The City Council of the City of McLendon-Chisholm convened in Regular Session on Monday, September 24, 2018, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Keith Short  
Adrienne Balkum  
Herman Larkin  
Scott Turnbull  
Jim Bloom  
James Herren  
Mayor  
Council Member  
Council Member  
Mayor Pro Tem  
Council Member  
Council Member (via videoconference)

Staff Present:  
David Butler  
Lisa Palomba  
Jim Simmons  
City Administrator  
City Secretary  
Fire Chief/Fire Marshal

1. Call to Order

Mayor Short called the meeting to order at 6:35 p.m.

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

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

4. Citizen Comments.

David Day, 211 Tucker Road, stated he has experience running a business for the last 12 years and feels the best way to run the City would be like a public and not a private company. The City Council needs to work with each other whether they like each other or not because working together allows them to gather ideas from each other. He encouraged them to be like a public company.

Mike Donegan, 2620 Ridge lake Lane, encouraged the City to maintain an open line of communication with its citizens. He then implored the City to take legal and proper actions to prepare for replacing the City Administrator when he leaves. He feels this should include the qualifications, application process, and times for interviews and selection. He then stated that the City Council needs to get their agenda items under control and feels they should look at other means of communicating and do City business. He implored the Council to make the City Council meetings and agenda items more workable.
5. Approval of Minutes

Council Member Balkum moved to approve the minutes from the May 29, 2018 Regular Meeting. Council Member Larkin seconded the Motion. A vote was cast and the motion carried unanimously.

6. Texas Municipal Retirement System (TMRS)

Mayor Short turned the time over to Lisa Palomba, City Secretary.

Lisa Palomba stated that this is a continuation of the conversation they started last week regarding the surplus they have this year and prior service credits they purchased from TMRS. The amount they owe to TMRS is approximately $30,000 and this might be a good year to eliminate that amount. She introduced Mr. Colin Davidson from TMRS to answer any questions regarding TMRS.

Mr. Davidson asked if they would prefer a short overview of TMRS before he answered questions.

Mayor Short asked Mr. Davidson to start with the overview.

Mr. Davidson stated that the City joined TMRS in November of 2014. When the City joined they chose a benefit plan for their employees. He clarified that this was done at a City level and not on an individual level. He then gave some examples of what the City has chosen for their plan including an employee contribution rate of 5% and a matching ratio of 1-1. TMRS has a vesting period of five years, which means an employee needs to work five years to qualify. If they have at least five years, they can qualify for benefits at age 60 or if they are not 60 and have 20 years of service they can start withdrawing from their account. He then gave some examples of how they pay out and how they calculate the benefits. They use a cash balance plan to calculate how much an employee will be paid out.

Mr. Davidson continued stating that the amount the City pays is the contribution rate that is determined every year. The amount the City pays is also comprised of two different elements including the day to day costs of the plan and the prior service. Prior service is the portion that is paying off the liability in the plan that was generated when the City first joined TMRS. He clarified that when a City pays off their liability it does not mean there will never be any future unfunded liability. He then gave the details of how the City may acquire future unfunded liability after having paid off this initial $30,000.

Mr. Davidson stated that something TMRS does to help a City with budgeting is determining the rate further in advance. For example, the rate the City is paying right now was determined at the end of 2016. He then clarified that any money paid now will not affect the contribution rate for 2019 but would go into effect the following year.
Mayor Pro Tem Turnbull stated that the document they have right now says that 2019’s rate will be 8.53%.

Mr. Davidson responded that was correct.

Mayor Pro Tem Turnbull asked what makes up that number. He asked if that came from the 5% the City is matching employees plus 3.53% for the unfunded liability.

Mr. Davidson replied that what you are saying makes perfect sense. However, the amount you pay with the normal one to one match is less than 5% since you know that not every employee the City has will eventually qualify. He clarified that the 3.14% cost is what the City can think of as the normal cost rather than 5%. The additional 5.39% is the prior service rate they spoke about that includes paying off the liability. He added that the 8.53% is the retirement rate, but in addition to that the City has opted for an additional benefit of life insurance which brings the total to 9.32% when included.

Mayor Pro Tem Turnbull asked how the City’s contribution is affected if an employee works for them for less than the five years but moves to another City that participates in TMRS.

Mr. Davidson responded that what happens is if the employee ends up qualifying the City would only be responsible for amount of years they were working for McLendon-Chisholm.

Council Member Bloom stated that he understands that if TMRS does not hit their projections the City supplements that with their percentage. He then asked if they pay off the $30,000 now and continue paying the 5.39% over the next year if that extra amount is factored into their 2020 rate.

Mr. Davidson stated it will be. He clarified that if the City pays off the $30,000 right now for the next year they will be over paying. He added that because of that it is likely that the City will have a negative prior service rate which would bring their rate down below 3.14%.

Mayor Short asked for a motion.

Council Member Larkin made a motion, seconded by Council Member Bloom, to pay off the $30,000 liability to TMRS.

Mayor Short opened it up for discussion on the motion.

Council Member Larkin stated he was a little concerned last time when he learned the City would continue to pay the same rate, but he has been comforted that they are paying more than required and could be paying less in the following year. He added that he does not feel they are paying money into something that they will not be getting back.
Mayor Pro Tem Turnbull stated he shares Mr. Larkin's concerns, but he wonders if it would be better to keep it in their account if TMRS is only getting 2% returns, which is about what the City is getting right now.

Ms. Palomba asked if they would like some clarification on that.

Mayor Pro Tem Turnbull responded that he does not, he understands that they may make more than that and the investment target is 6.7% which they may not hit.

Mr. Davidson responded that last year they hit 14% and the year before 10%. He added he wanted to be sure they knew what the expectation was any given year.

A vote was cast on the motion and the motion carried unanimously.

7. Agreement for Fire Protection Service and Integration

Council Member Larkin moved to approve the document as drafted. Council Member Bloom seconded the Motion.

Mayor Short opened it up for discussion on the Motion.

Mayor Pro Tem Turnbull stated that he has several concerns. Foremost is the concern that they are wanting them to remove the stipulation that they would pay up to but no more than $5,000 in legal fees. The next items he is concerned with is 6.2.1- 6.2.3 as well as the dates they voted for last time.

Council Member Bloom stated he feels the dates are arbitrary and are really just something to go off of. He added that there are fewer dates now and while the dates are now giving them more time it is not changing the essence of the agreement. He also feels that Chief Simmons is motivated to get things done as soon as possible.

