



**CITY COUNCIL**  
**City of McLendon-Chisholm, Texas**  
**Meeting Minutes**  
**December 11, 2018**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, December 11, 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

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

1. Mayor Short called the meeting to order at 6:32 p.m.
2. Council Member Herren 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.**

Mayor Short opened the meeting up for Citizen Comments.

Mr. Donegan, 2620 Ridgelake Lane, asked about the approval of minutes. He questioned why it took three months to get minutes approved. He said there were six meetings without approved minutes. He asked the council to please discuss why/how this happened and how to keep this from happening again. Donegan reminded the Council of his request to serve on the Economic Development Advisory committee. He says he is qualified, has the experience and a vision for how the committee can operate and assist the council. He hopes the council will inform him and others who have requested to be on committees whether they have been selected or not.

**5. Announcement of Holiday Lighting Contest Winners**

Mayor Short introduced item 5.

Council Member Balkum described the voting process, each councilmember would vote for first, second, third, fourth, fifth, and sixth place. Nominations are as follows: 14 Dancing Waters; 1436 Via Toscana; 1437 Via Toscana; 1212 Artesia Lane; 7 Green Hollow Lane; and 103 Chaney Place.

First Place was awarded to 1437 Via Toscana. First prize is a weekend getaway to Rossini Vineyards and \$200 cash.

Second Place was awarded to 1212 Artesia. Second place prize is a one-year membership with On-Time Experts and \$100 cash.

Third Place: was award to 1436 Via Toscana. Third place prize is a CW gift bad including a \$50 Amazon gift card and \$50 cash.

Fourth Place was awarded to 103 Cheney Place. Fourth place prize is a CW gift bag, including a \$50 Amazon gift card, \$20 cash.

Fifth Place was awarded to 4 Dancing Waters. Fifth place is awarded to 14 Dancing Waters. Fifth place prize is \$25 cash.

Sixth Place was awarded to 7 Green Hollow. Sixth place prize is \$25 cash.

Mayor Pro Tem Turnbull recommended driving by 104 Fireside to see their Christmas display. They were not nominated but the display is excellent.

**6. Wellington Manor Final Plat Phase 1 consisting of 60 residential lots on 108.16 acres out of Abstract AO175, R. Peckham Survey, Tract 14 (191.475 acres), generally located south of W. FM 550 and west of Smith Road. Requested by Gregg McGriff representing Altura Homes on behalf of Oak National Holdings.**

**Council Member Bloom motioned to discuss Wellington Manor Final Plat.**

**Council Member Balkum seconded the motion.**

Staff explained that City Planner Coker had a prior commitment this evening. However, Robert Rohde, Chairman of the Planning and Zoning Commission, addressed Council and explained that City Planner Coker's original recommendation was for denial as there are aspects of the subdivision that do not comply with the City's Subdivision Regulations. However, Rohde indicated that after he spoke with the City Attorney, he believes there are requirements in the Subdivision Regulations such as minimum lot widths and landscaping requirements that could be challenged. This property is in the ETJ and county and the City cannot enforce zoning. Rohde continued and indicated that P&Z recommended approval of the Final Plat subject to the following conditions:

1. Provide a chart showing lot widths at the building line.
2. Lots must be a minimum of 150' at the building line.

3. For any lots that do not have 150' width at the building line, the Applicant is required to request a variance from Rockwall County Commissioner's Court or must be otherwise approved by the appropriate County authority.
4. Correct dead-end streets on Liberty Drive and Freedom Court as they both are longer than 150' and do not have a turn-around. Street design must meet Fire Code Requirements.
5. Comply with all City Engineer requirements including addressing drainage issues.

Rohde indicated the required conditions have been satisfied at this time.

Council Members asked where the barricade will be and expressed concern that the barricade will interfere with the building line for lot 15.

Matt Atkins, with Engineering Concepts and representing Mr. McGriff, stated that lot 15 will not be built upon until phase two is built and Freedom Drive is extended. They have a future phase that loops all the homes together so there will be a turnaround.

Palomba indicated the applicants have gone through a long process in meeting both City and county requirements and noted that all requirements have all been satisfied. Palomba commented that the City Planner was satisfied with the solution with the dead-end streets.

