



AGENDA
City Council Meeting
Tuesday, February 25, 2025
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 6:30 PM

Page

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS
3. AGENDA APPROVAL
4. RULES OF DECORUM
5. CITIZEN COMMENTS
6. CONSENT AGENDA
 - 6.1. Consider approving minutes from the Regular City Council Meeting on Feb 11, 2025 (City Administrator) 4 - 8
[Minutes for CC Meeting, February 11, 2025](#)
 - 6.2. Consider approving an ordinance amending Chapter 8, "Offenses and Nuisances" of the City of McLendon-Chisholm Code of Ordinances Ordinance by adding Article 8.09, "Dangerous Buildings and Other Structures", Enacting regulations with respect to substandard, unsecured or Dangerous Buildings or Structures; specifying the Remedies available to the City to obtain compliance with those regulations; Authorizing the City to take certain actions to remedy violations and providing methods by which it can recover its expenses in doing so; enacting civil and criminal penalties for violation of the regulations; providing for a savings and severability clause; providing for a repealing clause; and providing for an effective date. (City Administrator) 9 - 20
[02.25.25 Staff Report - Dangerous Buildings \(1\)](#)
[MC Ordinance SUBSTANDARD BLDGS 8.09](#)
 - 6.3. Consider approving an Ordinance of the City of McLendon-Chisholm, Texas, Amending section 3.01.001 of Article 3.01 of Chapter 3, "Building Regulations," of the Code of Ordinances by amending the fee schedule; providing a Repealing Clause; Providing a Savings Clause; Providing a Severability Clause; and Providing for an Effective Date. (City Administrator) 21 - 27
[02.25.25 Staff Report - Fees and Charges \(1\)](#)
[Ordinance Fees & Charges](#)

- 6.4. Consider approving an Ordinance declaring unopposed candidates in the May 3, 2025 General Election elected to office; Canceling the General Election; providing a severability Clause; and providing an Effective Date. (City Administrator) 28 - 30

[MC ordinance canceling election 2025](#)

- 6.5. Acknowledge and approve the Termination notice from Blackland Water terminating the agreement to supply water to Sonoma Verde Phase 3 and 5. (City Administrator)

7. ITEMS FOR DISCUSSION

- 7.1. Discuss and consider approval of the Franchise Fee Ordinance between City of McLendon-Chisholm and Blackland WSC upon future delivery of water within McLendon-Chisholm city limits. (Mayor Pro Tem Dan Tucker)

- 7.2. Discuss and consider action on directing staff to seek vendor RFQ in pursuit of future sewer impact fee report and schedule. (Mayor Pro Tem Tucker)

- 7.3. Discuss and consider approval to instruct City Administrator to forward a Letter of Notification to RCH WSC and High Point SUD designation each in violation of Ordinance 2023-05 (RCH) and Ordinance 2023-06 (High Point), respectively, requiring a 30 day notice to reply prior to pursuing further action (Mayor Pro Tem Tucker)

- 7.4. Discuss and consider approving the purchase of an Enterprise Resource Planning System (ERP) for the city. (City Administrator) 31

[02.25.25 Staff Report - ERP](#)

- 7.5. Discuss and consider the distribution of Rockwall County Child Safety Funds (City Administrator) 32

[02.25.25 Staff Report - Child safety funds](#)

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

9. EXECUTIVE SESSION

The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, §551.072 - Real Property; §551.073 - Prospective Gifts; §551.074 - Personnel Matters; §551.076 - Security Devices; §551.086 - Utility Competitive Matters; and §551.087 - Economic Development Negotiation

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or

sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

11. ADJOURN

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., Feb 21, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**Minutes
City Council Meeting
Tuesday, February 11, 2025
1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032 6:30 PM**

The following council and staff were in attendance:

Mayor Pro Tem Dan Tucker
Council Member Paul Day
Council Member Jerry Brewer
Council Member Floyd McLendon
Council Member Michael Easter

Staff:
Bev Stibbens, City Administrator
Michael Halla, City Attorney
Angela Jennings, City Secretary
Jeff White, Finance Director
Jim Simmons, Fire Chief
Eddie Stough, Fire Marshal

Absent: Mayor Bryan McNeal

1. CALL TO ORDER

Mayor Pro Tem called the meeting to order at 6:30 pm

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS

Mr. Halla led the council and audience in the Invocation
Council Member McLendon led council and audience in both US and Texas Pledges

3. AGENDA APPROVAL

**Motion to approve the Agenda
Made by: Council Member Paul Day
Seconded by: Council Member Michael Easter
Motion passes Unanimously**

4. RULES OF DECORUM

5. CITIZEN COMMENTS

John Powers, 1847 Navarro Way, McLendon-Chisholm, Tx

Thanks the council for their service. John voiced his opinion on the Sonoma Verde North and East development. He spoke on the 55+ portion and said that, although, some of the lot sizes give him heartburn, he does believe that this development will be a good fit for the community. He recommends the council votes in favor of the Project.

Todd Busch, 1372 Arezzo Lane, McLendon-Chisholm, Tx

He wants to know why the two new East and North developments can't be separate from The rest of the SV. He does not want the residence of SV to have to wait an additional 8 to 10 years for North and East development to be completed before the rest of the residents in SV have control over the HOA. Also, he requests that language in the agreements state That NO CONSTRUCTION VEHICLE comes thru Sonoma Verde. He also thinks that the developer does have some responsibility for repairs to the existing street issues. He asks that The council look into the original contract to find out what the developers' responsibility is.