Mayor Pro Tem Turnbull responded that with 5.1 stricken it removes Chief Simmons control and command over Fire District 22. According to this Chief Simmons is no longer totally in control and yet the City is footing the bill for everything and not guaranteed the timelines the City requested.

Council Member Larkin stated that the City originally asked for everything to be transferred by April and they came back with September 30th. He feels that a good compromise is June 15th since it is a merger and every party is obligated to give a little. He added that the clauses in 5.1 and 5.3 are more or less a simplification of the process and they do not need to be included since Chief Simmons is over MCFR.

Council Member Bloom stated that he agrees that stating the Fire Chief's role does not really belong in an agreement since it is about the assets. He feels the City is the one with all the upside since they are getting free real-estate, equipment, and more. He then
added that 5.3 did not bother him since he read it as stating they are not liable at all for their legal bills up to this point.

Mayor Pro Tem Turnbull stated responsible for all liabilities after October 1st.

Council Member Bloom responded that is right.

Mayor Pro Tem Turnbull stated that if their attorneys do something like bill them after October first for everything they have done to date the City ends up paying all the bills.

Council Member Bloom stated he does not feel that is the intent.

Mayor Pro Tem Turnbull stated that there is no way of knowing if they are liable or not and that is the reason the clause is in there to protect them.

Council Member Bloom stated that he feels like the liability would be with MCVFD because of a phrase in 6.2 which stated that previous liabilities of MCVFD would remain with them and will not be assumed by the City.

Mayor Pro Tem Turnbull responded that it would not protect them if the invoice states October 1st.

Council Member Bloom stated that it does not say invoice.

Mayor Pro Tem Turnbull stated they both know that attorneys will bill in ways that are beneficial to their client.

Council Member Bloom stated that is right, but it does not change the liability and the bill does not change when the liability occurred.

Mayor Pro Tem Turnbull stated that it can happen, and he does not see any need to pay two lawyers to do this deal.

Council Member Bloom responded that they are not.

Mayor Pro Tem Turnbull replied that they will because anything after October 1st the City is paying.

Council Member Bloom said that is right but after October first they cannot require us to use their attorney.

Mayor Pro Tem Turnbull asked why they struck it out of the deal. With this removed they can tell their attorney to do everything.

Council Member Bloom responded that they cannot because they do not exist anymore.
Mayor Pro Tem Turnbull replied that until it is complete they exist and everything between now and then they will pay including two attorneys if that is the case.

Council Member Bloom stated that this particular clause is talking about liabilities as of September 30th, 2018.

Mayor Pro Tem Turnbull responded that 5.3 does not have a date included.

Council Member Bloom apologized and stated he was talking about the liabilities in 6.2.

Mayor Pro Tem Turnbull responded that if MCVFD has an existing bill the City would not be stuck with it but going forward by removing 5.3 the City could be paying two attorneys to do the same work.

Council Member Larkin asked if they could come back to this issue and any further issues they have with the document later.

Mayor Pro Tem Turnbull suggested going through the redline items as a Council so everyone can voice their opinions. He added that it is his understanding that the redline items are the things that have changed from when they went through the document line by line last week.

Ms. Palomba responded that the document that was originally in their packet over the weekend was the one that David Pascal put together based on Council’s comments in the last meeting. The redline document is the input the received from MCVFD’s attorney.

Mayor Pro Tem Turnbull stated that the redline sections should be the only things they have to address.

Council Member Balkum stated she feels they should put it up to a vote since they have already gone through this line by line.

Mayor Pro Tem Turnbull responded they went through the last document, but they have not addressed all the changes. He then asked Mr. Larkin to withdraw his motion so he can make a motion.

Council Member Larkin stated he is inclined to leave his motion on the floor since they are so close to having a signed document. He added that he does not understand his concern with 5.3.

Mayor Pro Tem Turnbull stated that he wants to make a motion to determine how they do the input, but with an existing motion he cannot do that. He then added that he does not have a problem with the changes made to 2.1.

Mayor Short asked if anyone on Council has a problem with it being 2.1 being redlined out.
Council Member Balkum stated she feels that it needs to first be addressed how they are going to proceed with discussing the document.

Mayor Pro Tem Turnbull asked if he is correct in assuming that the City’s attorney has seen this and does not have any problems with anything that has been removed.

Ms. Palomba stated that she has the Attorneys comments and asked if Mr. Turnbull would like the Mayor to read his comments aloud.

Mayor Short read the Attorneys comments. The Attorney’s concerns were no cap on the attorney fees and more importantly the specific performance remedy. The letter continues stating that if the City feels there is a 50% chance or more that MCVFD will not perform he would not recommend them signing without the specific performance provisions included.

Mayor Pro Tem Turnbull stated unless he explicitly stated that you could then I would advise against. He added that he feels it would destroy their Attorney-Client privilege.

Mayor Pro Tem Turnbull asked if Ms. Palomba had another copy of the document for Chief Simmons.

Ms. Palomba stated that if she can be excused she could make a copy.

Mayor Short responded that would be fine.

Ms. Palomba returned and stated that she sent copies to everyone.

Council Member Balkum stated that she was missing the document from September 22nd. She then clarified that it was coming up blank on her PDF.

Council Member Balkum stated she was ready to discuss.

Mayor Pro Tem Turnbull stated he does not know why 4.5 was stricken but he is okay with that. However, he is not ok with 5.1 being stricken. He also feels that 5.3 should be included.

Council Member Bloom responded it had not stopped the City in the past.

Mayor Pro Tem Turnbull commented that to date they have not paid the other sides legal fees on anything.

Council Member Bloom replied that is correct.

Mayor Pro Tem Turnbull stated that he feels “time is of the essence” in 6.2 should be included due to comments made last week by Mr. Pascal. 6.2.1 should be returned to the
way it was but he is fine with the striking of 6.22. He added that the date should remain April 30th in 6.23 and feels his compromise in this section would be to have two deadlines instead of three. He clarified that he is ok with that compromise because of 6.2.4. He is not concerned with the change to 9.2. However, he does feel the last redline item 10.3 needs to stay.

Council Member Bloom asked if that was all he had.

Mayor Pro Tem Turnbull responded that was all of his concerns.

