



CITY COUNCIL
City of McLendon-Chisholm, Texas
Meeting Minutes
July 9, 2019

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, July 9, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

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

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:30 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

Charles Schwalje, 262 Meadowpark. Mr. Schiwalje appeared before the council to express his concerns regarding Rossini Winery and the rental of their facilities. He stated that two weeks ago there were about 50 vehicles there with strobe lights, loud music, and loud talking and yelling. It is very disturbing. He expressed his hope that this Council will listen to the desires of the community regarding this type of development. They do not want a winery. The Planning & Zoning Commission did not recommend the approval of this development, but the Council approved it. The owner is now trying to build a large commercial facility in a residential area.

Scott Turnbull, 1117 Newkirk Ct. Mr. Turnbull appeared before Council to express his concern regarding Item 7.1. Executive Session. He stated it appears that they are going into Executive Session to discuss rescinding or repealing an ordinance that was passed at the last meeting which can be done in open session. It concerns him that it appears they are trying to hide behind that door.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

5.1. June 25, 2019

MOTION: APPROVE MINUTES OF JUNE 25, 2019 AS PRESENTED.

MADE BY: Council Member Larkin
SECONDED: Council Member Woessner
APPROVED: Approved 4 in favor, 0 opposed (Council Member Kipphut abstained due to absence from meeting)

6. ITEMS FOR CONSIDERATION

6.1. DISCUSSION AND ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN ROCKWALL COUNTY CENTRAL APPRAISAL DISTRICT (RCAD) AND THE CITY OF McLENDON-CHISHOLM FOR PUBLIC IMPROVEMENT DISTRICT (PID) ASSESSMENT COLLECTION

City Administrator Palomba presented this item and introduced a representative from P3 Works, the new PID administrator. He will explain the contract and why it's necessary with the Central Appraisal District for PID collection.

Kyle Sikorsky explained that this contract has been a couple of months in the making. Just a little bit of history – McLendon-Chisholm had a contract before with Rockwall County but there were some collection problems and they decided to terminate the agreement at that time. It's very important for the administration of PIDs that we have collection contracts with counties. It's much simpler for a resident to get a tax bill that has the PID assessment just like their City, County, and ISD. It's just another line item. We have been working with Rockwall County Appraisal District over the last couple of months working through a new contract. We also worked through a software problem that they had last year in terms of putting the assessment rolls on their tax statements. So, we've worked through that. We've figured out a way to finance all of it with the software vendor making that correction. The next step was getting this new contract and tying up a couple of loose ends.

Mr. Sikorsky then addressed some questions from Council Member Kipphut about the dates themselves and how they seem a little bit flawed. Mr. Sikorsky explained it was because they want this to be a template contract moving forward for all PIDs, not just in McLendon-Chisholm, but in the whole County as well, as these are standard dates moving forward. I know it says it would be executed by June 1st. That was just because they meet bimonthly and at the previous meeting they had a tornado warning and they weren't able to meet so everything got delayed. So, they just got approval of this. They wanted to make sure that this was a standard template and everything matched for all PIDs and Rockwall moving forward. So, that is why you see a discrepancy there, even though this agreement will technically start on October 1st, we're already in the process

of preparing the assessment rolls and we're going to have all that information to the appraisal district well before September 5th.

Council Member Kipphut asked about the \$5,000 late processing fee. Mr. Sikorsky stated P3Works would pay that if something happened and the mistake was their fault. That will never come from you. Nothing ever comes from you out of your general fund when you are dealing with a PID. If it's something dealing with the PID, there are always funds within the PID to take care of any additional fees or any additional administrative expenses.

MOTION: APPROVE AN INTERLOCAL AGREEMENT BETWEEN ROCKWALL COUNTY CENTRAL APPRAISAL DISTRICT (RCAD) AND THE CITY OF McLENDON-CHISHOLM FOR PUBLIC IMPROVEMENT DISTRICT (PID) ASSESSMENT COLLECTION

MADE BY: Mayor Pro Tem Bloom
SECONDED: Council Member Kipphut

Council Member Woessner asked about the renewal of the contract. Mr. Sikorsky stated it would automatically be renewed every year. There is a statement that if the City or the county decided that they no longer want to participate in the agreement, that they would provide notice 150 days before that, but otherwise it automatically renews ever year.

