



**CITY COUNCIL**  
**City of McLendon-Chisholm, Texas**  
**Meeting Minutes**  
**June 25, 2019**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, June 25, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

<b>ATTENDING:</b>	Jim Bloom	Mayor Pro Tem
	Herman Larkin	Council Member
	William Dahl	Council Member
	Trudy Woessner	Council Member
<b>ABSENT:</b>	Keith Short	Mayor
	Lorna Kipphut	Council Member
<b>Staff Present:</b>	Lisa Palomba	City Administrator/City Secretary
	Jim Simmons	Fire Chief

**1. CALL TO ORDER**

Mayor Pro Tem Bloom called the meeting to order at 6:31 p.m.

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

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

**4. CITIZEN COMMENTS**

None

**5. APPROVAL OF CITY COUNCIL MEETING MINUTES**

**5.1 JUNE 11, 2019**

**MOTION: APPROVE MINUTES OF JUNE 11, 2019 AS PRESENTED.**

**MADE BY: COUNCIL MEMBER LARKIN**  
**SECONDED: COUNCIL MEMBER DAHL**  
**APPROVED: 4 IN FAVOR, 0 OPPOSED (KIPPHUT, ABSENT)**

## **6. ITEMS FOR CONSIDERATION**

### **6.1. Atmos Energy will present a donation to the Fire Department**

Eva Hummel with Atmos Energy made a presentation to the City Council. She pointed out that June is National Safety Month and she has provided National Safety Guidelines. She stressed how important it is to have lines located before making any type of dig to prevent lines being cut. In May, Atmos Energy sponsored the Rockwall Chamber First Responders Appreciation Luncheon. At the luncheon words of appreciation were shared along with a donation to our first responders in Rockwall County. She stated she was here to thank the McLendon-Chisholm Fire Rescue Department for all they do to keep the community safe. She stressed that they value the relationship they have with the first responders and she knows the City of McLendon-Chisholm is truly blessed to have some of the finest first responders. On behalf of Atmos Energy, she presented a donation in the amount of \$2,000.00 to the McLendon-Chisholm Fire Department. She also shared that as a part of the partnership, they offer training in natural gas safety to the first responders and they will be getting together with Chief Simmons to arrange for that training.

### **6.2. Council Member Herman Larkin will make a public statement related to his tenure as Council Member**

Council Member Larkin announced, with regret, that he is not going to be able to serve out his term as Council Member. He explained that certain medical conditions at home have relegated him to the position where he has to relocate back to Virginia to be close to his wife's family. His intention had been to serve out his current term, but things have moved much quicker than he had anticipated.

He stressed that this is not his official resignation, but he wanted to put out notice to the citizens that if anybody wants to volunteer to serve out his term, they should feel free to approach the Mayor or City Administrator. It is his intention to be at the July 9<sup>th</sup> meeting and at the July 15<sup>th</sup> City Council retreat.

### **6.3. John Polster, representing Innovative Transportation Solutions, Inc., will deliver an update regarding TxDOT projects in the vicinity of McLendon-Chisholm including the Hwy. 205 South project. Council discussion and questions from Council regarding such projects may follow the report.**

John Polster reported he has a schematic which he has passed to Lisa for their review. He then passed out a report from the Rockwall County Transportation Consortium Report for May 2019 which includes a schedule of the status of each phase of the project. The report included the progress of the SH 205 South project as follows:

SH 205 SOUTH

<b>CSJ:</b>	P451-01 (Rockwall County segment); 0451-02-028 (Kaufman County Segment)	<b>Schematic Approval:</b>	July 3, 2018
<b>Limits:</b>	From US 80 to north of FM 549	<b>Environmental Clearance:</b>	April 12, 2019
<b>Estimated construction cost:</b>	\$135 million	<b>ROW Acquisition Complete:</b>	November 2020
<b>Project Description</b>	Widen from 2-lane rural to 4-lane urban divided with allowance for ultimate 6 lanes	<b>Utility Relocation Complete:</b>	May 2022
<b>Firm &amp; Key Contact:</b>	Halff, Jeremy McGahan	<b>100% Plans</b>	August 2021
<b>TxDOT Contact</b>	Suja Mathew (0451-02-053); Pauline Morrel (0451-02-028)	<b>Ready to Let:</b>	May 2022
		<b>TxDOT Connect Let Date:</b>	September 2025

Mr. Polster shared that this report is on the TxDOT website for anyone who wants to review it.

Mayor Pro Tem Bloom asked about the medians, about when the decisions come into play regarding the aesthetics of the medians. Mr. Polster responded there is not a lot of money designated for aesthetics, but the City can augment the cost if they want more than what the plans dictate.

Council Member Woessner asked about the speed limit. Mr. Polster stated that the design speed will be 45-mph design limit. The 45-mph design limit has nothing to do with the speed limit along Hwy. 205. After the project is complete, the State will not place speed limit signs along the road, but will conduct a survey to determine what the speed limit should be. The City will then be able to set the speed limit through an ordinance, if they have the authority.

Council Member Dahl asked if the medians would be like the ones done on State Highway 380 going through Prosper. Mr. Polster responded that is similar to what they are doing, but 380 is significantly wider than what is planned for Hwy. 205.

