The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, May 29, 2018, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

- Keith Short, Mayor
- Adrienne Balkum, Council Member
- Herman Larkin, Council Member
- Scott Turnbull, Mayor Pro Tem
- Jim Bloom, Council Member
- James Herren, Council Member
- Lisa Palomba, City Secretary
- David Paschal, City Attorney
- Michael Coker, City Planner
- Jim Simmons, Fire Chief/Fire Marshal

1. Mayor Short called the meeting to order at 6:33 p.m.

2. Council Member Herren delivered the Invocation and led the Pledge of Allegiance to the U.S. and Texas Flags.

3. **Issuance of Oath of Office.** Newly Elected Mayor Keith Short, Council Member Place 2 Herman Larkin and Council Member Place 4 Jim Bloom were ceremoniously sworn into office by Rockwall County Justice of the Peace Mark Russo.

4. **Mayor Pro Tem Selection.** Herren, seconded by Balkum, nominated Scott Turnbull for Mayor Pro Tem. Bloom, seconded by Larkin, nominated Jim Herren for Mayor Pro Tem. A vote was cast and the motion to nominate Scott Turnbull for Mayor Pro Tem carried with 3 in favor, 2 against (Larkin, Bloom).

5. Mayor Short delivered a Proclamation to Mitch Ownby of Rockwall County EMS for Emergency Medical Services Week.

6. Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

7. **Citizens Comments.** The following citizens spoke:

   **Mark Kipphut,** 31 Fireside Drive, read a letter from MCVFD commenting that MCVFD could not continue to guarantee fire protection to the City beyond June 15 as no contract is
currently in place and the financial burden is too great; service will be provided to the unincorporated areas; one final offer was made to continue services if all invoices are paid.

Jim Boelens, 509 Highwater Crossing, thanked Council and congratulated newly elected members; suggested not to pay MCVFD invoices; wait until results of Citizen Survey are available; ISO inspection since 2012; no recent 3rd party audit of MCVFD;

Robert Quinn, 1401 Corrara Drive, supports MCVFD; keep safety net of MCVFD in place while working through who will provide fire protection services.

Trudy Woessner, 43 Fireside Drive, asked questions including: plan for fire protection; start-up costs of new department; insurance costs; salary costs; training costs; dispatch costs; operating costs; is City owned department cost effective. The issue will further divide the City and County; what is the City's plan for fire service after June 16; City fire dept. not needed; City should pay invoices from MCVFD.

Laura Kipphut, 31 Fireside Drive, thanked Mindy Lovell and DAR for the Veterans Memorial; City will pay more and receive less services for City owned fire department.

Leigh Wilcoxson, 980 FM 1139, spoke in support of MCVFD; listen to the voices of the people; let citizens vote to keep or not to keep the volunteer fire department; pay MCVFD monies owed for services; volunteer fire department is wonderful.

Cheri Pennington, 4 Green Hollow Lane, City should not pay more than the County for fire service; it is unethical of MCVFD to keep equipment paid for by the City and serve the County with the same equipment; citizens want a rural community; compared new City Hall to new Rockwall County Courthouse.

Wayne Orchard, 15 Green Hollow Lane, commented that MCVFD indicated the City must pay or no service will be provided; Council is trying to be fiscally responsible with taxpayer money; City and MCVFD could not come to terms; MCFR established; MCVFD and City can work as neighbors; may improve the ISO rating; an Emergency Services District (ESD) can be considered for unincorporated area; and he is in support of MCFR 100%.

Daniel Lewis, 123 E. FM 550, thanked Council for volunteering their time commented the City pays more for the CPA, City Attorney and Chief Simmons than for MCVFD.

Judy Moss, 525 League Road, commented no fire service in two weeks; asked what happens if there is a fire and who will respond; and what is the timeline for implementation of fire department.

Robert Quinn, 1401 Corrara Drive, commented the amount for fire service by MCVFD is about $22 per month for each house in the City.

Cheri Pennington, 4 Green Hollow Lane, commented that she is just now finding out the City will not have fire service in two weeks and questioned why the fire department wants a ladder truck and asked how many fires occur each year.
Mark Kipphut, 31 Fireside Dr., commented that it was always known that MCVFD has a finite amount of resources and funds would eventually run out; City should show the plan to provide fire service; government is never more efficient than private industry.