APPROVED: Unanimously

6.2. THE CITY COUNCIL WILL INVITE PUBLIC COMMENT, DISCUSS WITH THE PUBLIC AND AMONG COUNCIL SUCH COMMENTS RELATED TO THE PERFORMANCE OF COMMUNITY WASTE DISPOSAL SOLID WASTE AND RECYCLING SERVICES, BILLING AND ALL OTHER RELATED MATTER. DIRECTION TO STAFF MAY FOLLOW.

Scott Turnbull, 1117 Newkirk Ct. Mr. Turnbull stated he has no issues with the trash service except for one. He stated his invoice is addressed to Resident of McLendon-Chisholm. They don't know who I am and I don't know why they don't know who I am, but they have found my trash can every week and they have found a way to bill me. So, they should be happy and I should be happy.

Robert Quinn, 1401 Correra Drive. My own personal experience with them is that they are extremely difficult to work with. You have to pay them money to pay them. There are comments every week on Facebook about CWD and issues they are having with getting pickups on time, somehow managing to skip cul-de-sacs and skip people yet pick up their neighbor's cans. We have some people who still haven't gotten a bill and are going nuts trying to get them to send them a bill.

Council Member Larkin. Mr. Larkin stated that, overall, he hasn't had issues. He is also put off by the convenience fee for calling in a payment rather than sending a check. I think they could have a little more professionalism.

Mayor Short. Mayor Short stated that he is not immune to the same issues. We know when we changed to the new service there would be some hiccups along the way. When you change any of major service, there's going to be some bumps in the road. I had trash cans delivered to my house just like everybody else and they came and picked the trash up just like everybody else, or most people. But, I didn't get a bill for a couple of months, then all the sudden I got a collection notice. So, we rectified that and I paid the bill several months and about a month and a half ago they failed to send a bill and then sent me a collection notice again. So yes, there are some hiccups there and some customer service or accounting issues that this particular company may need to address. If a citizen of our City is having an issue with a service provided, if you're not notifying my staff, or a council member, of myself, of those issues, if you don't call us and let us know, it's like it's not happening. You've got to notify staff or council or myself. That's the only way we're going to rectify it.

Scott Turnbull. Just to point out, it took me seven months to get my partial charge back from Waste Connection, so they all have the same type of accounting problems.

Council Member Kipphut asked the City Administrator if she has been getting calls recently. She responded they have slowed tremendously. She stated she thinks at least two or three weeks have gone by and she hasn't received one. Every once in a while someone will get frustrated and call, but it has improved considerably.

Mayor Pro Tem Bloom asked what happens to those phone calls once she receives them. City Administrator Palomba responded that she contacts Jason, who is our direct contact with CWD and I insist he report back to me regarding resolution of the issue to make sure the concern is addressed. Most of the time it's a customer service issue.

Bev Stibbens, 279 Patridge Drive. I, too, am one of the fortunate ones. My cans arrived, my trash has been picked up every week, sometimes recycling is a little bit late, but that's okay. I got my bill right on time. I did mail in a check because I had heard about the service fee. I understand it's probably because of the fee they're being charged for online payment, not a reason, not an excuse, just probably why. What I wanted to share was having sat in your seat in 2009 when we did the first garbage contract for this city, it took several months to get everybody getting their trash being pick up and the trash company knowing where they lived to get issues worked out. Please be patient as you work through all the issues with them.

Council Member Woessner asked how long we want to let it go when we have issues. Just this week they picked up everyone but my neighbor and they skipped them for some reason. I also know someone who has yet to be billed after calling twice and doing exactly what they needed.

City Administrator Palomba responded that if she would forward her that information she will take care of it.

Mayor Pro Tem Bloom asked if all the commercial issues have been taken care of. City Administrator Palomba answered they have.

City Administrator Palomba presented some information she has noticed over the last few months. When CWD was given the original customer list, there were about five to six hundred customers on that list. They now have about double the number of customers they originally started with which likely means that the former company either wasn't billing customers correctly or had them misidentified as non-residents of the city. The accounting just wasn't right. They may have misidentified some people as being outside of the city limits because our franchise fee revenue has increased.

6.3. DISCUSSION AND DIRECTION TO STAFF REGARDING ISSUING A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL DESIGN SERVICES TO DESIGN THE NEW McLENDON-CHISHOLM FIRE RESCUE STATION.

