



AGENDA
City Council Meeting
Tuesday, July 8, 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. RULES OF DECORUM
4. SPECIAL PRESENTATION
McLendon-Chisholm Fire Department Ceremony (Fire Chief Jim Simmons)
5. CITIZEN COMMENTS
6. CONSENT AGENDA
 - 6.1. Consider approving a Petition to consent to additional land to be added to the Ledbetter MUD (City Manager) 4 - 16
[Staff Report-Meraki](#)
[Tellus Executed Ledbetter- Petition for Consent \(approx. 118.4 acres\)](#)
[Ledbetter- Resolution McLendon-Chisholm re consent to annexation \(approx. 118.4 acres\)](#)
 - 6.2. Consider approval of an Ordinance amending Chapter 3, "Building Regulations", Article 3.01, "General Provisions", Section 3.01.001 "Fee Schedule Adopted by Reference", By repealing it in its entirety and Replacing it with a new Chapter 3, "Building Regulations", Article 3.01, "General Provisions", Section 3.01.001 "Fee Schedule Adopted by Reference" (City Manager) 17 - 26
[MC ordinance amending code Fee Schedule July 2025](#)
[Fees and Charges \(revised 07-08-25\)](#)
 - 6.3. Consider approving the repeal of Resolution 2016-12R, a resolution adopting Robert's Rules of Order as the Rules of Procedure of the City Council and All City Council appointed Commissions, Boards and Committees (City Manager) 27
[Res 2016-12R Adopting Robert's Rules of Order](#)
 - 6.4. Consider approval of the minutes from CC Meeting on June 24, 2025 (City Manager) 28 - 34
[City Council Meeting - 24 Jun 2025 - Minutes](#)
7. ITEMS FOR DISCUSSION

- 7.1. Discuss and consider approval of an ordinance amending the Code of Ordinances, Chapter 10, "Subdivision Regulations", Article 3, "Standard Specifications and Construction Details in Subdivisions", by adding 10.03.010 allowing private streets to become public streets providing certain conditions to be met for said streets to be accepted by the City of McLendon-Chisholm. (MPT Jerry Brewer)

[MC CONVERSION OF PRIVATE STREETS TO PUBLIC STREETS 2025-V4](#)

[Section A petition form](#)

[Section B petition form](#)

[Section C petition form](#)

- 7.2. Discuss and consider directing staff on Delinquent Bills with Inframark. (City Manager)
- 7.3. Mayors update- Mayor McNeal will give Legislative Updates from the June conference, what we know now and what was accomplished with involvement from Mayor, Commissioners, County Judge and Mayors group. (Mayor McNeal)
- 7.4. Discuss and consider approval to appoint alternate to Planning and Zoning Commission. (City Manager)
- 7.5. Mayors update and presentation of the Sewer Line Break, response and clean up progress. (Mayor McNeal)

8. 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

- 8.1. Action as a Result of Executive Session

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.

10. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

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., JULY 3, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



City of McLendon-Chisholm
Staff Report

Date: July 8, 2025

Agenda Item: **Petition to Consent to Additional Land to a MUD**

Financial Impact:

- **Background:** Areas within the ETJ to be annexed would remain in the McLendon-Chisholm ETJ while also part of the MUD:
 - Those areas would still be required to adhere to the City's Development Ordinance
 - The City would still have platting authority as delineated in the Interlocal agreement with Kaufman County
 - This keeps the platting and development standards consistent for the entire development

Staff Recommendation: Approval

Presenter: Bev Stibbens, City Manager

PETITION FOR CONSENT TO ADDITION OF LAND
TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF KAUFMAN §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF McLENDON-
CHISOLM, TEXAS:

The undersigned, Tellus-Mann LLC, a Texas limited liability company (the “Owner”) acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.0425 of the Texas Local Government Code, hereby respectfully petitions the City of McLendon-Chisholm, Texas (“City”) for its consent to the addition of land to Ledbetter Municipal Utility District No. 1 of Kaufman County (“District”). In support of this Petition, the Owner would respectfully show as follows:

I.

The land sought to be added to the District is the approximately 118.409 acres described by metes and bounds in Exhibit “A,” attached hereto and made a part hereof for all purposes (the “Tracts”).

II.

