



CITY COUNCIL
City of McLendon-Chisholm, Texas
December 13, 2016
Minutes

City Council Present:	Nathan Hodges	Mayor
	Gary Lovell	Mayor Pro Tem
	Jerry Klutts	Council Member
	Wayne Orchard	Council Member
	Robert Steinhagen	Council Member
City Council Absent:	Patrick Short	Council Member
Staff Present:	David Butler	City Administrator
	Stephanie Galanides	City Secretary

Mayor Hodges called the meeting to order, led the recitation of the Pledges of Allegiance to the United States and Texas flags and delivered the invocation at 6:30 p.m.

CITIZENS COMMENTS

Michael Davis, 106 Chaney Place, speaking on behalf of the Chisholm Crossing Phases I and II Homeowners Association (HOA) Board, stated that the HOA Board met with Rob Whittle of Mariah Bay Development to discuss the proposed subdivision and potential uses of Tract 8-1 in the L. Easterwood Survey Abstract 79 situated behind the Lone Star Ranch Shell. Davis stated that the HOA Board was currently neutral on the preliminary plat scheduled for Council consideration. Davis stated further that, due to its proximity to Chisholm Crossing and potential impact on the City in general, the HOA Board planned to watch future applications and considerations pertaining to the property carefully.

Discussion with prospective building inspection service providers regarding provision of plan review and building inspection services.

Ty Chapman, Business Unit Manager for the DFW Division presented background and overview and answered questions regarding third party plan review and building inspection services provided by Bureau Veritas. Bureau Veritas Director of Operations Brad Huffaker and Area Manager Alan Merritt participated in the discussion. Service elements discussed included qualifications, experience and accreditations, staffing levels sufficient to cover emergency and other contingencies and additional services that are provided at no charge including communications with staff, builders and property owners, and trash and erosion control. In response to questions from the Council regarding options for structuring compensation for services, Chapman stated that he would have to discuss with Bureau Veritas management. In response to a Council Member question regarding enforceability of the City's ordinances, Chapman stated that there were no issues with the City's Code of Ordinances and that they were an adequate, sufficient set of guidelines.

Discussion and action regarding the Minutes of:

- a) September 13, 2016;
- b) September 27, 2016;
- c) October 11, 2016;
- d) October 25, 2016;
- e) November 8, 2016; and
- f) November 15, 2016.

MOTION: 1.) APPROVE THE MINUTES OF SEPTEMBER 13 AND SEPTEMBER 27 AS AMENDED BY STEINHAGEN AND INCLUDED IN THE COUNCIL PACKET; 2.) APPROVE THE

MINUTES OF OCTOBER 11 AND OCTOBER 25 AS PRESENTED; AND 3.) DEFER ACTION REGARDING THE MINUTES OF NOVEMBER 8 AND NOVEMBER 15.

MOTION MADE: STEINHAGEN
SECONDED: KLUTTS
APPROVED: UNANIMOUS (Absent: Short)

Reports and Announcements;

- a) Financial Reports for October and November 2016.
- b) Building Official Report for October and November 2016.
- c) Rockwall County Sheriff Activity for November 2016.
- d) McLendon-Chisholm Volunteer Fire Department and EMS Activity for November 2016.
- e) Other reports or announcements.

The reports were included in the Council packet. City Administrator Dave Butler reported that the Board of Adjustment considered and approved special exceptions to zoning regulations on December 12 to Rockwall County for construction of a radio tower component of the Emergency Services Radio System to be situated at 1171 S Hwy 205.

Discussion and action regarding the Preliminary Plat of the McLendon-Chisholm Business Park Phase 1 Addition consisting of 6.649 acres out of Tract 8-1 (RCAD ID 61971) in the L. Easterwood Survey Abstract 79 situated south of State Highway 205 and west of FM 550 behind the Lone Star Ranch Shell – requested by Mariah Bay Development, Inc.

Rob Whittle of Mariah Bay Development provided background regarding Tract 8-1 (13.936 acres) in the L. Easterwood Survey A-0079 that is zoned General Business (GB). Whittle presented and answered questions regarding the proposed preliminary plat of the McLendon-Chisholm Business Park Phase 1 addition for a 6.649-acre portion of Tract 8-1 consisting of 5 non-residential lots. Steinhagen asked if action regarding the proposed plat could be deferred to a future meeting in order that the Council might consider results of the city survey currently being conducted. City attorney David Paschall and city planner Mike Coker explained that pursuant to §212.009(a) in Chapter 212 of the Local Government Code (LGC), if the City does not take action regarding a plat within 30 days of filing, it is presumed approved. Paschall stated that in the instance of submission of a plat that complies with the City's requirements, the Council's role is ministerial. In response to a question from the Council, Coker stated that the 2016 update to the City's Comprehensive Plan did not affect the zoning of the subject property. Coker reported that the proposed preliminary plat complies with the provisions of the City's subdivision regulations and was consistent with GB zoning provisions and the Transportation Plan. There was discussion regarding the configuration of the lots, flood plain consideration and Texas Department of Transportation requirements for access and turn lanes. Action was deferred until later in the meeting.