Tony Crawford, 104 Lavender Place, McLendon-Chisholm, TX

He thanks Mr. Davis for coming to the table to help work out the details of the developments To better fit the City's Comprehensive plan. Understanding that these areas are not in the City but in the ETJ, he does believe that the 55+ community will be a good addition to The city, once incorporated and he goes over several pros to approving both developments. He encourages the council to approve.

David Black, 1419 Siena Lane, McLendon-Chisholm, TX

He states that he is happy to see the Mayor participating in the Rockwall County Days in Austin to help protect City rights. He spoke about the red line agreement and wanted to Know if the public will see the final before it is voted on. He was glad to see the lot Sizes changed a bit and spoke on the 55+ community. He asks if there will be a separate Community center for that area. He also directs a question to Mayor Pro Tem Tucker About the outer loop.

Shari London, 216 Harvest Ridge Dr, McLendon-Chisholm, TX

Spoke on SV East and North. She states she does not like MUDs, but believes that this developer has made a real effort to work with the City even though they are still in the ETJ and we really do not have a lot of control there. She also spoke on what was going On in Austin with the legislation changes being proposed. She believes that this developer Is or can act as a buffer for communities have greater density and encourages council To work with and approve these two developments.

6. MAYOR'S UPDATE ON WATER

Mayor Pro Tem reads the Mayor's statement about the Receipt of a Notice of termination of the MOU with Blackland Water.

7. CONSENT AGENDA

7.1 Minutes for City Council Meeting Jan 15, 2025

7.2 Minutes for City Council Meeting Jan 28, 2025

7.3 Minutes for Special City Council /Home Rule Commission Meeting Jan 23 , 2025

7.4 Monthly Reports

Motion Made to approve all items on the Consent Agenda

Made by: Council Member Brewer

Seconded by: Council Member Easter

Motion passes Unanimously

8. ITEMS FOR DISCUSSION

8.1. Discuss and Consider approval of Development Agreement between TDI GP, LLC and the City of McLendon-Chisholm for Sonoma Verde East, "Tate" Tract (City Administrator)

Motion made to Discuss and approve SV East

Made by: Council Member Easter

Seconded by: Council Member Brewer

Interim City Administrator gives a staff report and wanted to point out several Red lines in the documents that needed to be pointed out.

Stephen Davis presents the changes made to the development agreements and Answers questions and concerns from the council and staff. Fire Marshall Eddie Stough voices his opinion on the 20-foot drives and large trucks would block Sidewalks. The developer explains that while taking that into consideration the 20 ft is something they cannot change.

Council Member Brewer asks how the board will be affected by the new phases. Mr. Davis explains how the board will integrate new representatives from the coming Phases and states they are also setting up an advisory committee to help the HOA Board with educating the SV community on HOA matters and transparency of the Reasoning and management of the HOA.

Mr. Brewer asks about the term extension of the preliminary plat, why the Agreement was set up as a 45-year term, Also asked about the annexation

Timelines and the reasoning behind the elimination of our road impact fees
For SV East and North.

Mr. Davis explained why the timelines are set at the specified lengths in the Development agreements, the reason for the 45-year term and that the Annexation will be in phases. He also explains that the road impact fee was Taken out to account for money they will be spending To build roads and to offset the larger lot sizes the city is asking for.

Mr. Brewer also asks what the developers will be doing to keep the construction Vehicles out of current Sonoma Verde road and streets. He wants to make sure that the age restrictions will in fact be 55+. And he clarifies what the lot Sizes will be within the age restricted area. He also asks what the amenities will be In the North tract.

Mr. Davis and Fire Chief let the council know that NO Commercial Vehicle signs have Been put up to allow ticketing if trucks come through SV. He also states that Age Restricted Subdivisions are very specific in age and who can live there. He clarifies Lot sizes within the 55+ area and outside those areas. He will not know the amenities Until they know for sure what Company (i.e. Del Webb) will be developing the 55+ Community.

Mayor Pro Tem Tucker asks about the route into the construction areas. He also asks If the PIDs being established will be separate from the current SV PID and was assured by Mr. Davis that they will not affect the current SV PIDS. Mayor Pro Tem also asks for clarification on the HOA for the new area. Mr. Davis says the HOA will be part of the current HOA , however the 55+ will also have a sub association .

Council Member Day ask how independent the sub association of the 55+ Communities will be. He verified if the 55+ residence can use the other amenities Outside the 55+ community and vice versa. Mr. Davis states that 55+ residents May use the other amenities but not vice versa.

Mr. Brewer also addresses the 7" concrete and Mr. Davis says they will use whatever The city engineer can make the final decision.

Bev Stibbens reminds the council to include the changes included in the documents they were given.

Mr. Halla instructs the council on how to state the motion.

Motion passes Unanimously

- 8.2. Discuss and Consider approval of Development Agreement between TDI GP, LLC and the City of McLendon-Chisholm for Sonoma Verde North, "Sloan" Tract (City Administrator)

Motion to approve SV North

Made by Council Member Easter
Seconded by: Council Member Brewer
Motion passes Unanimously

- 8.3. Presentation and report for the FY25 Q1 Financial Update (City Administrator)

Jeff White presents the Financial Update for the First Quarter.
He explains overages, and answers a few questions from the council

- 8.4. Discuss and consider approval for Interim City Administrator to explore selling the Old Fire Station at 1250 Hwy 205, McLendon-Chisholm. (City Administrator)

Bev Stibbens gives a staff report on the interest of the property and asks that She precede in getting bids for the property.