Jim Boelens, 509 Highwater Crossing, asked Council to review the City Survey results and reveal the results related to fire service.

Trudy Woessner, 43 Fireside Drive, asked Council to answer citizens questions regarding fire service.

Mayor Short recessed the meeting at 7:30 p.m.

Mayor Short reconvened the meeting at 7:45 p.m.

Mayor Short moved to Item 9.

9. Code of Ordinance Updates. Mike Coker discussed with Council the need to update the zoning and subdivision codes. Franklin Legal has performed a legal review of the Code of Ordinances but the technical review for zoning and subdivision also needs to be done. The process should take about four months to complete. An estimate of $12,000 was provided.

10. Public Hearing. Mayor Short opened the Public Hearing at 7:58 p.m. to receive public comments regarding a zoning change from Planned Development to Office District 1. The property includes 15 acres of land situated along FM 550, part of K Latham Survey, Tracts 64-01, 64-02, and 64-03 also known as 1371 W. FM 550, McLendon-Chisholm, TX. There were no speakers. Mayor Short closed the Public Hearing at 7:59 p.m.

11. Zoning Change Ordinance. Discussion and action regarding a zoning change from Planned Development to Office District 1. The property includes 15 acres of land situated along FM 550, part of K Latham Survey, Tracts 64-01, 64-02, and 64-03 also known as 1371 W. FM 550, McLendon-Chisholm, TX. City Planner Mike Coker delivered the staff report including history that the McLendon-Chisholm City Council held a public hearing to consider changing the zoning on the 15-acre City Hall property from Planned Development District to an Office 1 [O-1] zoning district in May 2014. The 2014 Council closed that public hearing but did not consider nor did they adopt an ordinance effecting the change in zoning district classification. In the Zoning Ordinance, Section 1-14, subsection D. Final approval and ordinance adoption states the following: “If the amending ordinance is not approved within six months from the time of its original consideration, the zoning request, at the option of the City Council, may be recalled for a new public hearing.” The public hearing that is being held by the City Council today conforms to the requirements of the zoning ordinance for this situation. The current zoning on the 15 acres is still the Triple Creek Planned Development District. The Triple Creek Planned Development District allows uses to include: municipal buildings including police and fire stations, libraries, municipal centers and other similar public uses. This change is zoning district classification is consistent with the Comprehensive Plan which identifies this land as “Institutional” which includes municipal buildings and operations. After the public hearing and following discussion regarding the proposed change in Zoning District classification, the Planning and Zoning Commission recommended that the City Council approve a change in zoning on the above described
property from Planned Development District to Office District 1 [O-1]. [Note: The Planning and Zoning Commission heard this request in April of 2014] City staff recommendation is that the Zoning District be changed from Planned Development District to an Office 1 [O-1] zoning district. Brief discussion was held by Council Members. Council discussed that this proposed zoning change was discussed and approved by Council previously but that an ordinance was never brought forward. Staff has recommended approval of the change. Turnbull, seconded by Bloom, moved to approve Ordinance 2018-02 approving a zoning change from Planned Development to Office District 1. The property includes 15 acres of land situated along FM 550, part of K Latham Survey, Tracts 64-01, 64-02, and 64-03 also known as 1371 W. FM 550, McLendon-Chisholm, TX. A vote was cast and the motion carried with 5 in favor, 0 opposed.

Mayor Short moved to Item 17.

17. Ordinance Approving FY 17-18 Budget Amendment. Ray Smith, CPA, presented information to Council related to a proposed ordinance approving a mid-year budget amendment. Smith discussed trends; projections; revenue; property tax collected to date; development income; historical trends and the original approved budget. General discussion was held among Council Members and Ray Smith regarding operating expenses related to fire protection now to include employee costs and capital expenses for equipment in the amount of $200,000. The total amount for fire protection has not changed. $12,000 for plat costs for the new proposed fire station was added leaving a budgeted surplus of $166,093. The possible lease of fire equipment was discussed. Turnbull, seconded by Herren, moved to table the item. A vote was cast to table the item. The motion carried with 5 in favor, 0 opposed. Ray Smith departed at 8:35 p.m.

Mayor Short moved to Item 12.