The Tracts are located partially within Rockwall County, Texas, partially within Kaufman County, Texas, and wholly or partially within the exclusive extraterritorial jurisdiction of the City, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

Owner is the holder of title to a majority in value of the Tracts as shown by the Rockwall County and Kaufman County Tax Rolls and conveyances of record.

IV.

The District was created by that certain Order Upon Hearing and Granting Petition For The Creation of Ledbetter Fresh Water Supply District No. 1 of Kaufman County and Appointing Temporary Supervisors, dated August 24, 2009, adopted by the Kaufman County Commissioners Court. Through an order of the Texas Commission on Environmental Quality dated August 16, 2023, Ledbetter Fresh Water Supply District No. 1 of Kaufman County was converted to a municipal utility district named “Ledbetter Municipal Utility District No. 1 of Kaufman County” operating pursuant to Chapters 49 and 54 of the Texas Water Code, as amended.

V.

The general nature of the work to be done by and within the Tracts at the present time is the construction, maintenance and operation of a waterworks system for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction, installation, maintenance, purchase and operation of roads, and of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Tracts are located within an area that is experiencing substantial and sustained residential growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and roads. The health and welfare of the future inhabitants of the Tract require the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system, and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tracts within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system, sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be developed primarily for residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract, and it is now estimated by those filing this Petition, from such information as they have at this time, that the ultimate cost of the development contemplated will be approximately \$19,060,000.00.

WHEREFORE, the undersigned respectfully prays that this Petition be granted in all respects and that the City Council of the City of McLendon-Chisolm, Texas, adopt a resolution giving its written consent to the addition of the Tracts to the District.

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RESPECTFULLY SUBMITTED, this 23rd day of June, 2025.

“OWNER”

TELLUS-MANN, LLC,
a Texas limited liability company

By: *Andre Ferrari*

Name: ANDRE FERRARI

Title: AUTHORIZED SIGNATORY

THE STATE OF

§

COUNTY OF Cottin

§

§

This instrument was acknowledged before me on this 23rd day of June, 2025,
by Andre Ferrari, Authorized Signatory of Tellus-Mann, LLC, a Texas limited
liability company, on behalf of said entity.

Jennifer Mendoza
Notary Public in and for
the State of Texas

(SEAL)

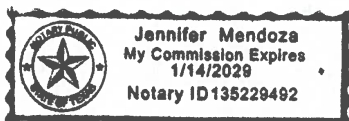


EXHIBIT "A"

Metes and Bounds

Tract 1

BEING a tract of land situated in the R. Peckum Survey, Abstract No. 175, Rockwall County, Texas, and the R. Peckum Survey, Abstract No. 374, Kaufman County, Texas, being part of a tract described as Tract 1 conveyed to Tellus-Mann, LLC, by deed recorded in Document No. 2022-0000013893 of the Official Public Records, Kaufman County, Texas (OPRKCT) with the subject tract being more particularly described as follows:

BEGINNING at a ½" iron rod found for the northwest corner of a tract conveyed to Max B. & Beverly Ann Chapman, by deed recorded in Volume 643, Page 838 of the Deed Records, Kaufman County, Texas (DRKCT);

THENCE S 44°05'28" W, 747.34 feet;

THENCE S 46°07'39" E, 940.92 feet;

THENCE S 88°46'08" W, along the North line of said Kaufman County, a distance of 3559.88 feet;

THENCE N 43°48'16" E, 3275.83 feet along Mann Road to a ½" iron rod found for a corner of a tract conveyed to McLendon-Chisholm Ranch, L.P., et al, by deed recorded in Vol. 4840 Pg. 291 of the Deed Records, Rockwall County, Texas (DRRCT);

THENCE S 45°53'00" E, 1578.50 feet to the **POINT OF BEGINNING** with the subject tract containing 4,355,510 square feet or 99.989 acres of land.