Motion to approve the exploration and sell of the property by sealed bid.
Made by Mayor Pro Tem Micheal Easter
Seconded by Council Member Brewer

There is a discussion about how to proceed,

Motion passes 4-1
(Ayes - Mayor Pro Tem Tucker, Council Members Brewer, McLendon and Easter)
(Nayes – Council Member Day)

9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

Bev Stibbens reminded the council about the increase on the Inframark bill, both trash and sewer went up. Also, Chief Simmons is going to start the project with the pavers going out to the Memorial tree. Also, we are putting a call out to the HOA's to let them know we are looking for Young parent families to volunteer for our Easter Event. The last announcement Mrs. Stibbens had was is to Invite the 5 of you to join me at the Rockwall Chamber Award Dinner Thurs. Feb 27, 5:30. AMERSPORTS CENTER.

10. ADJOURN Mayor Pro Tem adjourns the meeting at 7:56 PM



City of McLendon-Chisholm
Staff Report

Date: February 25, 2025

Agenda Item: Adoption of amendment to Chapter 8 "Offenses and Nuisances"

Financial Impact: None.

Background: To condemn a substandard property an ordinance must be in place. This amendment allows our code enforcement officer to move forward with the condemnation of a substandard/dangerous property.

Presenter: Bev Stibbens, City Administrator

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING CHAPTER 8, "OFFENSES AND NUISANCES," OF THE CITY OF MCLENDON-CHISHOLM CODE OF ORDINANCES BY ADDING ARTICLE 8.09, "DANGEROUS BUILDINGS AND OTHER STRUCTURES," ENACTING REGULATIONS WITH RESPECT TO SUBSTANDARD, UNSECURED OR DANGEROUS BUILDINGS OR STRUCTURES; SPECIFYING THE REMEDIES AVAILABLE TO THE CITY TO OBTAIN COMPLIANCE WITH THOSE REGULATIONS; AUTHORIZING THE CITY TO TAKE CERTAIN ACTIONS TO REMEDY VIOLATIONS AND PROVIDING METHODS BY WHICH IT CAN RECOVER ITS EXPENSES IN DOING SO; ENACTING CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF THE REGULATIONS; PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 214 of the Texas Local Government Code and Subchapter C of Chapter 54 authorize a municipality to adopt an ordinance to require the vacation, relocation of occupants, securing, repair, removal, or demolition of a building that is dilapidated, substandard, or unfit for human habitation and a hazard to public health, safety, and welfare;

WHEREAS, Ordinance 214 of the Texas Local Government Code requires that the ordinance (i) establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction; (ii) provide for giving proper notice to the owner of a building; and (iii) provide for a public hearing to determine whether a building complies with the standards set out in the ordinance;

WHEREAS, this Ordinance (i) establishes minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction; (ii) provides for giving proper notice to the owner of a building; and (iii) provides for a public hearing to determine whether a building complies with the standards set out in this Ordinance; and

WHEREAS, the City Council has determined that this Ordinance is necessary to protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MCLENDON-CHISHOLM, TEXAS THAT:

SECTION 1. The recitals set forth above are hereby found to be true and correct and are incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

SECTION 2. That Chapter 8, "Offenses and Nuisances", is hereby amended to add

Article 8.09, “Dangerous Buildings and other Structures”, and which Article shall read as follows:

...

Chapter 8. OFFENSES AND NUISANCES

...

8.09. Dangerous Buildings and Other Structures

8.09.001. Applicability of building code All buildings or structures which are required to be repaired under provisions of this article shall be subject to all applicable sections of the building code, as amended, and as adopted by the city council.

8.09.002. Declaration of public nuisance Any real property, building, structure, or any portion thereof, or any premises, including a vacant lot, in or on which there exists a condition not in compliance with this article shall be deemed and is hereby declared to be a public nuisance, a violation of this article and subject to the penalty clauses and remedies available to the city hereunder and under common law or equity jurisprudence of the state.

8.09.003. Definitions For purposes of this article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended: Enforcement officer. The chief of police, code enforcement officer, health officer or their designated representatives, charged with any enforcement and administration of this article. Inspection. The examination of property by the enforcement officer or his authorized representative for the purpose of evaluating its condition as provided for in this article. Manifestly unsafe. A building that is a public nuisance, as that term is defined in this section, or unsafe for human occupation, whether temporary or permanent, and a hazard to the public health, safety and welfare. Owner. Any person, agent, firm, corporation, association or other entity having legal or equitable interest in a property as shown on the most recent tax roll. Person. Any person, agent, firm, corporation, association or tenant. Public nuisance. Any act, condition or thing existing, done or in being, which act, condition or thing endangers the peace, property, health, and safety of the citizens of the city. Tenant. Any person, agent, firm, corporation, or association who occupies a property or premises and who is not the owner.

8.09.004. Specific nuisances Without limiting the power of the city council to hereafter declare as public nuisances any other act, condition, or thing by ordinance, the following specific acts, conditions, and things are, each and all of them, hereby declared to be and constitute public nuisances:

(1) Any building, structure, or any portion thereof that is:

(A) Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare;

(B) Regardless of its structural condition, unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be

entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

(C) Boarded up, fenced or otherwise secured in any manner if:

(i) The building constitutes a danger to the public even though secured from entry; or

(ii) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building.