Discussion and action regarding services for update/redesign of City website.

Glen Farris with AdFinity presented and answered questions regarding a proposal to redesign the City's website using a WordPress website content management system. Farris stated that the website would be mobile responsive and include push notifications, scrolling menu bar, rotating image area, header image and calendar function. Orchard stated that the new website would migrate current and new content into a fresh and new site. Orchard expressed appreciation to resident Scott Turnbull for his assistance in interviewing and evaluating proposals.

MOTION: ACCEPT AND APPROVE THE PROPOSAL FROM ADFINITY FOR THE DEVELOPMENT OF THE CITY'S WEBSITE.

MOTION MADE: ORCHARD
SECONDED: KLUTTS
APPROVED: UNANIMOUS (Absent: Short)

Discussion and action regarding Ordinance 2016-16 adopting an Investment Policy in accordance with the Public Funds Investment Act, Chapter 2256, Government Code.

The item was deferred to January 2017. No action was taken by the Council.

Discussion and action regarding appointments to the Planning and Zoning Commission and Board of Adjustment.

Orchard provided an update of his and Lovell's review of applications for appointment to the Planning and Zoning Commission and Board of Adjustment. Action was deferred to January 10.

Discussion and action regarding appointments to the Ad-Hoc Audit Review Committee.

Discussion was deferred to January 24, 2017. No action was taken by the Council.

EXECUTIVE SESSION

The Mayor recessed the meeting to go into Executive Session (Closed Meeting) in accordance with Government Code §551.074: Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: City Administrator, City Secretary and Administrative Assistant. Hodges reconvened the meeting at 8:37 p.m. and stated that no action was taken in executive session.

Discussion and action regarding the Preliminary Plat of the McLendon-Chisholm Business Park Phase 1 Addition consisting of 6.649 acres out of Tract 8-1 (RCAD ID 61971) in the L. Easterwood Survey Abstract 79 situated south of State Highway 205 and west of FM 550 behind the Lone Star Ranch Shell – requested by Mariah Bay Development, Inc.

Paschall stated that the subject property had been zoned GB for several years and that its zoning classification was not affected by the most recent update to the City's Comprehensive Plan. Paschall stated that the application currently before the Council did not pertain to zoning and pertained only to subdivision of the property. Paschall explained that the platting process is governed by State law that makes it mandatory for the City Council to approve a plat that complies with State law and the City's subdivision regulations and further, that the plat complies with the recommendations of the city planner and the Planning and Zoning Commission. Paschall stated that the Council has a ministerial duty to comply with State law and that the application should be approved.

MOTION: APPROVE THE PRELIMINARY PLAT OF THE McLENDON-CHISHOLM BUSINESS PARK PHASE 1 ADDITION CONSISTING OF 6.649 ACRES OUT OF TRACT 8-1 (RCAD ID 61971) IN THE L. EASTERWOOD SURVEY ABSTRACT 79 PROVIDED THAT THE PLAT COMPLIES WITH THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION AND THE CITY PLANNER.

MOTION MADE: ORCHARD
SECONDED: KLUTTS
APPROVED: UNANIMOUS (Absent: Short)

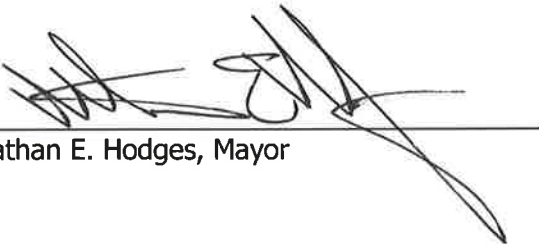
Discussion with prospective building inspection service providers regarding provision of plan review and building inspection services.

Lee Roberts and Dave Ellis, provided professional qualifications and experience information and presented a proposal for and answered questions regarding provision of third party plan review and building inspection services. There was discussion regarding services offered by Roberts and Ellis. Concerns were expressed regarding the financial impact of a contract for a fixed fee for a period of three years in the instance of decreases in the number of permit issued. The consensus of the Council was to ask Roberts and Ellis to prepare another proposal using a differing compensation structure. No action was taken by the Council.

MOTION: ADJOURN THE MEETING (9:04 P.M.).

MOTION MADE: ORCHARD
SECONDED: KLUTTS
APPROVED: UNANIMOUS (Absent: Short)

APPROVED:



Nathan E. Hodges, Mayor

ATTEST:



Stephanie Galanides, City Secretary

