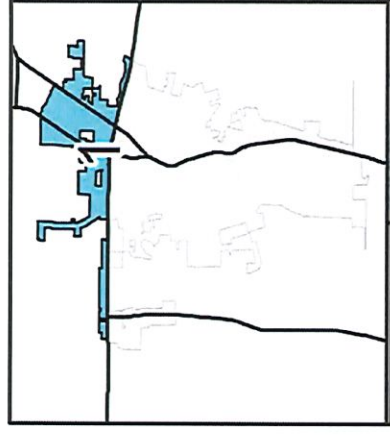
Existing Facility or Facility Under Construction	
Project Number	Project Description
1	Water Treatment Plant 10 MGD Expansion
2	Southwest Elevated Storage Tank
3	Swan Ridge Water
4	Taylor/Washington Street Water Line
5	Water Impact Fee Study (Not Shown on Map)
Proposed 2020-2030 Facilities	
Project Number	Project Description
6	NTMWD Raw Water Line Phase I (Off Map)
7	NTMWD LTPS Electrical Ph I (Off Map)
8	Legacy Surface Water Line (Bel Air)
9	Fairview Elevated Tank Balance Line
10	36" Line 1A Water Line Down Future Friendship ROW
11	36" Line 1B Water Line Down Future Friendship ROW
12	36" Low Head Water Transmission Line (Off Map)
13	2MG ET for Industrial & 36" Transmission Water Line
14	Shepard/Farmingington (Marilee) Water Line
15	WTP Expansion - 5 MGD UF/RO Addition
16	WTP Expansion - 30 MGD Building with 10 MGD UF/RO
17	WTP Expansion - 10 MGD UF/RO Addition
18	WTP Expansion - 5 MGD UF/RO Addition
19	WTP Expansion - LSP Station and Clearwell Expansion
20	WTP Expansion - HSP Station Expansion
21	100 MG Earthen Lined Terminal Storage Reservoir
22	Terminal Reservoir 10 MGD Pump Station
23	LTPS 25MGD Raw Water Pump #1 (Off Map)
24	WTP Concentrate Discharge
25	Water Hydraulic Study (Not Shown on Map)
26	Water Upsizing (Not Shown on Map)