(2) Any building or structure that has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants is endangered:

(A) Whenever any door, aisle, passageway, stairway or other means of exit is not sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(B) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(C) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the building code for new buildings of similar structure, purpose or location.

(D) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such a catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location.

(E) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse, and thereby injure persons or damage property.

(F) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, is not of sufficient strength or stability, or is not so anchored, attached or fastened in place, so as to be capable of resisting a wind pressure of one-half of that specified in the building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the building code for such buildings.

(G) Whenever any portion thereof has cracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to wind or earthquakes than is required in the case of similar new construction.

(H) Whenever the building or structure, or any portion thereof, is manifestly unsafe because of:

(i) Dilapidation, deterioration or decay;

(ii) Faulty construction;

(iii) The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building;

(iv) The deterioration, decay or inadequacy of its foundation; or

(v) Any other cause and is likely to partially or completely collapse.

(I) Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(J) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(K) Whenever the building or structure, exclusive of the foundation, shows thirty-three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

(L) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated, as to:

(i) Become an attractive nuisance to children;

(ii) Become a harbor for vagrants, criminals or immoral persons; or

(iii) Enable persons to resort thereto for the purpose of committing

(M) Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the International Building Code or International Property Maintenance Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(N) Whenever any building or structure, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than fifty percent (50%), or in any supporting part, member or portion less than sixty-six percent (66%), of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(O) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that it is likely to cause sickness or disease.

(P) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(Q) Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

(R) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

(S) Whenever water heating facilities are not properly installed and maintained in a safe and good working condition and/or such water heating facilities are not capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than one hundred twenty degrees (120°) Fahrenheit. Such water heating facilities

shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit heating facilities required under the provisions of this subsection are not in operation.

(T) Whenever any minimum standards provided by the International Building Code, the International Property Maintenance Code, the International Residential Code, the International Fire Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code or National Electrical Code, as amended, and as adopted by the city council, are not met for any building or structure.

8.09.005. Minimum standards

(a) The minimum standards for the continued use and occupancy of all buildings, regardless of the date of construction thereof, shall be those established by the International Property Maintenance Code, which standards are hereby adopted, as well as those standards established by the International Building Code as promulgated by the International Conference of Building Officials as heretofore previously adopted or hereafter adopted or amended by the city, and those standards established by this article.

(b) Those standards specified and enumerated in Section 8.09.004.

8.09.006. Notice of public hearing

(a) If the building official determines that the nuisance requires the vacation, securing, repair, or removal of a public building, structure, or nuisance condition on the property, or the relocation of the occupants of the property, the building official shall:

(1) Give notice of the nuisance to the owner of the property as well as any one (1) known tenant or occupant, by personal service or by certified mail (with a duplicate copy addressed to such owner, tenant or occupant as shown in the most recent tax roll or utility records of the city and deposited in the U.S. mail, postage paid);

(2) Provide detail in such notice of the standard(s) violated under this article and the necessary action to abate the nuisance (a copy of the building official's report is sufficient for this purpose);

(3) Advise such owner, tenant or occupant of the date and time of the public hearing at which a determination will be made by the city council as to whether the nuisance exists and whether the real property, building, structure, premises or any portion thereof complies with the standards of this article;

(4) Include a statement in such notice that the owner, lienholder or mortgagee will be required to submit proof of the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work; and

(5) Provide a copy of such notice of nuisance, details thereof, the required action necessary to abate the nuisance, and the date and time of the public hearing to any mortgagee or lienholder of record after a diligent effort to discover such mortgagee or lienholder.

(b) If the city mails a notice in accordance with this article to a property owner, lienholder, or mortgagee and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

(c) The city satisfies the requirements of this article to make a diligent effort, to use its best efforts, or to make a reasonable effort to determine the identity and address of an owner, a lienholder, or a mortgagee, if the city searches the following records: (1) County real property

records; (2) County appraisal district records; (3) Records of the secretary of state; (4) Assumed name records of the county; (5) Tax records of the city; and (6) Utility records of the city.

8.09.007. Date of public hearing

The date of the public hearing before the city council shall not be less than thirty (30) days from the date of personal service or deposit of the same in the U.S. mail, whichever is earliest.

8.09.008. Filing of notice in public records

The city secretary shall file a notice of public hearing in the county real property records within ten (10) days of the date of the public hearing. The notice of public hearing shall contain:

- (1) The name and address of the owner of the affected real property, if that information can be determined from a reasonable search of the instruments on file with the county clerk;
- (2) A legal description of the property; and
- (3) A description of the hearing.

8.09.010. Effect of filing of notice in public records

The filing of the notice under section 8.09.008 shall be binding upon subsequent grantees, lienholders, or other transferees of any interest in the property who acquire such interest after the filing of the notice and constitutes notice of the hearing on any subsequent recipient of any interest in the property who acquires such interest after the filing of the notice.

8.09.011. Conduct of public hearing

The city council shall conduct the public hearing to determine compliance with the standards set out in this article. At the public hearing, the owner, lienholder, or mortgagee shall have the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

8.09.012. Orders and notice after public hearing

(a) If, after a public hearing, the city council finds that a nuisance exists pursuant to this article, the city council shall require the owner, lienholder, or mortgagee of the real property, building, structure or premises to within thirty (30) days:

- (1) Secure the offending building or structure from unauthorized entry; or
- (2) Abate the nuisance or repair, remove or demolish the building unless the owner, mortgagee or lienholder establishes at the hearing that the work cannot reasonably be performed within the thirty (30) days allowed. The city council shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed.