Council Member asked if all fees were up to date.

Ms. Palomba replied yes.

**Council Member Bloom motioned to approve Wellington Manor Final Plat Phase 1 consisting of 60 residential lots on 108.16 acres out of Abstract AO175, R. Peckham Survey, Tract 14 (191.475 acres), generally located south of W. FM 550 and west of Smith Road, subject to compliance with conditions listed.**

**Council Member Balkum seconded the motion.**

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

## **7. Sonoma Verde Phases 1C and 2 Public Improvement District (PID) Financing.**

Andre Ayala representing the City's Financial Advisor, Hilltop Securities presented on the evolution of the Sonoma Verde development. Originally there were several amendments to the project and in the end the project ended up in the city. The City decided to create a Public Improvement District and levy assessments and assist the developer with roads, water and sewer funding. In 2015 there was a levy for phase 1A and 1B. \$7.6 million in assessments were levied. In addition, the funding being requested is for phase 2 – \$7.5 million to be bonded.

Additional discussion was held indicating the funding is for the same phase, phase 2. The developer is asking for a lump-sum reimbursement rather than needing to wait for the full assessment to be paid through taxes. The developer is asking the city to create a bond against the assessments in order to give the developer the lump-sum reimbursement. The first step was the assessment, the second step is asking the council for the lump through a bond. If the council entertains the request in this meeting, the developer would develop an offer and present it to council in February. If the Council accepts the offer, they would execute the transaction in March. At that time the council will approve the bond deal and the developer will be reimbursed.

Council Member Balkum asked if February and March were tentative dates to discuss the bond.

Mr. Ayala stated after the holidays they will work on documentation for February. Boyd London likes to have all the documents in front of the Council so they will know what will be used in the marketplace. In March the council may consider the issuance of the bonds.

Phillip Duncan stated that the project interest has been sold. The prior developer, Russell Phillips, is still involved, but sold his interests to Taylor Duncan. Duncan said they have a lot of experience developing around the metroplex area. They will work together with the other company through the transition. Phase 2, currently under development, is owned by Taylor Duncan and they will own the future developments as well.

Council Members asked why we went down from 252 lots to 211 and requested a confirmation of the numbers in the handout.

Mr. Ayala indicated that the numbers on page 5 of the handout provided shows 252 lots will be bonded, but that will go down to 211. The estimated appraisal will go down from 15.3 mil to 12.5 million. That number can go up as time goes on. The amount of bonds will go down from \$7.575 million to \$6.195 million. The remainder will be a note from Joey Howell, the prior developer. That will be separate from the bonds so the number of houses bonded has gone down.

Mr. Ayala said he just wanted to make the Council aware and for them to informally give the finance committee the green light to put the team together.

Council Member Balkum suggested Mr. Joshua Ardent from Municap should be in the next meeting as well so everyone is on the same page.

Council Members asked if the Phase 2 had been platted.

Ms. Palomba replied yes.

Council Members asked if lots have been sold to builders or if the developer was carrying the tax cost.

Mr. Duncan indicated they have agreements with builders to buy, but they have not been sold yet so the developer is carrying the tax cost.

No formal vote was taken but Council indicated the finance team could move forward with their plans.

Mayor Short recessed the meeting at 7:13 p.m.

The meeting reconvened at 7:20 p.m.

## **8. Appoint City Attorney**

Mayor Short said he is unprepared to provide an answer tonight regarding recommendations for a City Attorney appointment. He has narrowed it down to 2-3 possible candidates. He would like a special meeting next Monday or Tuesday to discuss items in question.

Council Member Balkum commented that she had questions she would like to ask the candidates.

Mayor Short stated the Council Members can give him questions to ask the candidates.

Council Member Balkum asked if Mayor Short will ask their questions of the attorney firms.

Mayor Short indicated he would pass along their questions.

Council discussed days they can get together to discuss the appointment of a City Attorney and determined to have a Special Council Meeting on Thursday, December 20 at 6:30 p.m.

Mayor Short indicated that he will take recommendations and consider opinions of the council.

Mayor Pro Tem Turnbull stated he couldn't find the name Halla on an internet search and that concerns him. His recommendation excludes Halla as he felt there is no way to verify his information. He wonders if there is another person working for him or if he works alone. DuBois is too expensive and lacks municipal law experience. Any of the remaining candidates would be acceptable.