Impact Fee CIP Wastewater



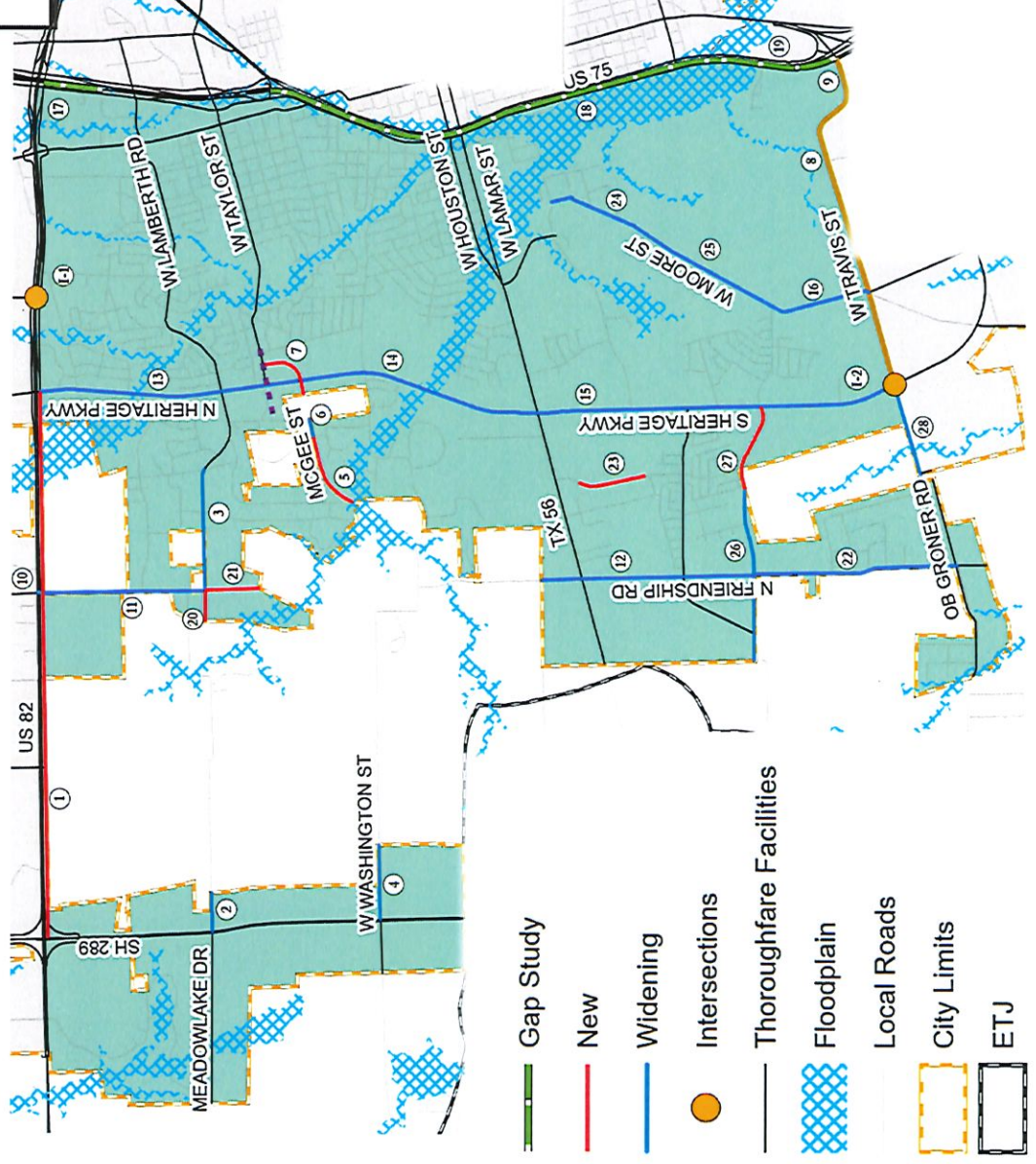
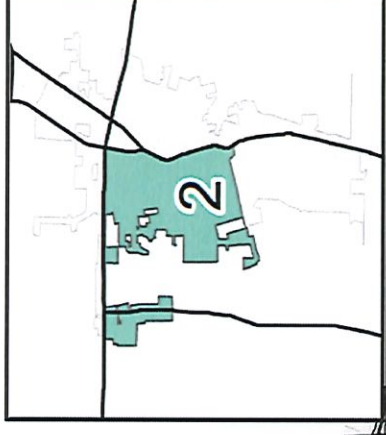
Project Number	Existing Facility or Facility Under Construction
1	Swan Ridge Wastewater Line
2	Moore St. Sewer/SW SS Main
3	WWTP Storm Water System and Lift Station
4	Expand Lab Facility at WWTP
5	Wastewater Impact Fee Study (Not Shown on Map)
Proposed 2020-2030 Facilities	
Project Number	Project Description
6	WWTP Effluent Reuse Line
7	Northwest Sewer Expansion Project and Lift Station
8	Southwest Sewer Line Extension
9	Upsize 8" Sanitary Sewer Line on Texoma Pkwy to 15"; Sycamore to Evergreen
10	Upsize 24" Sanitary Sewer Line West of Texas Instruments to 42"
11	Upsize 36" Sanitary Sewer Line South of Choctaw Creek to 48"
12	Upsize 15" Sanitary Sewer Line near Shepherd Place Development to 21"
13	Upsize 42" Sanitary Sewer Line along Post Oak to 60"
14	Upsize 42" Sanitary Sewer Line along Choctaw Creek to 54"
15	Post Oak WWTP 24 MGD Expansion
16	Upsize 21" Sanitary Sewer Line near Bel Air Village Development to 30"
17	WWTP Expansion Preliminary Design
18	WWTP Electrical System, Switchgear, ATS
19	WWTP Enhanced Treatment System for Industrial Users
20	WWTP Trickling Filters
21	WWTP - 4MGD Membrane Bioreactor with Sludge Handling
22	Wastewater Treatability Study
23	Wastewater System Study
24	Wastewater Upsizing