(b) If, after the public hearing, a building, structure or premises is found in violation of the standards set forth in this article, the city council may order that the building, structure, or premises be vacated, secured, repaired, removed, or demolished by the owner within a reasonable time as provided by this section. The city council also may order that the occupants be relocated within a reasonable time, at the cost of the owner. The city council reserves the right to determine what is a reasonable amount of time to perform the ordered work or what is a reasonable amount

of time to relocate occupants. In the event the owner fails to comply with the order within the time provided for action by the owner, the city council may order any of the mortgagees or lienholders of the building, structure, or premises to be vacated, secured, repaired, removed, or demolished to comply with the order within a reasonable time as provided by this section. The city council also may order that the occupants be relocated within a reasonable time, at the cost of any of the mortgagees or lienholders. Under this section, the city is not required to furnish any notice to a mortgagee or lienholder other than a copy of the order in the event the owner fails to timely take the ordered action.

(c) If the owner, lienholder or mortgagee establishes at the public hearing that the work cannot be reasonably completed within ninety (90) days because of the scope and complexity of the work, and if the owner, lienholder or mortgagee has submitted at the hearing a detailed plan and time schedule, and the city council allows the owner, lienholder, or mortgagee more than ninety (90) days to complete any part of the work required to abate the nuisance or repair, remove or demolish the building or structure, the city council shall require the owner, lienholder or mortgagee to regularly submit progress reports to the city council through the building official to demonstrate compliance with time schedules for commencement and performance of the work and may require appearance before the building official, the city council, or their designees, to demonstrate compliance. If the owner, lienholder, or mortgagee owns property, including structures or improvements on property, within the city boundaries that exceeds \$100,000.00 in total value, the city council may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building under this subsection. In lieu of a bond, the city council may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city council. The bond must be posted, or the letter of credit or third-party guaranty provided, not later than the 30th day after the date the city issues the order.

(d) Within ten (10) days after the date that the order is issued, the city secretary shall:

- (1) File a copy of the order in the city secretary's office; and
- (2) Publish in a newspaper of general circulation in the city a notice containing:
 - (A) The street address or legal description of the property;
 - (B) The date of the hearing;
 - (C) A brief statement indicating the results of the order; and
 - (D) Instructions stating where a complete copy of the order may be obtained.

(e) After the public hearing, the city secretary shall promptly mail by certified mail with return receipt requested, delivered by the United States Postal Service using signature confirmation service, or personally deliver a copy of the order to the owner of the building and to any lienholder or mortgagee of the building. The city shall use its best efforts to determine the identity and address of any owner, lienholder, or mortgagee of the building, structure or premises.

(f) If the building, structure or premises is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated, within the allotted time, the city may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense. This subsection does not limit the ability of the city to collect on a bond or other financial guaranty

that may be required by subsection (c) of this section.

8.09.013. Repair, vacation or demolition

The following standards shall be followed by the city council in ordering the repair, vacation or demolition of any building, structure, or premises, and any building, structure, or premises declared a nuisance under this article shall be made to comply with one or more of the following:

(1) The building, structure, or premises shall be repaired in accordance with the current building code or other current codes applicable to the type of substandard conditions requiring repair.

(2) Repairs shall be deemed feasible only if less than fifty percent (50%) of the building or structure must be repaired or replaced, and the repairs amount to less than fifty percent (50%) of the building or structure's value.

(3) If the building or structure is in such a condition as to make it dangerous to the health, safety and welfare of the occupants, it shall be ordered vacated and secured from unlawful entry.

(4) If the building or structure requires repairs greater than fifty percent (50%) of its surface or amounting to greater than fifty percent (50%) of its value, it shall be demolished. Further, if a building cannot be repaired so that it will be brought into compliance with this article, it shall be demolished. Additionally, if the building as it stands presents an incurable fire hazard in violation of the terms of this article or any ordinance of the city or statute of the state, it shall be demolished. For the purpose of this article, the term "demolished" includes the cleaning and grading of the property and the removal of all debris and trash.

(5) If the building or structure is not vacated, secured, repaired, removed or demolished, or the occupants are not relocated, within the allotted time, the city may vacate, secure, remove or demolish the building or structure or relocate the occupants at its own expense, and may thereafter assess expenses, and establish a lien, against the property, as set forth in section 8.09.019.

(6) If, after the expiration of the time allotted under section 8.09.012, the owner, lienholder or mortgagee fails to comply, the city may do or cause to be done the repairs necessary to bring the building into compliance with this article and only if the building is a residential building with ten (10) or fewer dwelling units. The repairs may not improve the building to the extent that the building exceeds the minimum standards, as defined by this article, and expenses may be assessed as provided in section 8.09.019.

8.09.014. Designation of enforcement officers

The chief of fire and/or chief code enforcement officer or their designated representatives are hereby directed and authorized to administer and enforce the provisions of this article. Nothing contained herein is meant to limit the discretion of any enforcement officer in evaluating and directing compliance with this article.

8.09.015. Liability of enforcement officers The chief of police, the chief code enforcement officer, or their authorized representatives, acting in good faith and without malice in the discharge of their duties, shall not thereby render themselves personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit brought against the chief of police, health officer, chief code enforcement officer, or their authorized representatives because of such act or omission performed in the enforcement of any provision of this article shall be defended by legal counsel

provided by the city until final termination of such proceedings.