Council Member Bloom stated that he feels all the concerns they have with their changes are based on lack of trust. He does not believe that MCVFD has done anything to show the City they cannot be trusted since they have begun this process. They have a signed contract before them and they could end this today if they can get past the lack of trust. He also feels that if the contract is not signed tonight that things will become much more complicated with the County and it would put the City in a bad situation. He clarified again that most of the changes that had been made do not change the essence of the document and he feels that should not bother them and they should move forward with signing the document.

Mayor Pro Tem Turnbull commented that he is not sure exactly what Mr. Bloom is basing his lack of trust claim on.

Council Member Bloom responded emails.

Mayor Pro Tem Turnbull replied that the email he believes he is referencing is one email that never made it into any official document. He added that things sometimes get said in emails that should not be said, but if they do not become part of an official document than all are just comments. He added that it was a comment made by one person and cannot be seen as representative of the entire Council. He then asked Mr. Bloom why the Councils changed are less important than MCVFD’s. He feels MCVFD is not giving any value to the fact that the City voted and discussed the document that they gave to them.

Council Member Bloom stated that issue like the date of April 30th do not matter. He added that ultimately someone has to stop first, and he suggests Council does since the County is getting tired of the City not doing anything and the citizens want something done as well.

Mayor Pro Tem Turnbull asked Mr. Bloom if the dates are arbitrary than why the City’s dates are not as important as MCVFD’s.

Council Member Bloom stated that he agrees. However, he feels that someone at some point has to agree. They have gone back and forth with different dates and they need to compromise.
Mayor Short reminded them that many dates have been discussed. He added that he does not see June 15th as a deal breaker.

Council Member Larkin stated that he thinks this is a trust issue and feels the dates are extremely acceptable. He added that it seems reasonable to bend on dates since they are getting such a good deal in this situation. He then stated that he understands the concerns with 5.3, but still thinks they are not being very cooperative since they are not willing to bend on anything.

Council Member Balkum stated this is not a true merger and the dates are playing politics. She feels they need to move on with setting up MCFR. She added that the City has spent hundreds of thousands of dollars and gained no ownership in equipment or property. For her it is a no brainer to sign the original contract that they all agreed on September 17th and at this point that is the only thing she willing to agree to.

Council Member Herren stated for the record that no one on the Council has asked for a copy of the email that was mentioned earlier. The information shared at the podium about that email was cherry picked and the whole email should be read to understand it completely. He clarified that the email spoke about a potential breach of contract for MCVFD if they had made a deal with the Rockwall County as well as McLendon-Chisholm. He then responded to Mr. Larkin’s comment about the potential risk for current MCVFD employees to be fired by the City if the deal was made. He stated if they did not hire and fire people correctly they would be breaking the law.

Council Member Herren added that some of the things that have been stricken from the document set the City up for liability and he does not feel that is acceptable. He also feels the trust issue goes both ways. Mr. Herren then shared an experience in which an individual representing MCVFD lied about being a member of the Fire Department and while that individual was represent the Fire Department made an offer to the City that they backed out of after the City had accepted it. He clarified that the provisions in the document are included to keep both parties safe from liabilities. He then added that the dates changes are political, and they have seen this happen before. He stated that he understands that from some people’s perspective it looks like a hostile takeover, but both sides are making the choice to merge.

Mayor Short reminded the Council that if this agreement was signed now the transfer of assets would start prior to the end of this year. The date is a final date of when it needs to happen by.

Mayor Pro Tem Turnbull stated that Mayor Short is correct. However, only the equipment would transfer while the apparatus, building, and anything else would not transfer until June 15th. He reiterated that the dates are arbitrary except April 30th is before the election and added that he feels that by keeping 6.24 which allows Chief Simmons to give them more time if needed should offset any concerns about the earlier dates. He then echoed Mr. Herren stating that he is still concerned with the items stricken that leave the City open to liabilities.
Council Member Larkin stated he would like to withdraw his motion and make an alternate motion.

Mayor Short permitted him to do so.

Council Member Larkin motioned to accept this contract as written with the reinsertion of paragraph 5.3. Council Member Bloom seconded the motion.

Mayor Short opened the meeting up for discussion on the new motion.

Council Member Bloom asked Mr. Turnbull if with 5.3 being back in there if the dates are still an absolute deal breaker.

Mayor Pro Tem Turnbull stated the modification is a step in the right direction. However, he feels 10.3 and 5.1 are also necessary to protect the City. He added that he is fine with 4.5, but still feels that 6.2.4 should satisfy MCVFD since it addresses their concerns about the complex things that cannot be completed by the earlier deadline.

Council Member Bloom asked Mr. Turnbull if the only date change he would accept is one that is bumped up a month.

Mayor Pro Tem Turnbull responded that if everything else is put back in he would be fine to go back to the November 30th date instead of November 1st.

Council Member Bloom commented that they would basically be going back to the original contract except for a few minor changes.

Mayor Pro Tem Turnbull stated they would be taking out 6.2 out and giving them 6.24 which addresses their concerns.

Council Member Bloom responded that he does not think 6.2 is taken out.

Mayor Pro Tem Turnbull replied 6.22.

Council Member Bloom stated that is what he meant.

Mayor Pro Tem Turnbull clarified that he is saying it can be removed so there are only two dates instead of three.

Council Member Balkum stated that she was not in agreement for November or anything after October. She added that they have not seen Chief Murphy or Mr. Dodd and she still thinks they still need to go back to what they originally agreed on September 17th.
Council Member Herren stated that he tends to agree with Mr. Turnbull. He is willing to strike out certain things, but he feels that 5.1 and 5.3 need to be put back in there. He also feels they need to take a look at 10.3 again based on Mr. Pascall’s comments.

Mayor Pro Tem Turnbull apologized for interrupting but stated they need to be cautious about sharing advice that was given to them by Mr. Pascall.

Council Member Herren stated he felt Mr. Pascal alluded to them needing to have 10.3. He added that he does not have a problem with 9.2 being stricken, but he does feel 6.2 should remain. He clarified that he does not feel they need to go back to the September 17th agreement but that there does need to be some give and take. He then added that he does feel dates need to be included so that extensions under 6.2.4 are the exception and not the rule.

Council Member Balkum stated it has never been addressed why it has to take that long. She added that we have offered to have our attorney do the paperwork and she does not feel it is that complex so the only thing that should really be lingering is the vehicle that has the grant. She added that she feels the dates should be moved up for when they actually own the stuff and feels this would be beneficial to both parties. She added that there are a lot of deal breakers in there for her and even though the pressure is on to sign she feels they need to hold their ground.