Impact Fee CIP Roadway Service Area 1



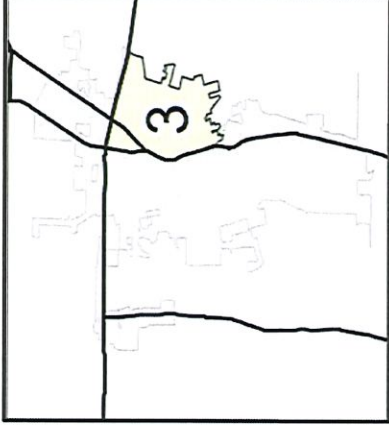
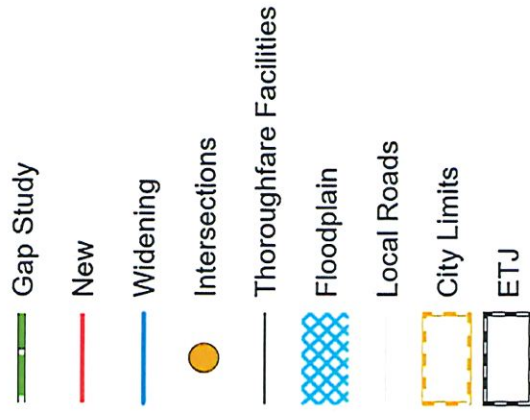
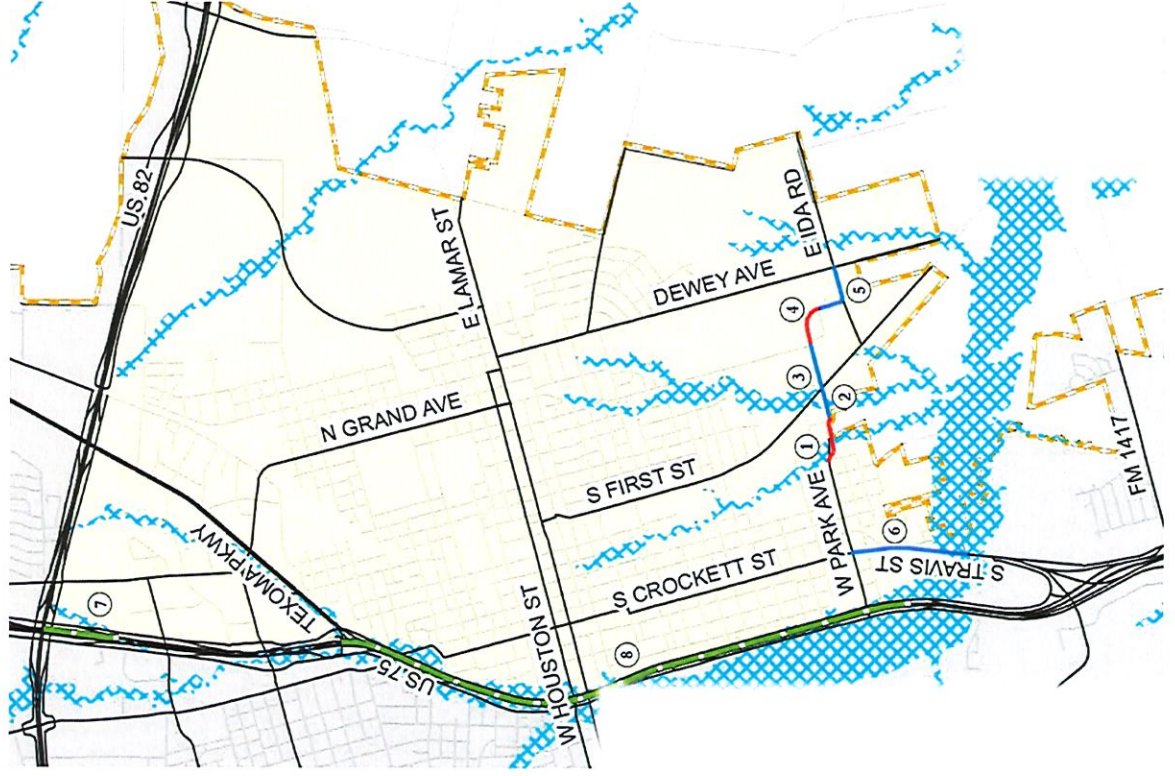
Impact Fee CIP

Roadway Service Area 2



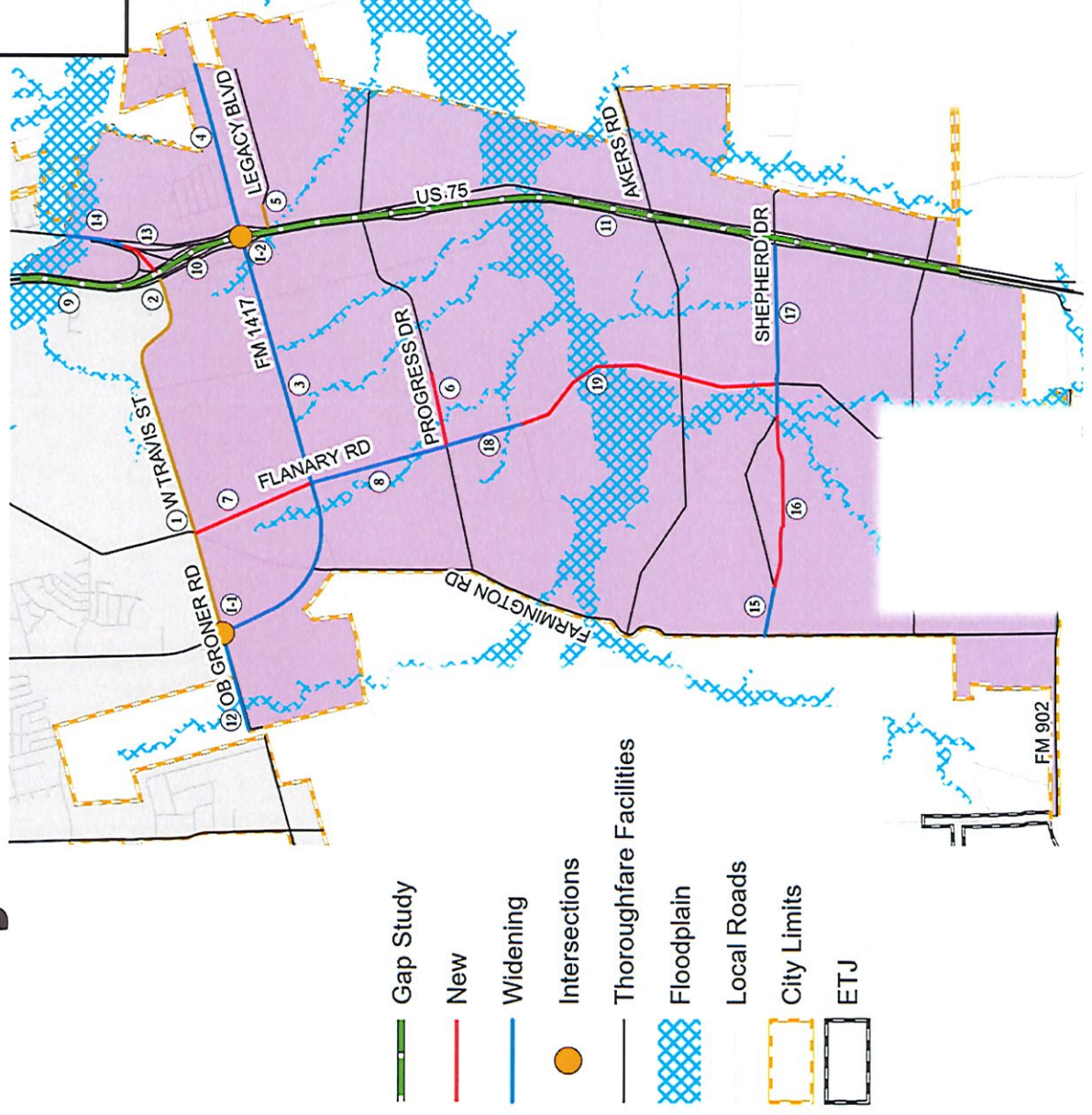
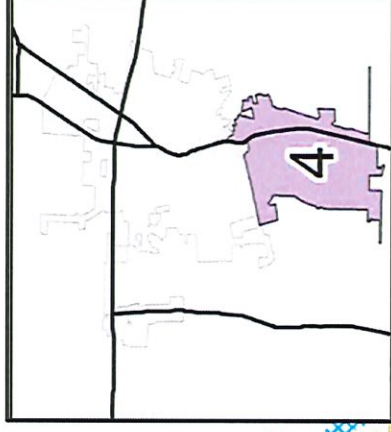
Impact Fee CIP