8.09.016. Immediate threats to health and safety Nothing in this article shall prohibit the requirement for abatement within twenty-four (24) hours, or a period of time less as prescribed herein for public hearings, notice thereof, or the recovery of costs and establishment of liens, when a nuisance has been declared an immediate threat to health and safety by any enforcement personnel.

8.09.017. Remedies

To enforce any requirements of this article, any enforcement personnel may gain compliance by any or all of the following:

- (1) Taking such action as the enforcement officer deems appropriate within the authorization provided for in this article or any other ordinances of the city.
- (2) Causing appropriate action to be instituted in a court of competent jurisdiction.
- (3) Ordering the abatement of the nuisance and assessing the costs of abatement against the property if the owner of the property does not abate same after the required notice.
- (4) Any other remedies permitted or authorized by law or in equity.

8.09.018. Contracting for abatement

Whenever the property owner, agent, or tenant fails to abate the nuisance within the time allowed, the enforcement officer is hereby authorized to contract with a contractor to perform such work as may be required to abate the nuisance.

8.09.019. Recovery of city's costs

(a) Whenever the city enters upon the premises and causes any work to be performed to abate a nuisance, or if the building or structure is not vacated, secured, repaired, removed, or demolished, or if the occupants are not relocated, within the allotted time, the city may take such action at its own expense, and a charge will be made to the property owner, agent, or tenant to recover the costs associated with the abatement. The charge shall be the actual cost of abatement, plus applicable sales taxes.

(b) An administrative fee as set forth in appendix A of this code shall be assessed for each such charge.

(c) If the actual charge and the administrative fee are not paid to the city within thirty (30) days after billing, the city shall file a lien against the property. Said lien shall be filed in the deed records of the county. The charges shown on the lien shall bear interest at the rate of ten (10) percent per annum from the due date until paid. The lien shall be collected under the same terms and provisions of law as on city ad valorem taxes. The lien may be extinguished prior to foreclosure if the owner or other person having an interest in the legal title to the property reimburses the city for its expenses. If the notice is given pursuant to section 8.09.006, and the opportunity to abate the nuisance or repair, remove, or demolish the building or structure is afforded to each mortgagee or lienholder under said section 8.09.006, the lien is a privileged lien subordinate only to tax liens as authorized by Texas Local Government Code section 214.001(o).

8.09.020. Penalty

(a) Any person violating or failing to comply with any provision, requirement or order issued pursuant to this article shall be deemed guilty of a misdemeanor and, upon conviction,

shall be fined as provided in this code. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur.

(b) In addition to any other remedies or penalties contained in this section, the city may enforce the provisions of this article pursuant to the applicable provisions of Texas Local Government Code, chapter 54, which chapter provides for the enforcement of municipal ordinances.

(c) Allegation and evidence of a culpable mental state is not required for the proof of an offense defined by this article.

8.09.021. Judicial Review

Any owner, lienholder, or mortgagee aggrieved by an order of the city council issued under this article shall be entitled to review by a state district court pursuant to section 214.0012 of the Texas Local Government Code, as amended, and the city shall be entitled to an award of attorney's fees, costs and expenses, and judgment therefor, pursuant to and as authorized by section 214.0012(h) of the Texas Local Government Code.

8.09.022. Municipal court proceedings not affected Action taken by the city pursuant to this article shall not affect the ability of the city to proceed under the jurisdiction of the city's municipal court.

..."

SECTION 3. That all ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of McLendon-Chisholm, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. Any person firm, corporation or business entity violating this ordinance or the provisions of the Code of Ordinance of the City of McLendon-Chisholm, Texas as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of McLendon-Chisholm, Texas, shall be subject to a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense, and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

SECTION 7. The City Secretary is hereby directed to publish in the Official Newspaper of the City of McLendon-Chisholm, the caption and effective date clause of this Ordinance as required by Section 52.013 of the Texas Local Government Code.

PASSED AND APPROVED this ___ day of _____ 2025.

APPROVED:

By: _____
Bryan McNeal, Mayor

ATTEST:

By: _____
Angela Jennings, City Secretary



City of McLendon-Chisholm
Staff Report

Date: February 25, 2025

Agenda Item: Consent Agenda: An Ordinance of the City of McLendon-Chisholm, Texas, Amending section 3.01.001 of Article 3.01 of Chapter 3, "Building Regulations," of the Code of Ordinances by amending the fee schedule; providing a Repealing Clause; Providing a Savings Clause; Providing a Severability Clause; and Providing for an Effective Date.

Financial Impact: N/A

Background: An NSF Payment Fee has been added our Fee Schedule. There are no other changes from the previously approved Ordinance.

Presenter: Jeff White, Finance Director

Ordinance No.
Approved

CITY OF MCLENDON-CHISHOLM
ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY OF McLENDON-CHISHOLM, TEXAS, AMENDING SECTION 3.01.001 OF ARTICLE 3.01 OF CHAPTER 3, "BUILDING REGULATIONS," OF THE CODE OF ORDINANCES BY AMENDING THE FEE SCHEDULE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of McLendon-Chisholm, Texas ("City") to protect the public health, safety and welfare of the citizens of the City and safeguard the finances of the City; and

WHEREAS, the City is authorized to impose and collect relating to activities regulated by the City and the City Council may amend the related rec schedule to reflect current costs incurred by the City resulting from administering such regulations; and

WHEREAS, the City Council finds that the fee schedule attached to this Ordinance as Exhibit A and incorporated herein levies fees that have a rational and reasonable relationship to actual costs incurred by the City for the related activities and that the fees are reasonably necessary for the administration of the activity for which they are charged.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. The recitals set forth in the WHEREAS clauses of this Ordinance are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated herein.