Mayor Pro Tem Bloom asked for clarification regard the two lanes going to four lanes with an ultimate of six lanes. Is the actual footprint for four lanes with a two lane turn lane, or will it be wider? Mr. Polster responded it will not be any wider. They will set the entire footprint at the very beginning.

Council Member Dahl asked about traffic control since the City has a large development and a private school on the south side of town. How will they ensure traffic flow will be accommodated? Mr. Polster responded that the contractor will be required to maintain all access with two lanes throughout the entire project. They just might not be in the same location, they may shift left and right.

City Administrator Palomba inquired about sidewalks along the highway. Mr. Polster stated there will be sidewalks on both sides of the road. They are typically five feet wide and set back from the curb.

City Administrator Palomba asked about the possibility of enhancements at each entrance to the city limits. Mr. Polster stated they should probably start talking about that now and they can put it in the design. That way the City will not have to pay for the design.

**6.4. Nominate and consider appointments for regular and alternate positions to the Planning & Zoning Commission**

Mayor Pro Tem Bloom introduced this item and stated there are three positions plus one alternate position open.

**MOTION:** Appoint Daniel Tucker, Lesley Schwaije, and Jody Wright as standing members of the Commission with Daniela Swindol as alternate.

**MADE BY:** Council Member Woessner

**SECONDED:** Council Member Larkin

**APPROVED:** 4 in favor, 0 against (Kipphut, absent)

**6.5. Nominate and consider appointments for regular and alternate positions to the Board of Adjustment**

Mayor Pro Tem Bloom introduced this item and stated there are three current members seeking reappointment and one new applicant.

**MOTION:** Reappoint Frank Fite, Herb Harker, and Gary Nickel to the open positions on the Board of Adjustment and accept David Cross and Valerie Bodart as alternates.

**MADE BY:** Council Member Larkin

**SECONDED:** Council Member Dahl

**APPROVED:** 4 in favor, 0 against (Kipphut, absent)

**6.6. Discussion and action regarding an Ordinance amending Chapter 11, Taxation, of the Code of Ordinances by adding a new section, 11.03, repealing the application of the sales tax exemption from the sale of telecommunication services within the City of McLendon-Chisholm**

Mayor Pro Tem Bloom explained that cities are permitted to collect sales tax from telecommunications, such as cell towers, in their district.

City Administrator Palomba explained this is for any type of telecommunications. She reported that the State of Texas automatically exempts telecommunications from sales tax unless the taxing entity passes an ordinance repealing the

exemption. This will allow the City to collect their share of the sales tax for these services.

**MOTION:** APPROVE ORDINANCE NO. 2019-06 AMENDING CHAPTER 11, TAXATION, OF THE CODE OF ORDINANCES OF THE CITY OF MCLENDON-CHISHOLM, TEXAS BY ADDING A NEW SECTION 11.03 REPEALING THE APPLICATION OF THE EXEMPTION FROM THE SALE OF TELECOMMUNICATION SERVICES WITHIN THE CITY OF MCLENDON-CHISHOLM, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**MADE BY:** Council Member Woessner  
**SECONDED:** Council Member Larkin

Council Member Dahl asked if this will change the rates for these services for the residents.

City Administrator Palomba answered it will add the local sales tax which will show up at the bottom of their bill.

Council Member Dahl asked what other cities have done this.

City Administrator Palomba pointed out there is a document in their packet which lists all the cities who have repealed this exemption.

**APPROVED:** 3 in favor, 1 against (Dahl), (Kipphut, absent)

## **7. REPORTS**

7.1. Building Official Report May 2019

7.2. Budget Report May 2019

Council Member Dahl pointed out that right now the City is on track with the budget. But, with the downturn in building permits, there could be a shortfall.

Council Member Larkin stated he had pointed this out to the previous Council and stressed they should not prepare a budget on income from uncertain sources.

7.3. McLendon-Chisholm Fire Rescue Report May 2019

Chief Simmons was available to answer any questions.

7.4. Rockwall County Transportation Consortium Report May 2019

The regular meeting will be held at 6:00 p.m. on the fourth Wednesday of every month.

**8. UPDATES, DISCUSSION AND DIRECTION TO STAFF**

None

**9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

9.1. Mayor Short's news and announcements including upcoming events - ABSENT

9.2. Mayor Pro Tem Bloom's announcements including Emergency Services Corporation and Economic Development Advisory Committee - NONE

9.3. Council Member Larkin's news and announcements including Veterans Brick Memorial Committee

Council Member Larkin recognized Larry Reynolds and expressed appreciation for his volunteer work for the fire department.

9.4. Council Member Kipphut's announcements including special events and Code of Ordinance updates - ABSENT

9.5. Council Member Woessner's news and announcements including M-C 50 Anniversary Committee and communications

Council Member Woessner announced that the date of October 19<sup>th</sup> has been set for the M-C 50 Anniversary celebration. They are asking for volunteers and workers as well as donations for door prizes.

9.6. Council Member Dahl's news and announcements including finance and budgeting - NONE

**10. EXECUTIVE SESSION**

**10.1. Recess into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551:071(2) Consultation with City Attorney on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding possible fire station location sites and options for placement and methods of placement of said fire station in the city limits.**


No Executive Session Held

**10. ADJOURN**

There being no further business to discuss, Mayor Pro Tem Bloom adjourned the meeting at 7:36 p.m.

ATTEST:

APPROVED:

  
Lisa Palomba, City Secretary

  
Keith Short, Mayor