Roadway Service Area 3



Impact Fee CIP

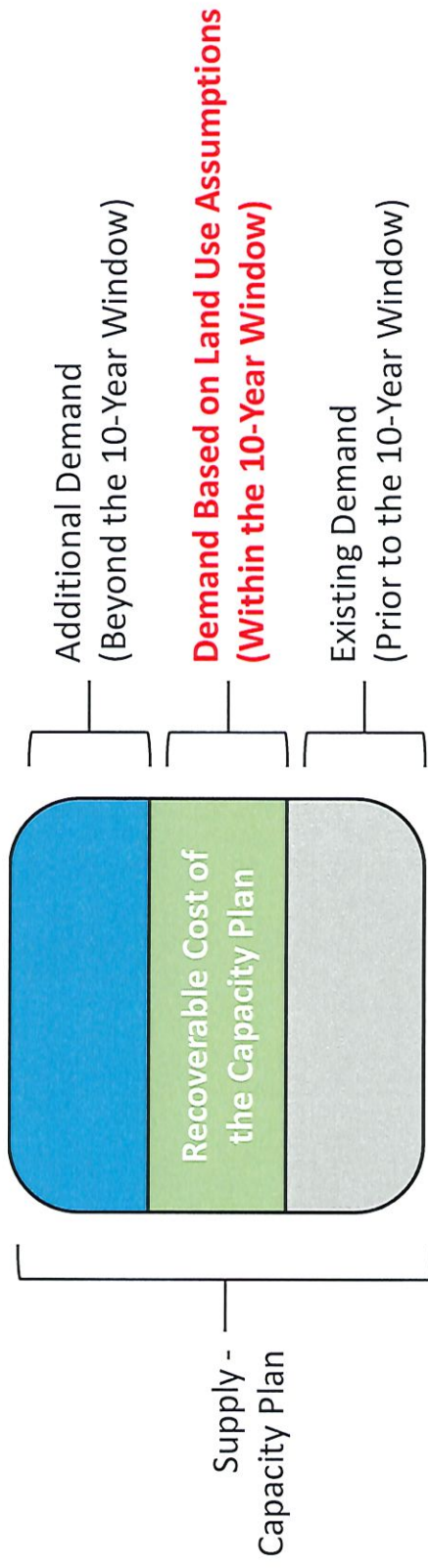
Roadway Service Area 4



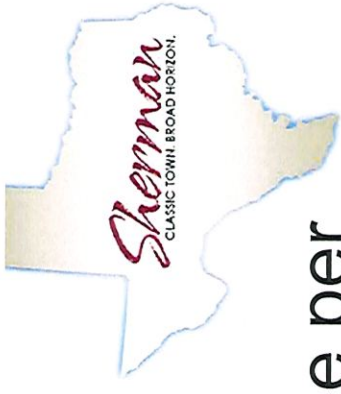
Maximum Fee Calculation



$$\text{Maximum Impact Fee Per Service Unit} = \frac{\text{Recoverable Cost of CP (\$)}}{\text{New Service Units of Demand}}$$



Maximum Fee Calculation



Determine the maximum assessable fee per service unit:

Max Fee Assessable Fee Calculation Components	Roadway			
	Service Area 1	Service Area 2	Service Area 3	Service Area 4
Cost of Total Impact Fee CIP Attributable to Growth	\$14,333,571	\$25,222,275	\$4,566,745	\$84,355,207
Percent of Fee Recoverable (from Chapter 395)	50%	50%	50%	50%
Recoverable Cost of Total Impact Fee CIP	\$7,166,786	\$12,611,138	\$2,283,373	\$42,177,604
Recoverable Cost of Total Impact Fee CIP + Financing*	\$9,343,338	\$17,162,087	\$4,566,005	\$55,384,570
Service Units	24,607	43,734	4,517	88,308
Max Assessable Impact Fee per Service Unit*	\$380 / vehicle-mile			
Max Assessable Impact Fee per Single Family*	\$1,129	\$1,732	\$2,337	\$3,255