Council Member Bloom indicated that he has comments that he will send to Mayor Short.

Council Member Larkin sent his comments to the Mayor. The Mayor acknowledged his comments. He eliminated the larger firm because they were based too far away and didn't believe the City would be given enough support or be a priority. Another he eliminated

because one firm was going to utilize a second firm for support. He commented that if a firm cannot handle their work, that disqualifies them.

Mayor Short closed item 8.

**9. Executive Session.** Mayor Short recessed into Executive Session at 7:32 p.m. (Closed Meeting) in accordance with Texas Government Code: Section 551.074: Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Attorney.

10. Mayor Short called the meeting back to order at 7:38 p.m.

11. Mayor Short announced no action was taken in Executive Session.

**12. Citizen Survey 2018-2019.**

Mayor Short introduced item 12.

Council Member Balkum stated they renewed their membership to the survey application system. She asked people to contribute questions/helpful ideas of things they would like to see in a survey. Some of the formatting is incomplete and needs to be cleaned up.

Council Member Balkum remarked that she is breaking down the questions into categories: demographics, residential information (what are citizens wants/needs), communications (how do citizens stay informed about City information?), transparency in government (are they aware of what we have passed?), opinion questions to help the Council better understand what the citizens want and how to promote the allure of the City. Questions include preferred lots sizes, the look of the frontage road, etc.

Council Member Balkum stated that this information will help the City when talking to businesses about their services – what services to add such as grocery delivery, what would do well, what would not, etc. Citizens who have ideas or other questions are encouraged to contribute to the survey questions.

Council Member Bloom asked if he could see the questions.

Council Member Balkum said the document needed to be cleaned up. She further stated that the 50-year anniversary of the town is coming up and she would like to organize a celebration. She would like to include questions about what they would like to see at the celebration.

Council Member Larkin cautioned the Council from asking the same questions as last year. He is in favor of a more concise survey with things that are actionable opposed to generalities. He said the town hasn't had a wide influx of people to have changed the overall opinion of the citizens. He does agree that a survey about the 50-year anniversary about what people would like to see, with actionable items would be good. He thinks this survey should be centered on economic development. He doesn't want the survey to be

the same every year. It needs to be focused, different than the generalities. He doesn't want it to be so repetitive that it turns people off.

Council Member Balkum agreed that the survey can be changed and used for whatever purpose the Council supports.

Mayor Pro Tem Turnbull suggested each councilmember should submit a category of interest and 3-5 questions that apply to that category and Council Member Balkum can compile them. That way the Council won't leave out something that someone wants to talk about and they won't include something that no one wants to talk about.

Council Member Balkum indicated she wants everyone on the Council to give input because everyone has expertise in different areas. She wants the survey to inform about the process of new school construction and let people know of the private school operating from Chisholm Baptist Church and about the school that will be built in the future. She wants to give everyone the opportunity to volunteer for committees.

### **13. Approval of Minutes**

- a. **September 17, 2018**
- b. **September 24, 2018**
- c. **September 26, 2018**
- d. **October 3, 2018**
- e. **October 9, 2018**
- f. **October 23, 2018**

Mayor Short asks if anyone wants to exclude any of these dates for minute approval.

**Mayor Pro Tem Turnbull, seconded by Council Member Larkin, moved to approve all minutes presented with correction of minor typographical errors. A vote was cast and the motion carried unanimously.**

### **14. Updates, Discussion and Direction to Staff**

- a. Fire Rescue Report. The station remodel is still going well. All deadlines related to the Integration Agreement between the City and MCVFD have been met at this time.

Mayor Pro Tem asked if the station remodel is just the dayroom/sleeping quarters. He had heard that it was under consideration to add a spot for another apparatus.

Mayor Short stated he had not heard that.

Mayor Pro Tem Turnbull indicated there was not enough land to expand the structure. The Council only approved money to improve the bunkhouse. He just

wants to make sure there is nothing more being added. Mayor Short said this is not happening as far as he knew – only the dayroom.