Tract 2

BEING a tract of land situated in the R. Peckum Survey, Abstract No. 374, Kaufman County, Texas, being part of a tract described as Tract 1 conveyed to Tellus-Mann, LLC, by deed recorded in Document No. 2022-0000013893 of the Official Public Records, Kaufman County, Texas (OPRKCT) with the subject tract being more particularly described as follows:

BEGINNING at a point from which a 3/4" iron rod found for the northeast corner of a tract conveyed to Clifford & Mary Walker, by deed recorded in Volume 2405, Page 461 of the Deed Records, Kaufman County, Texas (DRKCT) bears S 65°00'32" W, a distance of 1484.93 feet;

THENCE around a curve to the right having a central angle of 12°42'07", a radius of 230.50 feet, a chord of N 31°40'49" E - 51.00 feet, an arc length of 51.10 feet;

THENCE N 38°01'53" E, 253.44 feet;

THENCE N 23°28'32" W, 215.60 feet to a point from which a 5/8" iron rod found at an interior corner of said Tellus-Mann, LLC tract bears N 87°03'59" W, a distance of 1326.57 feet;

THENCE N 66°29'34" E, 270.48 feet;

THENCE S 11°33'46" E, 27.00 feet;

THENCE S 81°15'18" E, 21.31 feet;

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THENCE S 23°35'50" E, 270.11 feet;

THENCE S 37°56'40" W, 508.90 feet;

THENCE N 52°05'14" W, 211.36 feet to the **POINT OF BEGINNING** with the subject tract containing 161,606 square feet or 3.710 acres of land.

Tract 3

BEING a tract of land situated in the R. Peckum Survey, Abstract No. 374, Kaufman County, Texas, being part of a tract described as Tract 3 conveyed to Tellus-Mann, LLC, by deed recorded in Document No. 2022-0000013893 of the Official Public Records, Kaufman County, Texas (OPRKCT) with the subject tract being more particularly described as follows:

BEGINNING at a point on the southeast side of Neal Road, from which a 1/2" iron rod found for the southwest corner of a tract conveyed to Jerrold & Pamala Keating, by deed recorded in Volume 835, Page 46 of the Deed Records, Kaufman County, Texas (DRKCT) bears N 44°02'40" E, a distance of 526.23 feet;

THENCE S 45°51'42" E, 2430.19 feet to a point from which a 1/2" capped iron rod found for the southeast corner of a tract conveyed to Clifford & Mary Walker, by deed recorded in Volume 2405, Page 461 (DRKCT) bears N 44°30'39" E, a distance of 792.67 feet;

THENCE S 43°47'51" W, 263.62 feet;

THENCE N 45°51'41" W, 2431.33 feet to a point on the southeast side of said Neal Road;

THENCE N 44°02'40" E, 263.60 feet to the **POINT OF BEGINNING** with the subject tract containing 640,762 square feet or 14.710 acres of land.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF McLENDON-CHISHOLM, TEXAS
CONSENTING TO THE ANNEXATION OF LAND INTO LEDBETTER
MUNICIPAL UTILITY DISTRICT NO. 1 OF KAUFMAN COUNTY; AND
PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the ____ day of _____, 2025, the City of McLendon-Chisolm (the “City”) received a Petition for Consent to Addition of Land into Ledbetter Municipal Utility District No. 1 of Kaufman County (the “Petition”) executed by Tellus-Man, LLC, a Texas limited liability company (the “Petitioner”), attached hereto as Exhibit “A”; and

WHEREAS, the Petition seeks to add that certain tract of land containing approximately 118.409 acres of land described therein (the “Property”) to Ledbetter Municipal Utility District No. 1 of Kaufman County (the “District”), the Property being located wholly or partially within the extraterritorial jurisdiction of the City and not within the extraterritorial jurisdiction or corporate limits of any other city, town or village; and

WHEREAS, Texas Water Code, Section 54.016, and Texas Local Government Code, Section 42.0425 provide that land within the extraterritorial jurisdiction of a city may not be included in the District without the written consent of such city; and

WHEREAS, the City Council of the City desires to adopt a Resolution for the purpose of consenting to the inclusion of the Property in the District.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS:

Section 1. That the facts set out in the preamble are true and correct and are incorporated herein for all purposes.

Section 2. That the City Council hereby gives written consent, pursuant to Section 54.016, Texas Water Code, Section 42.0425, Texas Local Government Code, and all other applicable laws, to the annexation of the Property into the District.

Section 3. The City Council of the City officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall and on the official website of the City in the manner and for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, and that this meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 4. This Resolution shall take effect immediately from and after its passage, and it is, accordingly, so resolved.

PASSED AND APPROVED by the City Council of the City of McLendon-Chisholm, Texas, this
the ____ day of _____, 2025.