12. McLendon-Chisholm Fire Rescue Department Update. Fire Chief Jim Simmons provided information to Council including: Contracts in place waiting for signatures for emergency vehicles. Turnbull mentioned funds were already authorized and asked why the holdup. Bloom asked for a description of equipment. Simmons described the engine, brush and command vehicles to be purchased. Council held discussion regarding the vehicles including age, condition, costs and life expectancy of equipment. Further discussion was held regarding the need for a station and other equipment needed such as a Cascade System. Funding MCVFD v. funding a City operated department was discussed along with possible staffing models. Larkin commented that MCVFD always planned to become part of the City. This would benefit MCVFD employees. MCVFD wants to partner and the budget process for previous years was mentioned. MCVFD equipment owned prior to 2014 was discussed. Reference to April 17 Resolution for fire equipment purchase and Simmons authorization to purchase was discussed. Turnbull indicated there is no reason to redo the resolution already approved for fire equipment needs. Council directed Butler to follow through with signing the agreement for equipment purchases.

13. MCVFD Invoices. Bloom, second by Larkin, moved to pay MCVFD invoices in an amount of $106,833.32 and amend the budget to reflect such expense. A vote was cast and the motion failed with 2 in favor, 3 against (Herren, Balkum, Turnbull).
14. Fee Schedule Amendment. Discussion and action regarding an Ordinance amending the adopted fee schedule providing for an increase in the Commercial Building Permit Review Fee and adding a Special Use Permit Fee. Palomba provided explanation for the need for Council review of the current Commercial Building Permit review fee and the need for a Special Use Permit fee of $400. The Special Use Permit fee was not on the last fee schedule. Currently the fee for Commercial Building Permit Review is $500. The actual cost for review is 2% of valuation. Turnbull suggested an administrative fee should be $500 in addition to the 2%. Turnbull asked Chief Simmons if the fees for fire plan review were appropriate. Simmons suggested the fire review fees should remain unchanged for the time being. Turnbull, seconded by Herren, moved to adopt the amended Fee Schedule to reflect the addition of $400 plus all consultant costs for Special Use Permit fees and changing the Commercial Building Plan Review fee to 2% of valuation plus $500. A vote was cast and the motion carried with 5 in favor, 0 opposed.

15. Council Member Use of City iPads. Short expressed concern regarding any Council Member using a personal device for City business which could be taken if a request for open records is made. Balkum indicated that Office 365 is used by everyone in the City so City accounts can be searched no matter the device used. Herren agreed with Balkum. Turnbull indicated the choice to use a City device or personal device should be up to individual Council Members. Turnbull suggested if a change is made that Council may want to consider Chromebooks which would operate through a web app. No action was taken.

16. Purchase of Laptop Computer. Discussion and action regarding allocation of funds for purchase of a laptop computer for Mayor Short. Short explained he would like a laptop to conduct City business. Approximate cost would be $300-400. Turnbull suggested postponing until the end of the budget year. Bloom moved to approve the purchase of a laptop for the Mayor. The motion was not considered due to lack of a second.

17. Ordinance 2018-04 Approving FY 17-18 Budget Amendment. Turnbull, seconded by Council Member Herren, moved to approve Ordinance No. 2018-04 amending the FY 17-18 Budget. A vote was cast and the motion carried with 3 in favor, 2 against (Bloom, Larkin)

18. Appointment of Member to Rockwall County Emergency Services Corporation Board of Directors. Short indicated his desire to serve on the ESC Board. Bloom, seconded by Larkin, nominated Mayor Short to service as a member to the ESC Board of Directors. Turnbull nominated Bloom to serve. Herren suggested that Chief Simmons serve on the Board. Judge David Sweet, President of the Emergency Services Corporation addressed Council and informed Council that the ESC Bylaws require the nominee to be an elected official of the governing body. Herren seconded Turnbull's nomination for Bloom to serve on the ESC. A vote was cast and the motion carried with 3 in favor, 1 opposed (Balkum) and 1 abstaining (Bloom). A vote was cast on the earlier motion for Short to serve on the ESC. The motion failed with 0 in favor, 5 opposed (Turnbull, Herren, Balkum, Bloom, Larkin).

Mayor Short recessed the meeting at 9:57 p.m.