SECTION 2. That Section 3.01.001(a) of Article 3.01 "General Provisions," of Chapter 3 "Building Regulations," is hereby amended for the sole purpose of repealing the current Exhibit A fee schedule and replacing it with the Exhibit A fee schedule attached to this Ordinance, which fees shall be effective, and shall be assessed, from and after the effective date of this Ordinance.

SECTION 3. That all provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this Ordinance, to the extent of such conflict, be and the same are hereby repealed and all other provisions of the ordinances of the City of McLendon-Chisholm not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Ordinance No. _____
Approved _____

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. This Ordinance shall take effect immediately after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED and APPROVED by the City Council of the City of McLendon-Chisholm, Texas, on the 25th day of February, 2025.

APPROVED:

Bryan McNeal, Mayor

ATTEST:

Angela Jennings, City Secretary

Exhibit A
McLendon-Chisholm Fees & Charges
Effective 2/25/2025
Ordinance 2025-

Residential Building Permits:

All Building Permit Applications Subject to an additional 3rd Party Plan Review Fee

Residential New Construction or Remodel: \$1.25 per square foot plus inspection fees
(includes Total Square Footage - living, garages, porches, etc.)

Residential Minor Construction Projects: \$0.75 per square foot plus inspection fees
(porch addition, patio covers, garages, non-habitable living space, etc.)

Swimming Pools: \$600.00

Commercial/Non-Residential Building Permits:

All Building Permit Applications Subject to an additional 3rd Party Plan Review Fee

All Valuations Rounded up to the Next \$1,000

Valuation under \$5,000: Actual Inspection Charges + \$50.00

Valuation of \$5,000-\$249,999: Actual Inspection Charges + 1.000% of Valuation

Valuation of \$250,000-\$449,999: Actual Inspection Charges + 1.050% of Valuation

Valuation of \$450,000-\$649,999: Actual Inspection Charges + 1.075% of Valuation

Valuation of \$650,000-\$849,999: Actual Inspection Charges + 1.100% of Valuation

Valuation of \$850,000-\$999,999: Actual Inspection Charges + 1.2500% of Valuation

Valuation of \$1,000,000 or more: Actual Inspection Charges + 1.150% of Valuation

Plan Review Fees:

Commercial New Construction: Determined after 3rd Party Plan Review

Residential New Construction:

0-1,500 Square Feet: \$0.11 per square foot

1,501-6,000 Square Feet - \$0.09 per square foot

6,001-10,000 Square Feet - \$0.08 per square foot

Over 10,000 Square Feet - \$0.09 per square foot

Other Residential Projects: \$150.00

Food Establishment Permit Fees:

Temporary Establishment: \$150.00
Food Establishment: \$500.00
Catering Truck: \$300.00
Day Care Facility: \$500.00
Grocery Store (per Outlet): \$1,000.00
Limited Service: \$300.00
Additional Inspections: \$100.00
Season Events: \$250.00
Prepackaged Food and Beverage: \$150.00

Miscellaneous Fees:

Reinspection Fee: \$100.00
Fence Permit: \$250.00
Mechanical Permit (HVAC): \$200 (plan review fee may apply)
Plumbing Permit: \$200.00 (plan review fee may apply)
Electrical Permit: \$200.00 (plan review fee may apply)
Irrigation Permit: \$340.00
Commercial Certificate of Occupancy: \$175.00
Credit Card Fee: 5%
Sewer:
 Tap Fee: \$3,000
 Customer Deposit: \$135 (\$110 refundable)
 Monthly Fee: \$78.58
Solid Waste & Recycling Service:
 Basic Service (Trash, Recycling, X-treme Green event): \$31.06
 Additional Cart Fee: \$9.40
 Lost/Stolen Cart Fee: \$104.14
Contractor Registration (other than plumbing, electrical & HVAC): \$150.00
OSSF Permit Fee: \$575.00
Resubmittal OSSF Fee: \$125.00
Pool Installation OSSF Review Fee (no inspection): \$100.00
OSSF Modification Fee: \$235.00
Solicitor Permit: \$100.00 (for up to 4 individuals), \$25.00 for each additional person
Tree Removal Permit: \$150.00 (+\$10/tree)

FIRE MARSHAL INSPECTION AND PERMITTING FEES

Fire Marshal Inspections:

Certificate of Occupancy - \$60.00
Temporary Certificate of Occupancy - \$60.00
After Hours Inspections (after 5:00 p.m. or on weekend)
\$150.00 per hour for first two hours
\$50.00 per hour for each additional hour beyond the first two hours

Fire Protection Systems

1-10 devices: \$75.00
11-25 devices: \$100.00
26-100 devices: \$200.00
101-200 devices: \$275.00
201-500 Vices: \$500.00
Per device for each device over 500: \$1.00

Fire Sprinkler Systems

Underground: \$150.00
Aboveground, 1-19 heads: \$75.00
Aboveground 20-100 heads: \$100.00
Aboveground, 101-300 heads: \$200.00
Aboveground 301-1,000 heads: \$400.00
Per head/or each over 1,000 heads: \$1.00
Fire Pump, additional: \$150.00