APPROVED:

BRYAN MCNEAL, MAYOR

ATTEST:
ANGELA JENNINGS, CITY SECRETARY

By: _____

Exhibit A

Petition for Consent, Including Legal Description of the Property

PETITION FOR CONSENT TO ADDITION OF LAND TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF KAUFMAN §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF McLendon-
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The undersigned, Tellus-Mann LLC, a Texas limited liability company (the "Owner") acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.0425 of the Texas Local Government Code, hereby respectfully petitions the City of McLendon-Chisholm, Texas ("City") for its consent to the addition of land to Ledbetter Municipal Utility District No. 1 of Kaufman County ("District"). In support of this Petition, the Owner would respectfully show as follows:

I.

The land sought to be added to the District is the approximately 118.409 acres described by metes and bounds in Exhibit "A," attached hereto and made a part hereof for all purposes (the "Tracts").

II.

The Tracts are located partially within Rockwall County, Texas, partially within Kaufman County, Texas, and wholly or partially within the exclusive extraterritorial jurisdiction of the City, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

Owner is the holder of title to a majority in value of the Tracts as shown by the Rockwall County and Kaufman County Tax Rolls and conveyances of record.

IV.

The District was created by that certain Order Upon Hearing and Granting Petition For The Creation of Ledbetter Fresh Water Supply District No. 1 of Kaufman County and Appointing Temporary Supervisors, dated August 24, 2009, adopted by the Kaufman County Commissioners Court. Through an order of the Texas Commission on Environmental Quality dated August 16, 2023, Ledbetter Fresh Water Supply District No. 1 of Kaufman County was converted to a municipal utility district named "Ledbetter Municipal Utility District No. 1 of Kaufman County" operating pursuant to Chapters 49 and 54 of the Texas Water Code, as amended.

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V.

The general nature of the work to be done by and within the Tracts at the present time is the construction, maintenance and operation of a waterworks system for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction, installation, maintenance, purchase and operation of roads, and of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

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Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system, sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be developed primarily for residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract, and it is now estimated by those filing this Petition, from such information as they have at this time, that the ultimate cost of the development contemplated will be approximately \$19,060,000.00.

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008030.000001\4898-5781-5115.v2

RESPECTFULLY SUBMITTED, this 23rd day of June, 2025.

"OWNER"

TELLUS-MANN, LLC,
a Texas limited liability company

By: *Andre Ferrari*

Name: ANDRE FERRARI

Title: AUTHORIZED SIGNATORY

THE STATE OF §

COUNTY OF Collin §

This instrument was acknowledged before me on this 23rd day of June, 2025,
by Andre Ferrari Authorized Signatory of Tellus-Mann, LLC, a Texas limited
liability company, on behalf of said entity.

Jennifer Mendoza
Notary Public in and for
the State of Texas

(SEAL)

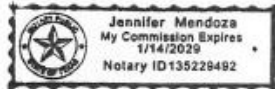


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THENCE S 45°51'42" E, 2430.19 feet to a point from which a 1/2" capped iron rod found for the southeast corner of a tract conveyed to Clifford & Mary Walker, by deed recorded in Volume 2405, Page 461 (DRKCT) bears N 44°30'39" E, a distance of 792.67 feet;

THENCE S 43°47'51" W, 263.62 feet;

THENCE N 45°51'41" W, 2431.33 feet to a point on the southeast side of said Neal Road;

THENCE N 44°02'40" E, 263.60 feet to the POINT OF BEGINNING with the subject tract containing 640,762 square feet or 14.710 acres of land.

ORDINANCE NO. _____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 3, "BUILDING REGULATIONS", ARTICLE 3.01, "GENERAL PROVISIONS", SECTION 3.01.001 "FEE SCHEDULE ADOPTED BY REFERENCE", BY REPEALING IT IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 3, "BUILDING REGULATIONS", ARTICLE 3.01, "GENERAL PROVISIONS", SECTION 3.01.001 "FEE SCHEDULE ADOPTED BY REFERENCE"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is in the best interests of good government and the orderly conducting of day-to-day operations of the City to allow the Fee Schedule to be amended, from time to time, by Resolution instead of amending this Code of Ordinances; and

WHEREAS, after discussion and deliberation, the Council has determined that it is in the best interests of the City of McLendon-Chisholm to amend said portion of the Code of Ordinances.