DRAFT: Results presented may change based on comments received through Public Hearing



Maximum Fee Calculation

Determine the maximum assessable fee per service unit:

Max Fee Assessable Fee Calculation Components	Water	Wastewater
Cost of Total Impact Fee CIP Attributable to Growth	\$300,093,666	\$86,023,400
Financing (Debt Service)*	\$91,138,446	\$26,125,307
Pre Credit Recoverable Cost for Impact Fee	\$391,232,113	\$112,148,707
Percent of Fee Recoverable (from Chapter 395)	50%	50%
Recoverable Cost of Total Impact Fee CIP	\$195,616,056	\$56,074,353
10-Year Additional SFEs	28,739	26,096
Max Assessable Impact Fee per Single Family*	\$6,807 (3/4-inch Base Meter)	\$2,149 (3/4-inch Base Meter)

Impact Fee Comparison:

2020 Adopted and 2022 Maximum



2020 Adopted	
Impact Fee	Adopted (% of Max.)
Water	\$4,478
Wastewater	\$1,000 (22.3%)
Roadway	\$500 (76%)
	\$374
	\$336.70 (90%)
	\$336.70 (63.9%)
SA1	\$748
SA2	\$336.70 (45%)
SA3	\$608
SA4	\$336.70 (55.4%)

Adopted Collection Rates

Reduced by 75% for:

- Residential in SA3
- Recreational
- Religious Institutes
- Non-Profit 501(c)(3) and owner of building
- Dining Uses
- Other Retail
- Commercial uses that generate sales tax.

Impact Fee Comparison:

2020 Adopted and 2022 Maximum



Impact Fee		2020 Adopted		2022 Minor Update	
		Maximum Assessable	Adopted (% of Max.)	Maximum Assessable	CIAC Recommendation to Council
Water		\$4,478	\$1,000 (22.3%)	\$6,807	TBD
Wastewater		\$657	\$500 (76%)	\$2,149	TBD
Roadway	SA1	\$374	\$336.70 (90%)	\$380	TBD
	SA2	\$527	\$336.70 (63.9%)	\$1,250	TBD
	SA3	\$748	\$336.70 (45%)	\$987	TBD
	SA4	\$608	\$336.70 (55.4%)	\$793	TBD

Results:

Sample Calculations



Determine the maximum assessable fee per service unit:

LAND USE	DEVELOPMENT UNITS	NUMBER OF UNITS	SERVICE UNITS	SA ₁	SA ₂	SA ₃	SA ₄	Water	WW	TOTAL (SA 4)
Single-Family Detached Housing (ITE #210)	Dwelling Units	1	2.97	\$1,129	\$3,715	\$2,931	\$2,355	\$6,807 (3/4")	\$2,149 (3/4")	\$11,311
Multi-Family (Mid-Rise) Housing (ITE #221)	Dwelling Units	250	1.32	\$125,400	\$412,830	\$325,710	\$261,690	\$79,438 (3")	\$25,079 (3")	\$366,207
Office (ITE #710)	5,000 Square Feet	5	3.45	\$6,555	\$21,580	\$17,026	\$13,679	\$11,368 (1")	\$3,589 (1")	\$28,636
Industrial (ITE #110)	50,000 Square Feet	50	3.16	\$60,040	\$197,658	\$155,946	\$125,294	\$79,438 (3")	\$25,079 (3")	\$229,811
Retail Strip Center (ITE #820)	10,000 Square Feet	10	7.03	\$26,714	\$87,945	\$69,386	\$55,748	\$36,281 (2")	\$11,454 (2")	\$103,483



Kimley»Horn



Overall Fee Decisions



- This study calculates the *maximum* impact fee.
The actual collection rate will be set based on the ordinance, but cannot exceed the maximum.
- Council should consider the following decisions on policy:
 - **Impact Fee Setting**
 - What percent of the calculated fee should be set? Average Cost?
 - Should the fee be similar to 2020 Adopted?
 - Should the fee be the same in all Roadway Service Areas?
 - Should there be different fees for residential and non-residential?

Comparisons

Actual rates collected for:

LAND USE	2020 ADOPTED SHERMAN (SA 4)	2022 UPDATE SHERMAN (SA 4)	ANNA	MELISSA	PRINCETON	CELINA	MCKINNEY	PROSPER
Single-Family Detached Housing (ITE #210)	\$2,500	\$11,311	\$11,210	\$5,382	\$9,904	\$11,378	\$8,207	\$9,307
Multi-Family (Mid-Rise) Housing (ITE #221)	\$146,106	\$366,207	\$498,149	\$436,793	\$542,578	\$672,800	\$660,815	\$1,090,533
Office (ITE #710)	\$8,313	\$28,636	\$34,123	\$24,077	\$29,719	\$41,480	\$20,918	\$29,201
Industrial (ITE #110)	\$88,194	\$229,811	\$218,993	\$159,110	\$198,984	\$251,445	\$147,830	\$329,133
Retail Strip Center (ITE #820)	\$31,665	\$103,483	\$123,262	\$63,229	\$64,774	\$116,464	\$74,500	\$64,876



Next Steps



- Consider comments from CIAC on Impact Fee Study
- Consider comments from CIAC on Impact Fee

Schedule

- August 15: City Council Review Impact Fee Study
- August 16: CIAC Review Impact Fee Study; Formulate Comments
- August 30: CIAC Comments to Council
- September 6: Council Public Hearing



Questions?