Council Member Herren stated that he wanted to address 6.2.2. He stated that it was discussed that if the City was going to spend money on upgrading the property it would have to be in the City and based on this that would not happen until June 15th which he does not find acceptable.

Mayor Pro Tem Turnbull stated that he thinks Mr. Herren may have made incorrect assumption. Things can be done at any time, but they cannot be done after these dates. He added that because of the Staffing for Adequate Fire and Emergency Response (SAFER) contract he believes that he would have to allow things to be done almost immediately. He then asked Ms. Palomba for more information concerning dates for the SAFER Grant.

Ms. Palomba replied that she thinks they have a bit more time since they have not responded since she put in the revision three weeks ago.

Mayor Pro Tem Turnbull stated that currently they are still on the six full time equivalent positions and the start date is still January 25th.

Ms. Palomba stated that her understanding is that by putting in the revision date if they do not hire people till mid-October they can still be reimbursed because she requested it earlier.

Mayor Pro Tem Turnbull stated that was his understanding as well.
Ms. Palomba stated that is why she went ahead and made the revisions, so they could get people hired as soon as possible.

Mayor Pro Tem Turnbull stated that he did not realize that by changing the date it affected that. He added that if they do not have people hired to be there 24/7 for the first month then they do not have to do the building remodel, but if they pass that agenda item later on they will have to be ok with transferring Station One almost immediately.

Council Member Herren stated that his comment was based on what was previously in 6.2.1 and they changed that so the transfer of the real property to be by June 15th and previously it was at November 30th, so they could meet certain timelines. What that says to him is that it will happen sometime between November 30th and June 15th but there is no specific date.

Mayor Pro Tem Turnbull stated that he agrees. He then stated that after last week Mr. Bloom made a comment to himself and a citizen that the agreement last week was not a hostile take over. He then asked if that is how he felt about last week’s document why he would accommodate more if puts the City at risk. He stated that he is willing to make changes, but he is not willing to take things out that put the City at risk and he thinks performance deadlines are appropriate.

Council Member Bloom stated he did not feel it was hostile and neither are the date changes they were given back. He added that MCVFD is negotiating points and the ones that do not expose the City to liability are certainly worth putting back in but dates are something he feels they should consider bending on.

Mayor Pro Tem Turnbull stated that he has to reiterate his argument that if it does not change the essence than why change it.

Council Member bloom stated that he does not know why they changed the dates and wishes they had not.

Mayor Pro Tem Turnbull responded that his question was why we should change.

Council Member Bloom stated because someone has to end this at some point. He added that 95% of this contract is what the City submitted. He feels they need to only choose the battles that are really important and not make a big deal about the rest of it.

Mayor Pro Tem Turnbull asked Mr. Bloom and Larkin if they took the dates out and changed 6.2.4 to read MCFR shall have the authority to transfer any and all assets on his time line do you think they would accept it.

Council Member Bloom responded that he has no insight if they would or not.

Mayor Pro Tem Turnbull asked if he would recommend they accept.
Council Member Bloom replied from what he understands Chief Simmons and Murphy have a good relationship and he thinks they could make that work.

Council Member Larkin responded absolutely the goal is to get this done.

Council Member Bloom stated he would personally be ok with that.

Council Member Larkin asked if specifically, on the City liability we believe its 5.1, 5.3, and 10.3 that need to be included.

Mayor Pro Tem Turnbull responded that is correct.

Mayor Pro Tem Turnbull stated that he would like Mr. Larkin’s response as well.

Council Member Larkin stated he feels it would be somewhat open ended. He added that they need to get something done for the citizens and he feels these by dates are something they could be more flexible with and if it makes MCVFD more comfortable than they should stay. He added that he does not feel that it achieves anything, but it just adds complexity.

Mayor Pro Tem Turnbull stated that he is not sure Mr. Larkin understood his question.

Council Member Larkin asked if it was only to take the dates out of 6.24.

Mayor Pro Tem Turnbull responded that was correct.

Council Member Larkin stated that he did understand the question though his response was a little outside the boundaries.

Mayor Pro Tem Turnbull clarified that Mr. Larkin would like to leave the dates in.

Council Member Larkin rezoned that he would. He added that these are by dates and in the interest of being cooperative he thinks the dates should stay in the agreement, so they can get things going. He then stated that he would like to take care of the liability issues for the City.

Council Member Balkum asked which dates he wants to stay in.

Council Member Larkin responded the dates proposed here. He added that they may have agreed on dates at the last meeting, but they need to remember this is a negotiation and there is another side that has to agree as well.

Council Member Balkum responded that is a good point.

Mayor Short recessed the meeting at 8:30 p.m.
Mayor Short called the meeting back to order at 8:47 p.m.

Council Member Larkin asked if it is being recommend to strike 6.2 and leave 6.2.3.

Council Member Larkin asked if Mr. Turnbull if he is asking that they remove 6.1 and 6.22 and go with 6.2.4.

Mayor Pro Tem Turnbull state yes except he feels that MCVFR Fire Chief should have authority to say when assets will transfer and the only time there is an exception is when something unusual occurs. He clarified that this needs to be stated in the agreement. He added that if 6.2.4 is included that way than the other time lines are not that important to him.

Council Member Larkin stated he still sees issues with that, but he feels they are getting closer. He then withdrew his earlier motion. He then motioned to approve this document as written with the reinsertion of paragraphs 5.1, 5.3, and 10.3. Council Member Bloom seconded the Motion.

Mayor Short opened the floor for discussion on the motion.

Mayor Pro Tem Turnbull stated that he appreciates what Mr. Larkin has done but unfortunately it does not go far enough for him. He still feels that “time is of the essence” in 6.2 should still be included. He also feels that unless they reword 6.2.4 to be more specific about the Chiefs ability to transfer items at his will unless unusual or unforeseen events rise to prevent it the other change still have to be addressed.

Council Member Larkin asked if it is appropriate in Robert's Rules of Order for the individual who made a motion to call for a question.

Ms. Palomba responded that it is not inappropriate.

Council Member Larkin called for the question.

Mayor Short called for a vote.

A vote was cast and the motion failed with 2 in favor, 3 opposed (Balkum, Turnbull, Herren).