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

SECTION 1. Chapter 3, "Building Regulations", Article 3.01, "General Provisions", Section 3.01.001, "Fee Schedule Adopted by Reference" of the McLendon-Chisholm Code of Ordinances, is hereby repealed in its entirety and replaced with a which shall read as follows:

“...

Chapter 3. Building Regulations

...

Article 3.01. General Provisions

...

Section 3.01.001. Fee Schedule.

The fee schedule attached as exhibit "A" to the ordinance from which this section is derived, which exhibit is incorporated herein for all purposes as if fully set forth, be and is hereby adopted and shall replace prior fee schedules. Further, the attached Fee Schedule may need to be amended from time to time, and any such future amendment to the City's Fee Schedule shall be by Resolution instead of amending this Code of Ordinances.

..."

SECTION 2. That all ordinances of the City of McLendon-Chisholm, Texas 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 3. 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 4. 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 5. That all Recitals contained in this Ordinance are fully incorporated herein as if fully written.

PASSED AND APPROVED this 8th day of July 2025.

APPROVED:

By: _____
Bryan McNeal, Mayor

ATTEST:

By: _____
Angela Jennings, City Secretary

Exhibit A

Exhibit A
McLendon-Chisholm Fees & Charges
Effective 07/08/2025
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

Plat Fees:

Acreage Rounded up to the Next Whole Number

Preliminary Plat: \$75.00 per lot + \$20.00 per acre

Final Plat: \$35.00 + \$20.00 per acre

Replat or Amended Plat: \$225.00 + \$20.00 per acre

ETJ Preliminary or Final Plat: Same as all City Fees. May also require review by Rockwall County and be subject to county fees.

Zoning Related Fees:

Acreage Rounded up to the Next Whole Number

Zoning Change Request: \$500.00 + \$20.00 per acre

Zoning Board of Adjustment Request: \$500.00

Special Use Permit: \$1,000

**** Please consult the City of McLendon-Chisholm Code of Ordinances for subdivision and zoning projects prior to submitting an application. All land use projects begin by contacting City Staff at 972-524-2077.**

**** The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning, or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 half-hour complementary professional consultations with the City Planner and/or City Engineer. The complimentary consultations will be arranged by City Staff. Limit of one complementary consultation per property.**

****All Consulting Costs, including City Planner, City Engineer, Legal Fees and any other outside consultant costs incurred by the City, will incur a 20% administrative fee on top of the actual cost charge by the consultant.**

**** A request will not be scheduled for an agenda until all outstanding fees are current.**

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
Roofing Permit: \$100.00
Commercial Certificate of Occupancy: \$175.00
Credit Card Fee: 5%
Sewer:
 Tap Fee: \$3,000
 Customer Deposit: \$135 (\$110 refundable)
 Monthly Fee (Residential): \$78.58
 Monthly Fee (Commercial): \$0.011/gallon usage
Solid Waste & Recycling Service:
 Basic Service (Trash, Recycling, X-treme Green event): \$31.06
 Franchise Fee - 9% of total bill
 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)

Forced Mow:

1st Offense in rolling 12-month period: City's Incurred Costs + \$100

2nd Offense in rolling 12-month period: City's Incurred Costs + \$200

3rd Offense in rolling 12-month period: City's Incurred Costs + \$300

4th Offense in rolling 12-month period: City's Incurred Costs + \$400

5th Offense and beyond in rolling 12-month period: City's Incurred Costs + \$500

NSF Payment Fee: \$35

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

False Alarm Billing Fee (Residential)

The first three (3) false alarm calls within a twelve (12) month period are free of charge
The fee for the fourth (4th) and fifth (5th) false alarm calls within a twelve (12) month period is \$75.00 per call.
The fee for the sixth (6th) and seventh (7th) false alarm calls within a twelve (12) month period is \$250.00 per call.
The fee for the eighth (8th) false alarm call and any false alarm call beyond the eighth (8th) within a twelve (12) month period is \$500.00 per call.

False Alarm Fee (Non-Residential)

The first three (3) false alarm calls within a twelve (12) month period are free of charge.
The fee for the fourth (4th) and fifth (5th) false alarm calls within a twelve (12) month period is \$150.00 per call.
The fee for the sixth (6th) and seventh (7th) false alarm calls within a twelve (12) month period is \$500.00 per call.
The fee for the eighth (8th) false alarm call and any false alarm call beyond the eighth (8th) within a twelve (12) month period is \$1,000.00 per call.