Access Control

1-10 Doors: \$75.00
11-25 Doors: \$100.00
26-100 Doors: \$200.00
101-200 Doors: \$275.00
201-500 Doors: \$500.00
Per device for each device over 500: \$1.00

Fire Alarm System Permits

Residential Permit Fee: \$50.00 annually (This residential fee shall be waived if a burglar alarm permit fee has already been paid)
Non-Residential Permit Fee: \$100.00 annually

Plan Review Fees

Plan Review: \$60.00
Fire Alarm System: \$70.00
Fire Sprinkler System: \$150.00
Emergency Lighting: \$37.50
Special Lighting: \$30.00
Liquid storage tanks, hazardous materials: \$70.00

Special Permits

Blasting operation: \$65.00 per day
Pyrotechnic display: \$65.00 per day
Tent permit
1 - 30 days: \$30.00
Each additional 30 days or portion thereof: \$30.00

Underground Storage Tanks Installation

The fees set forth in this subsection are applicable to both temporary and permanent underground storage tanks

0 - 1,000 gallons: \$50.00
More than 1,000 gallons: \$100.00

LPG Tank Installation or Removal - \$50.00

Special Event Fees

Fire marshal permit
\$125.00 for first day
\$75.00 per each additional day thereafter
Fire marshal on premises: \$65.00 per hour
Standby fire personnel, no apparatus: \$65.00 per hour (each, three hour minimum)
Standby ambulance, with personnel: \$130.00 per hour (three hour minimum)
Standby engine or truck, with personnel: \$195.00 per hour (three hour minimum).

State Mandated Inspections

Hospitals - \$100.00
Nursing and long-term care homes - \$75.00
Daycare/Mother's Day out- \$50.00
Foster home or adoptive home - \$10.00
Home inspection (insurance) - \$50.00

Reinspection Fee: \$60.00

ORDINANCE NO. _____

**AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN
THE MAY 3, 2025 GENERAL CITY ELECTION ELECTED TO
OFFICE; CANCELING THE ELECTION; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, a general city election was called for May 3, 2025, for the purpose of electing three (3) Councilmembers at large; and

WHEREAS, the city secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office (Exhibit A); and

WHEREAS, under these circumstance, Title 1, Chapter 2, Section 2.051 *et seq.* of the Texas Election Code, authorizes the city council to declare the candidates' election to office and cancel the election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MCLENDON-CHISHOLM AS FOLLOWS:**

SECTION 1. The following candidates, who are unopposed in the May 3, 2025 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

<u>Candidate</u>	<u>Place</u>
Donald Goodwin	Place 1
Arik Towery	Place 3
John Powers	Place 5

SECTION 2. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 3. All ordinances, or parts thereof, that are in conflict or inconsistent with any provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. That it is hereby found and determined that the meeting at which this Ordinance was adopted was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required by Section 551 of the Texas Government Code.

SECTION 5. Pursuant to Section 2.053 of the Texas Election Code, that portion of the said May 3, 2025 regular municipal election as it relates to the three open seats on the McLendon-Chisholm City Council is hereby canceled and those said seats shall not be placed on the regular municipal election, which said cancellation shall not affect in any form other items, propositions or the like which may be already posted or will be posted for said May 3, 2025, regular municipal election and those three Council members shall serve a term of two (2) years commencing May 3, 2025, until a successor is duly elected and qualified.

ADOPTED this 25th day of February 2025 by the City Council of McLendon-Chisholm, Texas.

APPROVED:

Bryan McNeal, Mayor

ATTEST:

Angela Jennings, City Secretary

Exhibit A--Certificate of Unopposed Candidates

CITY OF MCLENDON-CHISHOLM CERTIFICATION

State of Texas

County of Rockwall

I, Angela Jennings, certify that I am the City Secretary of the City of McLendon-Chisholm and the authority responsible for preparing the ballot for the May 3, 2025, City election. I further certify:

- a. no person has made a declaration of write-in candidacy,
- b. a candidate is unopposed for election to an office if, were the election held, only the votes cast for that candidate in the election for that office may be counted; and, therefore,
- c. all of the following candidates are unopposed:

Candidate

Place

Donald Goodwin

Place 1

Arik Towery

Place 3

John Powers

Place 5

Dated this 25th day of February, 2025.

Angela Jennings, City Secretary
City of McLendon-
Chisholm, Texas

(seal)

Exhibit A--CERTIFICATE

Ordinance cancelling general election



City of McLendon-Chisholm
Staff Report

Date: February 25, 2025

Agenda Item: Action and Consideration to Purchase an Enterprise Resource Planning System (ERP) for the City.

Financial Impact: Upfront costs for set up and design and ongoing costs for Hosted Maintenance and Support.

Background: The City currently uses QuickBooks Online for its accounting and payroll. An ERP would eliminate the cost of QuickBooks and could add additional modules for Utility Billing, Planning, Permitting, Code Compliance, and more.

Presenter: Jeff White, Finance Director



City of McLendon-Chisholm
Staff Report

Date: February 25, 2025

Agenda Item: Action and Consideration on the distribution of Rockwall County Child Safety Funds

Financial Impact: None.

Background: The County collects \$1.50 from each tag issuance to support Children focused nonprofits. The proceeds each quarter are shared with cities and the county to be passed on to nonprofits of each recipients choice.

Presenter: Bev Stibbens, City Administrator