The meeting was reconvened at 10:19 p.m.
19. City Council Meeting Live Broadcasts. Palomba indicated this item is on the agenda due to inquiries received by the public asking if live broadcasting of Council Meetings will resume in the future. Short opened the floor for discussion. Bloom asked Mr. Quinn to comment. Quinn indicated equipment needed to resume broadcasting and addressed sound quality issues. Quinn indicated he is happy to assist in setting up to record in the future. Larkin indicated he would like to view Quinn’s recording. Larkin suggested citizens should move closer to Council to better engage audience members and to help with sound quality. Balkum indicated there are not many subscribers for live broadcasting and the Citizen Survey indicated 70% of survey respondents do not watch the live broadcasts. Balkum suggested uploading audio to YouTube. Further Council discussion was held regarding offering live broadcasts of meetings. Palomba offered that if recordings continue, she may not be able to record the meeting, write minutes and actively engage in discussion and that a volunteer may be needed to conduct live broadcasting. Larkin moved to post only the audio following the meetings. Herren suggested staff ask nearby cities what they are doing for live broadcasting and costs for services. Turnbull offered a friendly amendment to table the item to June 19 and have staff research neighboring cities and bring back information to Council on that date. Herren seconded the motion. A vote was cast and the motion carried with 5 in favor, 0 opposed.

20. Authorized Signatories. Discussion and action regarding Resolution providing authorized Signatories to the City’s accounts with Alliance Bank, Wilmington Trust, TexPool ad LOGIC. Balkum, seconded by Larkin, moved to remove Robert Steinhagen as a signer on all accounts. A vote was cast and the motion carried with 5 in favor, 0 opposed. Bloom, seconded by Larkin, moved to add Mayor Short as an authorized signer. A vote was cast and the motion carried with 3 in favor, 1 against (Balkum) and 1 abstention (Turnbull).

21. Staff Directives. Discussion and possible action regarding policy related to individual and/or conflicting directives from Mayor and individual Council Members to staff members. Brief discussion was held regarding who may give directives to staff and if all directives must go through the City Administrator. Balkum recommended requesting an opinion from David Paschal regarding the matter. Mayor Short commented that by City Ordinance, all directives to staff must go through the City Administrator. This item may be placed on a future agenda for discussion. No action was taken.

22. Reports. No comments regarding reports.

   a. Financial Reports for April 2018
   b. Building Official Report to April 2018
   c. Rockwall County Sheriff Activity Report for April 2018
   d. MCVFD and EMS Activity for April 2018

8. Approval of Minutes. Balkum moved to approve, seconded by Turnbull, the March 13, 2018 City Council Minutes as revised. A vote was cast and the motion carried with 3 in favor, 2 abstentions (Larkin, Bloom). Balkum, seconded by Turnbull, moved to approve the March 27, 2018 minutes as amended. A vote was cast and the motion carried with 3 in favor, 2 abstentions (Larkin, Bloom). Balkum, seconded by Turnbull moved to approve the April 10, 2018 minutes as amended. A vote was cast and the motion carried with 3 in favor, 2
abstentions (Larkin, Bloom). Minutes for April 17, April 24, May 8 and May 15 were postponed to a future meeting without objection to allow Council additional time for review.

23. Council Member Reports and Announcements.

a. Mayor Short. Mayor announced a meet and greet for current and newly elected officials to be held at the Landing at Chandlers on Thursday, May 31 beginning at 4:30 p.m. Palomba suggested encouraging the public to apply for open board and commission positions.

b. Council Member Larkin. No comments.

c. Council Member Turnbull. No comments.

d. Council Member Herren. Provided an update regarding FM 549 start date of June 2022 and SH 205 start date of June 2023

e. Council Member Bloom. No comments.

f. Council Member Balkum. Short complimented Ms. Balkum and acknowledged former Mayor Steinhagen for their efforts coordinating the installation of the Veterans Memorial on City Hall grounds. The Veterans Memorial Brick Campaign is underway. Website updates and eblast are in progress. Bloom requested that former Mayor Steinhagen’s blog be removed from the website. Balkum indicated she wanted to archive current information and has not had an opportunity to perform other updates.

24. Turnbull, seconded by Bloom, moved to adjourn the meeting at 11:09 p.m.