Mayor Short stated that 5.1, 5.3 and 10.3 are very important and if they can work out some word issues the Council might have something they can agree to.

Mayor Pro Tem Turnbull motioned that this contract be modified to reinsert items 5.1, 5.3, 10.3, and the words “time is of the essence” in 6.2. That 6.21, 6.22, and the former 6.23 be stricken and 6.24 be modified to say “the MCFR Fire Chief shall have the authority to transfer any assets at his discretion on or before April 30th, 2019
unless an unusual” and then have it continue there as is currently written. Council Member Herren seconded the Motion.

Mayor Short called for any discussion on the motion.

Council Member. Balkum asked why it has to be April 30th.

Council Member. Turnbull stated he thinks there needs to be a deadline. He added, that he assumes that Chief Simmons needs to get back to being the Fire Chief instead of an asset manager.

Mayor Pro Tem Turnbull responded whenever Chief Simmons says it does. Under this wording the MCFR Fire Chief will be the determining factor on when an asset transfers.

Mayor Pro Tem Turnbull stated he feels it is sufficient with the addition of the wording “time is of the essence” and the instruction that it is up to Chief Simmons determination. However, if they want it on the record they can most definitely ask him if he understands their intentions.

Council Member Turnbull clarified November 30th is not in his Motion. Mayor Pro Tem Turnbull stated that as far as backing out he believes by reinserting the 10.3 clause they are protected.

Council Member Balkum stated that it does not protect them from disagreeing with what they agree on right now.

Mayor Pro Tem Turnbull responded that everyone understands that they are going to send them a signed contract and they cannot force them to sign it. Additionally, Turnbull stated that he feels they need to make their best effort and he feels his motion is the best that they can do.

Ms. Palomba clarified that they are adding back in 5.1, 5.3, 10.3, and 6.2 where it says, “time is of the essence.” She then asked if he could clarify what is happening with 6.21, 6.22, and 6.23.

Mayor Pro Tem Turnbull asked which number she would like him to use the original numbers from their document. To him that is simpler.

Ms. Palomba stated she thinks that is why she is confused. She then asked if the part underlined in red in 6.2.1 is staying.

Mayor Pro Tem Turnbull responded that in his motion it is stricken in its entirety. 6.2.2 is stricken. 6.2.3 is stricken and the new 6.2.3 or 4 about the liabilities remains and 6.2.4 that they inserted is stricken from the beginning to the word unusual and insert in front of the word unusual “the MCFR Fire Chief shall have the authority to
transfer any asset at his discretion on or before April 30th, 2019 unless an” and then it would continue.

Council Member Herren stated that he agrees with Mr. Turnbull that if everything he mentioned is included than they can basically strike out all of the dates and put it in the hands of the Fire Chief. This allows them to move forward as quickly as possible. He added that he does not see a downside for us or them with this action.

Council Member Larkin stated he feels it would be a show of mutual respect to say that MCFR Fire Chief and the MCVFD Fire Chief would agree on a time line. He added that he trusts Chief Simmons and he feels this would look more like they are cooperating.

Mayor Pro Tem Turnbull clarified that they have stricken all the dates except one and in return for that we are asking for the head of the integrated department be given the authority. He added that he disagrees that this does not show mutual respect.

Council Member Herren asked Mr. Turnbull if it would be acceptable to add that the MCVFD can respond when the MCFR Fire Chief makes a request.

Mayor Pro Tem Turnbull responded that it could be limiting because if they do not name a specific person than anyone could do it such as the lawyers or members. He then added that if Mr. Larkin feels that putting it in will sweeten the deal for MCVFD then he will sweeten the deal.

Council Member Larkin stated that his personal opinion is that they should sweeten the deal.

Mayor Pro Tem Turnbull responded if you think it will make a difference he will do it.

Mayor Short asked him to restate what he said earlier.

Council Member Herren stated that all he is saying is that they inject in the paragraph that they give authority to the MCVFD Fire Chief to respond to the MCFR Fire Chief with any unusual or unforeseen conditions that are beyond their control. He added that basically gives him some authority back and he feels it should go right before the unusual and unforeseen conditions portion.

Mayor Pro Tem Turnbull asked how about just adding at the end.

Council Member Herren responded that he feels that waters it down and they should give him that authority right up front. He added that they should let the two fire chiefs negotiate.

Mayor Pro Tem Turnbull asked if he is wanting them to have an input other than unusual and unforeseen.
Council Member Herren responded that he is not. He added that he feels that if there is an unusual or unforeseen condition that the MCVFD Fire Chief should have the authority to respond back with why those assets cannot be transferred.

Mayor Pro Tem Turnbull replied that is what he was trying to say. He clarified that what he was saying was that the MCVFD Fire Chief would make any claim of any unusual or unforeseen conditions that are beyond the control of each party. He then asked Mr. Herren if that is what he wanted.

Council Member Herren stated he believes they agree he only thinks it needs to be upfront and not at the end. He feels that adding it at the end somewhat diminishes it.

Mayor Pro Tem Turnbull stated, so you want the MCVFD Fire Chief right before the word unusual.

Council Member Herren responded that was correct.

Mayor Short read his version with the new addition and then asked if that was what Mr. Herren was trying to say.

Council Member Herren responded it is, but Mr. Turnbull had added some additional verbiage that he thinks should be included.

**Mayor Pro Tem Turnbull stated it could be worded** “The MCFR Fire Chief shall have the authority to transfer any asset at his discretion on or before April 30th, 2019 unless the MCVFD Fire Chief identifies unusual or unforeseen conditions that are beyond the control of each party.”

Council Member Herren asked what Mr. Bloom and Mr. Larkin’s opinions were on that verbiage.

Council Member Bloom stated he feels that is as agreeable as he sees them getting tonight.

Council Member Larkin stated he agrees.

Council Member Herren asked what Ms. Balkum’s opinion is on it.

Council Member Balkum expressed concern of MCVFD backing out of the agreement and prefers they go back to the September 17, 2018 agreement and deadlines are needed.

Council Member Herren responded that he values Ms. Balkum’s opinion but he does not agree with her comment about unusual or unforeseen conditions since there are things that they do not know about. He added that he feels they need to be flexible and not too strict as long as they are getting the results that they desire.
Mayor Pro Tem Turnbull stated that he feels her concern is valid and in order to address that they should add section 20, which would state this was a final offer that needs to be accepted by 6:00 p.m. September 26th, 2019 or the offer is rescinded.