Fire Marshal Annual Inspection Fee

1 - 1,500sq.ft.: \$50.00 annually
1,501 - 3,000 sq. ft.: \$55.00 annually
3,001 - 5,000 sq. ft.: \$60.00 annually
5,001 - 10,000 sq. ft.: \$65.00 annually
10,001 - 25,000 sq. ft.: \$70.00 annually
25,001 - 50,000 sq. ft.: \$75.00 annually
50,001 - 75,000 sq. ft.: \$80.00 annually
75,001 - 100,000 sq. ft.: \$100.00 annually
100,001 - 200,000 sq. ft.: \$120.00 annually
200,001 sq. ft. and greater: \$280.00 annually

Hazardous Materials Annual Permit (includes flammable/combustible liquids)

Powders and Solids

1,000 lbs. and less: \$25.00
1,001 - 2,000 lbs.: \$37.50
2,001 - 5,000 lbs.: \$70.00
5,001 lbs. and over: \$137.50

Liquids and Gels

25 gallons or less: \$25.00
26 -100 gallons: \$37.50
101- 1,000 gallons: \$70.00
1,001 gallons or more: \$137.50

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

RESOLUTION NO. 2016-12R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS ADOPTING ROBERT'S RULES OF ORDER AS THE RULES OF PROCEDURE OF THE CITY COUNCIL AND ALL CITY COUNCIL APPOINTED COMMISSIONS, BOARDS AND COMMITTEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of McLendon-Chisholm, Texas (the "City") is authorized to establish rules of procedure for conducting meetings of the City Council and its appointed Commissions, Boards and Committees that are not in conflict or otherwise inconsistent with State or Federal laws; and

WHEREAS, the City Council has determined to adopt Robert's Rules of Order, Newly Revised, 11th Edition, as the parliamentary authority governing all meetings of the City Council and its appointed Commissions, Boards and Committees except where in conflict or otherwise inconsistent with State or Federal laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS:

SECTION 1: The recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council and are incorporated herein.

SECTION 2: That unless otherwise provided for by the Constitution of the United States, the Constitution of the State of Texas, the statutes of the United States, State of Texas, County of Rockwall, Texas, or City, Robert's Rules of Order, Newly Revised, 11th Edition, is hereby adopted by reference and shall be the parliamentary authority governing all meetings of the City Council and all City Council appointed Commissions, Boards and Committees.

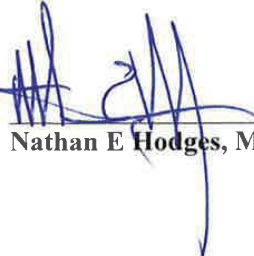
SECTION 3: That this Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS THE 14th DAY OF JUNE 2016.

ATTEST:


Stephanie Galanides, CITY SECRETARY




Nathan E Hodges, MAYOR



MINUTES

City Council Meeting

Tuesday, June 24, 2025 @ 6:30 PM

1371 WEST FM 550 - McLENDON-CHISHOLM, TEXAS 75032

**COUNCIL
PRESENT:** Mayor Bryan McNeal
Mayor Pro Tem Jerry Brewer
Council Member John Powers
Council Member Donald Goodwin
Council Member Rich Dean
Council Member Arik Towry
Council Member Michael Easter

**STAFF
PRESENT:** City Manager, Bev Stibbens
City Attorney, Michael Halla
City Secretary, Angela Jennings
Fire Marshal, Eddie Stough
City Planner, Peyton Sherman
Finance Director, Jeff White

1 CALL TO ORDER

Mayor called the City Council meeting to order at 6:30 PM

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

Michael Halla, City Attorney, led the Council in the Invocation, and John Powers led both the US and Texas Pledges.

3 RULES OF DECORUM

This meeting was in Honor of Officer **Cooper Dawson, Badge 366, Greenville Police Dept.**

4 CITIZEN COMMENTS

Shari London, 216 Harvest Ridge Dr. Rockwall, Texas

Thanked the council for their participation in the Budget Workshop. She stated that she appreciated the discussions that took place. She recognized that ideas that were put on table will have to be tested against the reality of our

budget. She thanks the new members of council for stepping up and helping to make a difference in the future of McLendon-Chisholm.