**b. City Map Updates.**

Ms. Palomba stated that the P&Z is having another workshop in December to review the maps. The meeting time may need to be changed now due to the Special Council Meeting. She will adjust and move forward. Once P&Z is satisfied with the revisions, public hearings will be scheduled for January.

**c. Veterans Memorial Brick Campaign Fundraiser.**

Council Member Balkum contacted Senator Bob Hall and he said he would support it. She created a flyer and shared it in multiple places.

Mayor Short asked the cost of the bricks and how the cost was determined?

Council Member Barkam stated they calculate the price based on the cost of the brick and shipping and also to pay for someone to design and install.

Council Member Balkum has heard of other cities offering bricks for sale for as little as \$35, but we can't get that price. Those particular cities have a public works department to help with installation and we don't have that. She isn't sure how the price was originally determined.

**d. Transition of Trash/Recycling Services.**

Council Member Balkum stated there was an issue with Waste Connections billing and some people were charged for the upcoming quarter by mistake. She tried to make sure the people knew that they could get refunded if they were overcharged. Starting December 21<sup>st</sup> new cans will be delivered. There is a brochure that will come through the mail. Billing statements will be issued by the new company.

Ms. Palomba indicated the billing issue should automatically be corrected, but if not, residents can call Waste Connections and request a refund.

**e. Future Agenda Items.**

Ms. Palomba would like the deadline to be moved back in January for new agenda items. She would like them a week before they are to be published.

Council Member Balkum stated if there isn't a special meeting, they should be able to do that for her.

Council Member Balkum asked if Ms. Palomba needs assistance purchasing a video camera. Ms. Palomba is waiting on spending authority and suggestions for a



suitable camera. Council Member Herren stated he would assist and has some recommendations he can send Ms. Palomba. Ms. Palomba asked if she gets recommendations and the Council agrees, can the funds be taken out of the technology budget rather than bringing it back to the Council. Council reminded her she could proceed with the purchase.

Council Member Balkum suggested that she wants to amend the peddler ordinance for a possible clerical error.

City Survey visual aid will be provided next meeting by Council Member Balkum

## **15. Council Member Reports and Announcements.**

### **a. Mayor's Announcements – Events, Area Happenings, and Information.**

Mayor Short stated there are Christmas events going on all over the county. There are Toys for Tots locations all over. There are so many ways to give. He acknowledged the City Christmas Tree Lighting Event. Those who can watch or hear our Council meetings know that there are times when construction is prohibited. Citizens should reach out to the City if construction is going on at a time that is not allowed.

### **b. Council Member Balkum – Communications and Community Engagement.**

There was good turnout for the Tree Lighting Event and some Council Members added ornaments. Facebook engagement is going well.

Mayor Short thanked the fire department present at the event.

### **c. Council Member Larkin –**

Council Member Larkin stated he attended the first meeting of the North-Central 911 District. Their job is to coordinate the usage of 911 fees that every citizen pays. These fees have not been utilized properly because there hasn't been an organization to distribute the money as it is being used to offset budgets. All those fees are going to the state instead of the community. Now with this 911 district the funds will stay in the community. The group won't meet often. We established a set of bylaws, a budget, and an executive director. There will be a board of directors set up. Each county will have one representative except Collin County will have 6 representatives because of their size and volume. The bylaws state that Collin County can't make up a majority to influence the vote of the committee. There were 120 invitations sent out and there was a quorum in attendance.

Council Member Balkum ask if the City would get the fifty-cent fee directly.

Council Member Larkin explained the funds would be used to coordinate all services and make sure the equipment is consistent. Specifically, we're talking about the large centers getting the funds.

**d. Mayor Pro Tem Turnbull – Budget and Finance.**

Mayor Pro Tem Turnbull stated he does not have anything new.

**e. Council Member Bloom – Economic Development.**


Council Member Bloom agrees with Mr. Donegan that he needs to get with Council Member Herren and notify those they select and have their first meeting in January.

**f. Council Member Herren – Roads and Transportation.**


Council Member Herren mentioned he missed the last meeting but would update the Council soon with new information.

16. Mayor Short adjourned the meeting at 8:20 p.m.

ATTEST:

  
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Lisa Palomba, City Secretary

APPROVED:

  
\_\_\_\_\_  
Keith Short, Mayor