Mayor Pro Tem Turnbull stated that it can be put wherever the lawyer thinks is best. He added that the reason for this is they have a meeting scheduled that night, so they can address anything they might need to. He then stated that he feels it needs to be stated in the contract.

Council Member Balkum stated that the agenda is already set for Wednesday, so they are kind of pigeonholed in a way.

Mayor Pro Tem Turnbull responded that they are not because if they put on the agreement that this is the final offer they will have to either accept or reject it. If they reject it or if they do not let them know than MCFR is standing up on their own and they can move forward. He added that if they come back later and accept it than they can take official action if needed.

Council Member Bloom stated that he is not comfortable with this. He feels that if they reject it or do not come back they will basically destroy the City trying to stand up a department over a couple points that are valid and few that are petty. He added that standing up their own department would take months of works and easily a million dollars.

Mayor Pro Tem Turnbull responded that is false.

Council Member Bloom replied that they can play with numbers all day long but the fact of the matter is this would be a monumental task to try and set up their own fire department. He added that they have to provide fire service to the City and there will be no way to do that without contracting out MCVFD. He emphasized again that he does not feel section 20 should be included.

Council Member Larkin stated that he is not in agreement with adding a final offer statement. He added that this agreement is the only way they can get fire service starting October 1st. He also feels that ultimatums are not a good procedure.

Mayor Pro Tem Turnbull stated that he understands their point. He then added that they are going to have to make them decide at some point. He then commented they have to decide at some point.

Mr. Bloom responded as do we.

Mayor Short commented that the Council has to make this decision either tonight or Wednesday. He added that there is stuff on the agenda tonight that hey cannot discuss until this has been sorted out.

Mayor Short stated they need to take personal opinions out of it this.
Council Member Bloom responded that when they have assets and everything it is absurd.

Mayor Pro Tem Turnbull stated that he will reword the last section if it is too harsh, but he still wants to know when the deadline is for either side.

Council Member Bloom responded that obviously on September 30th. He added that he feels any option is better than trying to stand up their own. He feels they are close to a deal and the only thing holding them back is the other side not being in the room.

Mayor Short stated he cannot speak for their attorney, but he knows that Chief Murphy has had some serious issues with his mother’s health, which is why he was not present last week and why he believes he is not here tonight.

Mr. Bloom stated and that is fine but maybe we can try Wednesday.

Ms. Palomba responded that she received it this way and she assumes the attorney probably wrote it and Chief Murphy was agreeable to the terms.

Mayor Pro Tem Turnbull stated that since they have held the two tax hearing the rate cannot change.

Ms. Palomba replied they may go below, but not go above the advertised rate.

Mayor Pro Tem Turnbull stated that they can raise the maintenance and operations rate but if they did they would face a roll back election. He clarified that passing the budget cannot be pushed down the road and so they have to have deadline and he is remiss that they did not include a deadline on their last offer.

Ms. Palomba asked if they are amending the motion earlier where they previously added in those items and reworded 6.2.4 and we are adding this in as well.

Mayor Pro Tem Turnbull stated that is correct. Turnbull clarified that they are adding section 20 which will state this offer is final and must be accepted by 6:00 p.m. on September 26, 2018 or the offer is rescinded.

Mayor Pro Tem Turnbull asked if they have a generic section about giving staff direction. He added that he honestly did not feel they need it since they already gave Chief Simmons the responsibility to have MCFR stood up on October 1st.

Mayor Pro Tem Turnbull stated he spoke with the accountant and as far as the building part they have about $20,000 for remodeling and they can do the same thing they did with that by setting aside a set amount of money for building a fire station. He clarified that this would not cover a temporary structure, but they can take money from this year and put it in a specific fund. He added that if they do this before the budget is passed
Chief Simmons can order bunker gear and anything else needed up to the amount he has left over which is about $160,000 as long as he can get it invoiced before September 1st.

Council Member Bloom commented that he has two business days to get that all done by the time Wednesday is over. This is ridiculous.

Mayor Short called for a recess at 9:45 p.m.

Mayor short called the meeting back to order at 9:53 p.m.

Mayor Pro Tem Turnbull asked if anyone need any additional clarification on his motion.

Council Member Herren stated he feels Mr. Turnbull’s proposal comes across as a threat and most people do not respond well to that. He added that he feels they can get the idea across in a much softer way and still get the same theme across.

Mayor Pro Tem Turnbull suggested to say “time is of the essence. If not accepted prior to 6:00 p.m. on September 26, 2018 the offer is rescinded.”

Council Member Herren asked Mr. Turnbull to repeat what he had said.

Mayor Pro Tem Turnbull stated that he said, “time is of the essence and it must be accepted.”

Council Member Herren interjected that they should not say must be accepted.

Mayor Pro Tem Turnbull asked about the wording “time is of the essences we request the offer be accepted by 6:00 p.m. on September 26, 2018.”

Mayor Short suggested leaving it at that because if they do not accept the offer they can rescind the offer at that point.

Council Member Herren responded that he thinks that that is ok because it is softer but allows them to understand the position they are in.

Mayor Pro Tem Turnbull asked if rather than including “time is of the essence” they say something along the lines of “we are facing a deadline of September 26.”

Mayor Short responded that he thought he said it best earlier.

Ms. Palomba stated that maybe they could add to the end that if the terms are not acceptable that they would encourage them to attend the meeting on the 26th to make final arrangements.
Mayor Pro Tem Turnbull stated he feels that would take too much time unless we set a time limit on it. He added that they can do that according to Robert’s Rules.

Ms. Palomba suggested to limit it to certain parts of the agreement such as the redline areas.

Mayor Pro Tem Turnbull stated that he agrees it would be best to discuss it with them, but if they come in and make any type of major change he does not see them getting past it. His personal view is they have made considerable concessions.

Ms. Palomba stated that she is not sure their attorney would attend anyway since he denied the last time because he felt it was not the proper forum to negotiate.

Mayor Short said that is fine.

**Mayor Pro Tem Turnbull stated that section 20 will read “time is of the essence we request you accept or decline the offer by 6:00 p.m. on September 26, 2018.”**

Council Member Herren responded that is a lot softer and it sets the stage that they need to either accept or decline.

Mayor Short added that he also feels it does not give the option of line out, add in, or delete.

Mayor Pro Tem Turnbull stated it is a softer way of saying this is final offer.