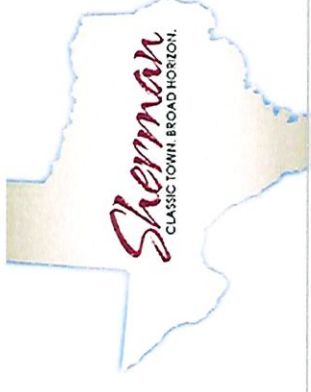
April.Escamilla@kimley-horn.com





BACKUP SLIDES

What items **are** and **are not** payable with Impact Fees?



Components that **can** be paid for through an impact fee program:

- ✓ Construction cost of capital improvements on the Impact Fee CIP
 - Roadway to thoroughfare standard
 - Upsized water/wastewater line
 - Traffic signals, bridges, sidewalks, etc.
- ✓ Survey and Engineering fees
- ✓ Land acquisition costs, including court awards
- ✓ Debt Service of Impact Fee CIP
- ✓ Planning Studies

Components that **cannot** be paid for through an impact fee program:

- 6 Projects not included in the Impact Fee CIP
- 6 Repair, operation, and maintenance of existing facilities
- 6 Upgrades to serve existing development
- 6 Administrative costs of operating the impact fee program



Service Units: Water and Wastewater



3/4"



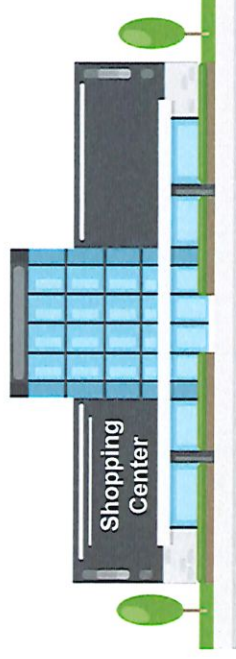
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2"



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Service Units: Water and Wastewater



Service Units: Roadway



Two Variables

Trip Generation

**ITE Trip Generation Manual
10th Edition**

Trip Length

**National Household Travel
Survey**

**Legal Requirements from
Chapter 395**



Service Units: Roadway



ITE Land Use	Single-Family Detached Housing (ITE # 210)
Trips	0.99 Vehicles (PM Peak) (ITE Trip Generation)
X Trip Length	3.00 Miles
Vehicle-Miles	2.97 Vehicle-Miles



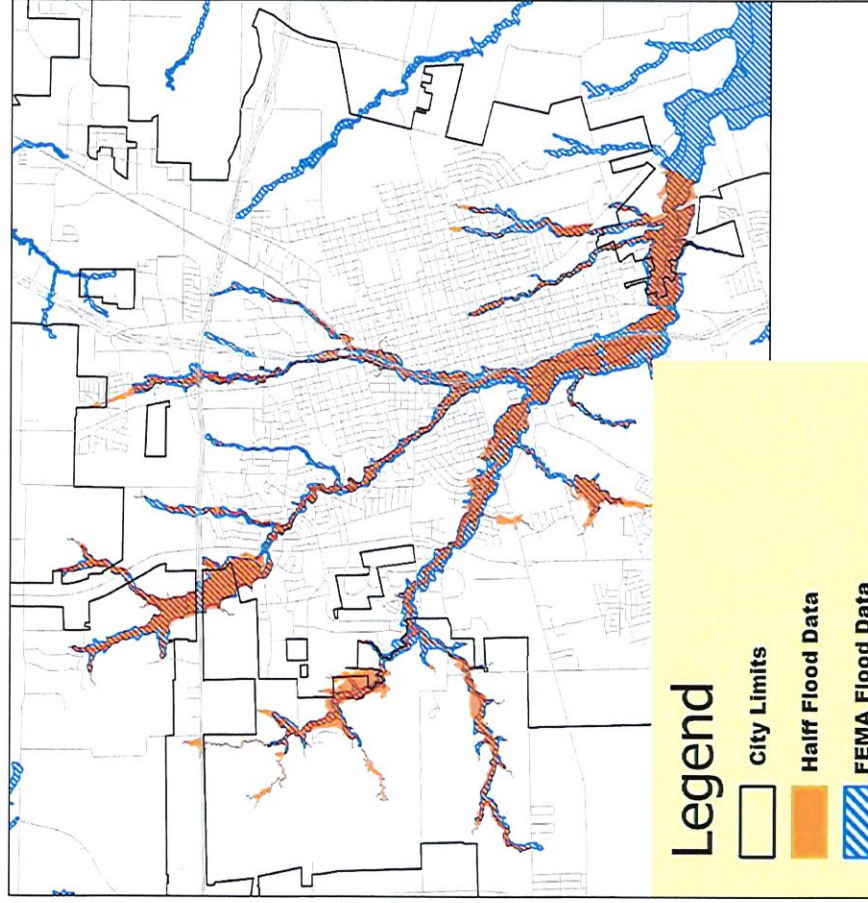
ITE Land Use	Shopping Center (ITE #820)
Trips	2.51 Vehicles (PM Peak) (ITE Trip Generation)
Reduction for Pass-by Trips	34% (ITE Trip Generation Handbook) 3.81 Vehicles (PM Peak)
X Trip Length	2.80 Miles
Vehicle-Miles**	7.03 Vehicle-Miles