Mayor Short explained this is discussion and direction to give them the authority to seek one out. It doesn't mean we are going to use them, it doesn't mean we are going to spend any money at this moment, but it's to go out and see who's out there and the costs available, or what the costs are for an architectural firm to design the station.

MOTION: GIVE STAFF DIRECTION TO ISSUE A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL DESIGN SERVICES TO DESIGN THE NEW McLENDON-CHISHOLM FIRE RESCUE STATION.

MADE BY: Mayor Pro Tem Bloom

SECONDED BY: Council Member Dahl

Council Member Bloom clarified that TxDOT will work with us on architectural services, but they allow us to choose the architect. They don't have preferred vendors or anything like that.

City Administrator Palomba responded that eventually the City will be made a formal offer and part of that cost will include architectural services. The City will select a firm that is right for us. We feel this will take a little while since we've never done an RFQ for an architect for a fire station. We need to seek out a firm that has a specialty in public safety buildings. It may take us a little while to find a firm, so we just wanted to move forward, put this together and get it advertised. Again, I'm not asking you to allow us to select the firm. We would like to get this started and put it out for advertising and once we have sufficient number of submissions, then we'll bring a recommendation forward to you for selection. We just don't want to lose any time.

APPROVED: Unanimously

7. EXECUTIVE SESSION

7.1. 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 repeal of Ordinance No. 2019-06 adding a new section, 11.03, repealing the application of the sales

tax exemption for the sale of telecommunication services within the City of McLendon-Chisholm.

Council adjourned into Executive Session at 7:04 p.m.

8. RECONVENE REGULAR MEETING

Council reconvened into regular session at 7:39 p.m.

9. EXECUTIVE SESSION ACTION

No Action

10. UPDATES, DISCUSSION AND DIRECTION TO STAFF

None

11. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

11.1 Mayor Short's news and announcements including upcoming events

Mayor Short stated he didn't really have any events right now. I hope everybody had the opportunity to enjoy the 4th and relax with family and friends. We have Labor Day coming up in September and we've got Halloween and all the holidays. I think you'll see that we are going to have some nice holiday events coming up in the community.

11.2. Mayor Pro Tem Bloom's announcements including Emergency Services Corporation and Economic Development Advisory Committee

Mayor Pro Tem Bloom reported that tomorrow is a special meeting for the ESC conducting an interview panel that I'm participating on for a new coordinator of Emergency Management for Rockwall County.

11.3. Council Member Kipphut's announcements including special events and Code of Ordinance updates

Council Member Kipphut reported she has been working with Lisa starting today on the ordinance updates. She has taken the inputs from the previous council as well as having the attorney trying to merge those altogether. Lisa and I have also been scrubbing the website taking things off there that are no longer applicable.

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

Council Member Larkin stated that as they start the transition of the Veterans Memorial Brick Campaign, Council Member Kipphut is taking the lead on that. On Thursday, she and I are going to meet with the engravers. The new form and the advertisements are on

the website. We have a big push and the cut off date is September 13 for your bricks to be in for the first lay which will be Veterans Day.

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

Council Member Woessner reported that MC 50 is rolling right along. There is another meeting coming up on July 23rd at 10:00 a.m. They have gotten quite a lot accomplished. We just need to find out what we can do and what we can't do. I also need additional volunteers.

11.6. Council Member Dahl's news and announcements including finance and budgeting


Council Member Dahl reported that in looking at the budget report from the last meeting, revenue is at 74%, so it's right there within a five-point margin. So, our revenue is good. Our total expenses are down to 59%. The City is actually in pretty good shape. There are a couple of things that are spiked and mainly it's the capital expenses for the public safety. But, we anticipated that because of the equipment that was purchased. One of the things that Lisa brought up in the last meeting is the sewage usage. Our sewage usage is up by 88%. So that means more houses are being built and more usage is being produced. But the thing is that the cost of that treatment has gone up by one hundred fifty-five percent over where it should be. Right now it should be at 74%. We've got to go back into those assessments to see what we're being charged for the usage. That is one of the items we're going to have to look at when we get into the budget.

12. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 7:46 p.m.

ATTEST:

APPROVED:



Lisa Palomba, City Secretary



Keith Short, Mayor