Ms. Palomba asked if they would like to add terms as written so they do not think they have the option to make changes.

Mayor Short stated if it says accept or decline he feels that is enough.

Mayor Pro Tem Turnbull stated that is the final amendment.

Council Member Herren stated that he would accept that amendment as it was rewritten.

Mayor Short asked if there was any discussion on the Motion.

Council Member Bloom stated that he understands the changes with some clauses to protect the City, but while he is not completely in agreement he feels that any alternative is better than the City standing up their own department. He added that even signing the document as it was without the changes they spoke about today would be better than standing up their own department.

**Mayor Short called for a vote. A vote was cast on the motion with amendments with 3 in favor, 2 opposed (Larkin, Bloom). Motion carried.**
8. Interlocal Agreement for Fire Protection Services

Turnbull, seconded by Bloom, moved to open discussion. Mayor Short opened the floor for discussion on the motion.

Mayor Pro Tem Turnbull stated he believes this the same as what they did in 2016 where the County paid the City and we passed it through to MCVFD.

Commissioner Bailey stated that is correct and they had an agreement between the City and Volunteer Fire Department.

Mayor Pro Tem Turnbull asked if he prefers to do business with the City or if he would like to go direct.

Commissioner Bailey responded that his purpose is to help the City provide fire services in the unincorporated area and since the City has not had a fire department they have never had to make the distinction as to which they would prefer or not prefer. He added that it is customary for them to have an agreement with a municipality. However, he questions whether or not McLendon-Chisholm has a Fire Department since he does not think they could respond to a call if they got one.

Mayor Pro Tem Turnbull asked what that has to do with if they contract directly with MCVFD or through the City.

Commissioner Bailey commented that he feels it fits under this item. He then stated that in his personal opinion they do not have a Fire Department

Mayor Pro Tem Turnbull pointed out that the contract does not require that.

Commissioner Bailey replied stating that this contract requires that the City responds to fire calls in the unincorporated area. He clarified that he wants to contract with someone who has those capabilities and consequently that would drive his decision toward the Volunteer Fire Department since he does not know how the City could respond to fire calls.

Mayor Pro Tem Turnbull stated he understands that they do not have a fire department at this time, and if that is the consideration they cannot sign this because that restriction is being put into place before this is valid.

Commissioner Bailey responded that is correct.

Mayor Pro Tem Turnbull stated that the City cannot enter into it and so they are going to have to decline.

Commissioner Bailey replied okay.
Mayor Pro Tem Turnbull commented that even if they did sign it Mr. Bailey could rescind it tomorrow.

Commissioner Bailey responded that was correct. He then stated that the City Attorney was given notification and he hopes that it was passed on. He added that he has told the Council before that they must have a dispatch agreement signed on or before September 30th, but unfortunately tomorrow is the last day that the County has to approve the budget as well as any local agreements prior to the September 30th deadline.

Commissioner Baily stated that he believes the only way the City really had an opportunity to do this was to sign the agreement they were given tonight, and they chose not to do so. He clarified that he does not believe they can have an interlocal agreement between the County and the City for fire service. He then asked that someone reduce to writing tonight or before 9am tomorrow what the City would like him to ask the County to do or have someone attend the County meeting to plea the City’s case.

Balkum asked Bailey if he believed MCVFD would not sign their offer.

Commissioner Bailey stated he thinks at that point in time the City needs to come to the County and ask whatever it is that the City wants to do. Commissioner Bailey replied that you can do that at any point.

Commissioner Larkin asked when the next meeting is.

Commissioner Bailey responded the first of October.

Mayor Short stated if everything goes the way they would like on Wednesday night than can the City come back to them and open a discussion on this at the first meeting they have in October.

Commissioner Bailey responded he does not know why they could not, but his concern is who is going to dispatch for the City October first.

Mayor Pro Tem Turnbull replied they will deal with that next. He then stated that the contract the City offered tonight contains the clause that they will honor any existing any interlocal agreements so by integrating with them it would become the City’s responsibility to fulfill any contract they had with the County.

Commissioner Bailey stated that he thinks that at that point someone could come to the County Court and explain they have merged. He then stated that all of these contracts are for one year.

**Mayor Pro Tem Turnbull stated that based on the information from Commissioner Bailey, he moved that they send the Interlocal Agreement for Fire Protection back to the County unsigned. Council Member Balkum seconded the Motion.**
Mayor Short opened the floor for discussion on the motion and then called for a vote.

A vote was cast and the motion carried unanimously.

9. Interlocal Agreement with Rockwall County for Emergency Dispatch Services

Mayor Short asked for a motion.

Mayor Pro Tem Turnbull moved to accept this agreement. Council Member Balkum seconded the agreement.

Mayor Pro Tem Turnbull stated the one condition that he feels needs to be to change the 12 months non-extension notice to six months. If they do not switch this, they would essentially be making this a two-year contract. He added that he feels they need to accept it because they will need to have dispatch for the City whether MCVFD accepts their agreement or not.

Commissioner Bailey asked if that could be explained to him again.

Mayor Short stated that under letter C in the agreement it states service will continue until one of the parties gives the other notice of at least 12 months. This means to have service end in September of 2019 they would have to give notice in October 2018.

Commissioner Bailey stated that this is because they have to staff up and if they are only given six months he is stuck with employees and more. He added that he has also been told by the Court that this one comes as is and they cannot make changes to it. The City is free to shop around if they do not want to go with a two-year agreement, but the County has to have time to respond which is why it is written the way it is. He added that this is also identical to the documents they have with all other municipalities other than a difference in compensation or the revenue portion which comes from Chief Golden.

Commissioner Bailey stated that he tried to mention earlier that he is not sure the Court would accept this if you sign it tonight since we do not know what the decision will be on the 26th. He added that it would not make sense for the County to accept their payment if they do not have a fire department that can respond to fire calls.

Council Member Balkum asked about radios distributed.

Commissioner Bailey stated he would have to ask. He knows that 22 radios were delivered to Mr. Simmons.

Chief Simmons responded they were delivered to MCVFD with the exception of the one that he has.

Council Member Balkum remarked that MCVFD may not pay for the service.
Commissioner Bailey replied that they may not be charged the $10,000.

Council Member Balkum asked if they would be offered a different price.