UPDATES TO ARTICLE 3.12

CITY OF SHERMAN FLOODPLAIN ORDINANCE

CITY OF SHERMAN
CITY COUNCIL MEETING
AUGUST 15, 2022

LIMITS OF UPDATED HALFF MODEL



ARTICLE 3.12 UPDATE | DEFINITIONS

■ Definitions Removed:

- Area of future conditions flood hazard
 - *City does not require or reference future condition analysis*

■ Definitions Added:

- | | |
|--|------------------------------------|
| — Conditional Letter of Map Amendment | — Floodplain or flood-prone area |
| — Conditional Letter of Map Revision | — Known flood hazard |
| — Critical facilities | — Letter of Map Amendment |
| — Elevation certificate | — Letter of Map Revision |
| — Federal Emergency Management Agency (FEMA) | — National Flood Insurance Program |
| — Flood or flooding | — Nonresidential Structure |
| | — Physical Map Revision |
| | — Residential Structure |

ARTICLE 3.12 UPDATE | SECTION CHANGES

■ Section 3.12.042

- Floodplain Administrator Responsibilities
 - must maintain a variance record
 - must review and respond to all CLOMR/LOMR requests on behalf of the City
- City may require an additional third-party review fee for complex projects.

■ Section 3.12.043

- Floodplain development permits (issued by City) required for all development in Special Flood Hazard Areas
- Models now may be required for development in Special Flood Hazard Areas to prove no adverse impacts.

■ Section 3.12.044

- Variances shall be handled by the Board of Adjustments as established in City Ordinance.

ARTICLE 3.12 UPDATE | SECTION CHANGES

■ Section 3.12.045

- New section
- Defines violations of Article 3.12 and allows for enforcement

■ Violations include:

- Developing in a floodplain without a floodplain development permit
- Failure to return a property to previous state after developing without a floodplain development permit
- Deviating from the regulations in Article 3.12 without obtaining a variance, first.

- Enforcement outlined in Article 1.01, Section 1.01.009.

■ Section 3.12.072

- Manufactured homes must be built 3 feet above base flood.
 - This is a FEMA standard that cannot be altered due to the usual presence of utilities underneath the manufactured home structure.
- Manufactured homes must be securely anchored to avoid floatation, collapse, or other movement.

ARTICLE 3.12 UPDATE | COMMENT FROM FEMA

■ Draft wording:

The areas of special flood hazard identified by FEMA in the current scientific and engineering report entitled, “The Flood Insurance Study for Grayson County, Texas and Incorporated Areas” dated September 1, 2022, with accompanying flood insurance rate maps, and any updates or revisions thereto, as well as areas which have not yet been delineated on the FEMA maps but are known to constitute a special flood hazard area, are hereby adopted by reference and declared to be a part of this Article.



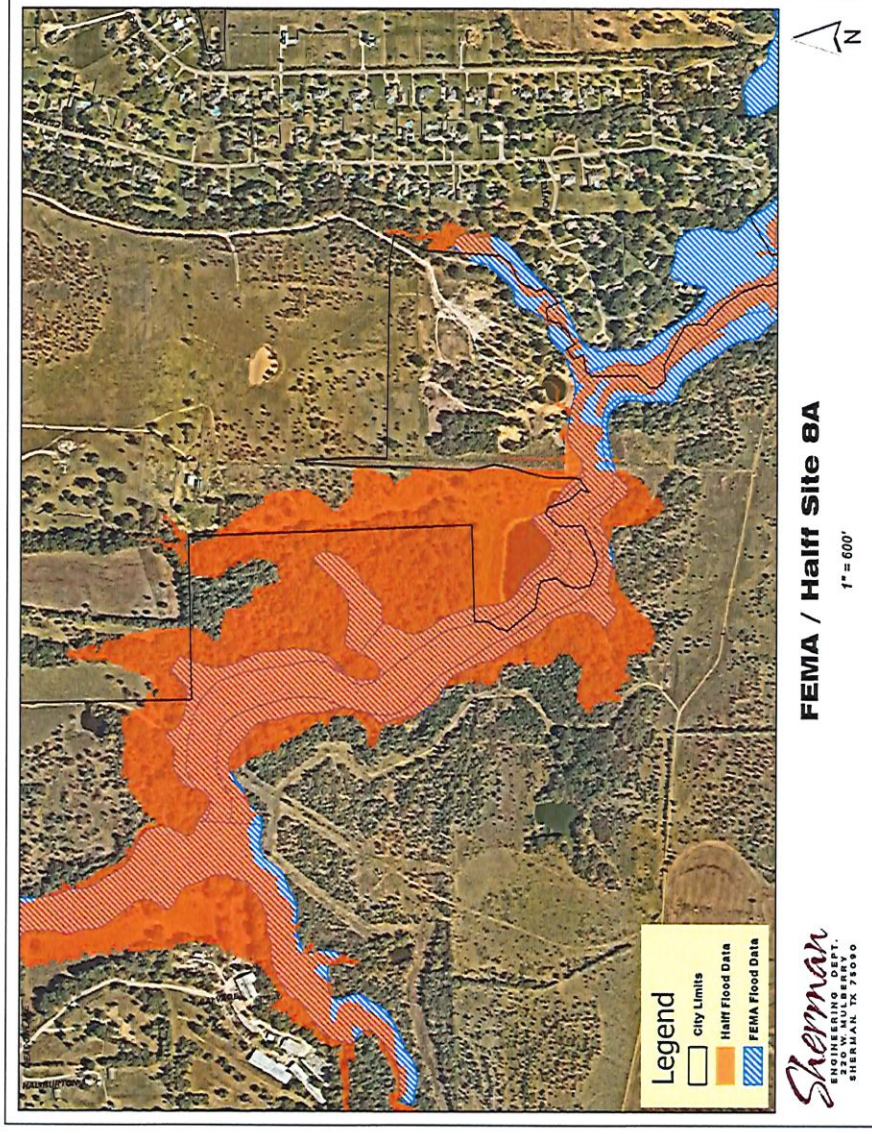
■ Final wording:

The areas of special flood hazard identified by FEMA in the current scientific and engineering report entitled, “The Flood Insurance Study for Grayson County, Texas and Incorporated Areas” dated September 1, 2022, with accompanying flood insurance rate maps, and any updates or revisions thereto, as well as areas which have not yet been delineated on the FEMA maps but are known to constitute a known flood hazard area, are hereby adopted by reference and declared to be a part of this Article.

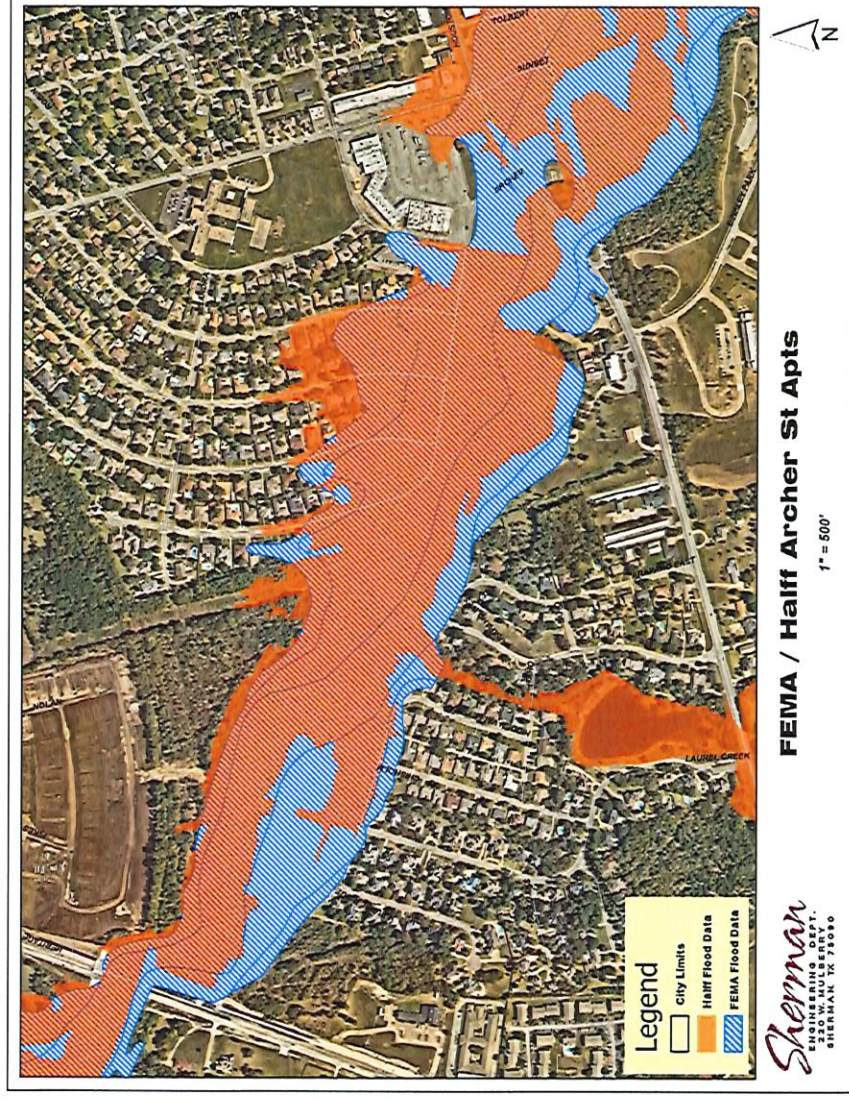
Add new definition:

Known Flood Hazard Area – a local area with a historic tendency of flooding or other drainage-related challenges that is not documented in Flood Insurance Rate Maps.

EXAMPLE OF MAP CHANGES



EXAMPLE OF MAP CHANGES



QUESTIONS?