Commissioner Bailey responded that they may not be charged the $10,000. Commissioner Bailey stated they already do it for the City for free today and the County wanted to initiate this beginning next year and asked the City to participate. He added that the amount is based on the call volumes and so if half the calls go to the unincorporated area they may go back and come up with a different cost, but that would be determined by the County Sheriff. Commissioner Bailey stated that multiple things could happen tomorrow including getting a yes, a no, a counter, or something else. He feels that the County has been trying to work with the City but they have closed the door on many different options. He then stated that many of the answers to their questions tonight will be prefaced with the fact that he does not know what will happen in Court.

Commissioner Bailey stated all he can do is report back the facts. There is no agreement between the City Council and the Volunteer Fire Department and because of that there is no interlocal agreement and the only thing they have left standing is the dispatch. He commented that his statement to the Court will be that the agreement states that on October 1st the City will have a fire department.

Mayor Pro Tem Turnbull responded that it does not.

Commissioner Bailey replied that it states the County is going to contract with the City to give them dispatch service. Then he will give his definition of what dispatch services means. He added that when dispatch calls October 1st they will call Mr. Simmons and he will have no equipment to respond with.

Mayor Pro Tem Turnbull asked how that is the County's business.

Commissioner Bailey stated that he is accepting their money to do something for the City that will service their constituents, but he does not feel that the City can dispatch fire fighting services. He re-emphasized that the City has no way of responding to a fire call and that the City would have to turn to mutual aid but more importantly the County would be getting into something that would not be servicing their constituents.

Mayor Pro Tem Turnbull stated that by not making a contract with the City they are still not guaranteeing service to the citizens. He added that he feels all he is doing is trying to leverage his position toward the City.

Commissioner Bailey stated that if the City cannot take care of them then he will go to MCVFD and if they say no he will go to another city and so on until he finds someone who can and will respond to those calls.

Mayor Pro Tem Turnbull stated that Mr. Bailey is only talking about the unincorporated area. He added that he will not be able to go out and find another provider to contract with
the County to do dispatch for the City. He then asked why he would not contract with the City, so they at least have this item set up even if they may or may not be completely ready with a fire department by October 1st.

Commissioner Bailey stated that he will not be involved in the City making a check mark that makes them feel they have something in place to protect people. He added that if he gets a dispatch call he is not going to send it to them, he is going to send it to someone he really thinks can respond. He is not going to put someone at jeopardy and call the City just because they want to pay them $10,000. He re-emphasized that if the City cannot fight a fire he will not call them, but the City may be able to convince the Court otherwise.

Mayor Pro Tem Turnbull stated that what he is saying forces the City to go someplace else for dispatch services.

Commissioner Bailey responded he has been told for year and a half that the City was going to stand up their own services on October 1st. He added that he does not see how that can happen.

Mayor Pro Tem Turnbull asked if the County allow the City to make a contract with them if by October 1st or October 15th they have the personnel and equipment for their own fire department.

Commissioner Bailey stated they will have to come to the Court and ask. He added that he hopes they have a backup plan. He also feels that they have had a lot of chances, but he is here to tell them that he is out of options for them.

Chief Simmons asked Mr. Bailey what issues they will have in standing it up alone. Specifically, he is trying to figure out the radios since if they would need to be separate from MCVFD and currently all the channels are signed to MCVFD and none to the City.

Commissioner Bailey stated if the City has a fire department he will have to address that with the volunteer fire department and tell them that the City through the volunteer fire department asked for these units and see what they could do. He clarified that if they have no responsibilities in the unincorporated area he will take the radios back, but if they are still taking care of that area the City will have to broker some deal with them or go buy more radios. He then asked Chief Simmons if he was given all the radios.

Chief Simmons responded that they all went directly to MCVFD except one which was brought to him.

Commissioner Bailey stated that originally, they asked the City how many they needed, and they authorized MCVFD to be on that contract who asked for radios which they got, and the City asked for none.

Council Member Balkum stated this happened years ago.
Commissioner Bailey responded it was about two years ago. He then clarified that it started with Mr. Williams and then Mr. Butler and Mr. Jones came in who ordered the 22 radios.

Chief Simmons stated you cannot have the Volunteer Fire department and a separate City Fire department dispatch on the same radio channels.

Commissioner Bailey clarified that they have the capabilities of offering the City its own distinct channels.

Chief Simmons commented that the radios are a different issue. He added that it would not be an instantaneous process because they would have to reprogram all the radios in the County.

Commissioner Bailey stated that is why they had to hire specific people to do that as they added customers. He asked again for someone to send him what they would like him to say to the Court tomorrow.

Mayor Pro Tem Turnbull stated he will modify his motion to strike the part about changing the 12 months to 6. His motion stands that they should accept this offer as offered by the County and signed by Judge Sweet and enter into an agreement for dispatch services with the County.

Mayor Short asked for any discussion on the motion and then called for a vote.

A vote was cast and the motion carried unanimously.

Mayor Pro Tem Turnbull asked Ms. Palomba is there anything left on the agenda that they have to complete tonight for legal reasons.

Ms. Palomba responded that she would really like Council to approve the budget and tax rate but they can postpone if they would like.

27. Mayor Pro Tem Turnbull moved to table the rest of the items (Items 10-26) and take them up on Wednesday the 26th and adjourn the meeting. Council Member Bloom seconded the Motion. The motion carried without objection.


15. Executive Session. Postponed.


17. Executive Session Action. Postponed.


24. Reports: All postponed.

   a. Financial Report for August 2018

   b. Building Official Report for August 2018

   c. Rockwall County Sherriff Activity for August 2018

   d. McLendon-Chisholm Volunteer Fire Department and EMS Activity for 2018

25. Updates, Discussion and Direction to Staff: All postponed.

   a. Fire Station Site Plan, Platting and Permitting

   b. RFP for Trash and Recycling

   c. City Map Updates

   d. Veterans Memorial Brick Campaign Fundraiser

   e. Code of Ordinance Updates

   f. City Council Member Requests for Future Agenda Items
26. Council Member Reports and Announcements. All postponed.

a. Mayor’s Report and Announcements

b. Council Member Larkin –

c. Council Member Turnbull – Budget, Finance and Investment

d. Council Member Herren – Roads and Transportation

e. Council Member Bloom – Economic Development

f. Council Member Balkum – Communications, Community Engagement, Emergency Services Committee

The meeting adjourned at 11:01 p.m.

ATTEST:

Lisa Palomba, City Secretary

APPROVED:

Keith Short, Mayor