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

Speaks on item 7.7. The Comprehensive Plan. He agrees that it is time to updated it. He ask what the status is on the short term action items that were in the review 4 years ago. There were 33 items. Also, he suggested that maybe it makes sense to hire Kimley Horn or is the survey and the Heritage Center study enough to help guide the committee in the updates.

Citizens Comments are closed by Mayor McNeal at 6:39 PM

5 PUBLIC HEARING

Mayor opens the Public Hearing for 5.1 at 6:39 PM

- 5.1. Conduct a public hearing to receive public comments on an ordinance amending the Code of Ordinances, Chapter 10, "Subdivision Regulations", Article 3, "Standard Specifications and Construction Details in Subdivisions", by adding 10.03.010 allowing private streets to become public streets providing certain conditions to be met for said streets to be accepted by the City of McLendon-Chisholm.

23 People spoke in favor of the proposed Ordinance.

1 Person spoke to council and wanted to forewarn council that changes will need to be made in order to be able to maintain streets as provide in the proposed Ordinance.

Mayor Closed Public Hearing on 5.1

Mayor Opens Public Hearing on 5.2 at 7:20 PM

There were no comments and Public Hearing was closed at 7:20 PM

- 5.2. Conduct a public hearing to receive public comments on consideration of a Specific Use Permit for a "Private School" as outlined in the Zoning Ordinance. This property is located at 1271 Hwy 205, McLendon-Chisholm, Texas 75032 (City Manager)

6 CONSENT AGENDA

Mayor ask for a Motion to approve the Consent Agenda

Motion to approve made by Mayor Pro Tem Jerry Brewer

Seconded by Council Member Donald Goodwin

Motion passed Unanimously

- 6.1. Consider approval of an Ordinance 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 repeal clause; providing a savings clause; providing a severability clause; and providing for an effective date. (City Manager)

- 6.2. Consider approval of minutes for June 10, 2025 City Council Meeting (City Manager)
- 6.3. Monthly Reports

7 ITEMS FOR DISCUSSION AND ACTION

The Mayor tells council that 7.1 has been removed
(Presentation by Emergicon)
He also Moves 7.10 to first spot for discussion.

- 7.1. Presentation of Mayor and Council's 100 day Plan. (Mayor McNeal)

Mayor introduces the plan and explains and references a speech by Coach Nick Saban that he felt was applicable. Each Council Member then states their ideas/views for the 100 day plan.

CM John Powers spoke about Public Safety, which includes Fire, EMS, Law Enforcement, and Disaster Preparedness. The Roads are also a part of that public safety. As a former fire fighter, public safety is always his priority. He points out that because there is only so much pie to go around, we will all have to work together to provide the services that are so important to us.

He points out that he would like to see All of District 22, contributing to the services and not just the citizens of McLendon-Chisholm. He also points out that at some point we will need to have more stations to take care of the District and that at the furthest points of the District, response time in 13 minutes. He states that he wants to see the paramedics we have be able to do all the things they are trained for. We would like to see dedicated officers from Rockwall County here in the City as we grow. In the next 100 days he wants to see plans to put in place what we can with the Sheriff's department for dedicated officers, a plan from Chief Simmons on developing our own EMS services and compare it to the benefits of remaining with Rockwall EMS. and he request that a disaster preparedness plan, providing a website, and training to citizens involved.

CM Donald Goodwin spoke on Finances of the City, (Plan to right the ship) Investment Policy, Planning for Park & Trails, Developers Agreements. Rich Dean spoke on the Roads (Priority Plan), Enabling RCH to move forward and discuss the strategic water plan for the future. He also spoke on Development, and staying acquainted with whats coming and getting ahead of issues coming from Austin and DC

CM Michael Easter states he has had concerns about TOMA Violations and therefore did not participate. (Mr. Halla adds that he did speak to Mr. Easter about this and Mr. Easter was given the same information as the other council members)

CM Arik Towry address communication between staff, council and the community. His focus will be to build back the trust has been lost between council and the citizens. He points out that citizens can take advantage of ALL COUNCIL MEMBERS not just the Mayor. He says he concentration will be on helping ween ourselves off of depending on Development money. His third

point is to make sure that our paramedics can do what they are trained to do. His last point of concern is finding our options for Roads.

MPT Jerry Brewer wanted to express to the citizens how much confidence he has that this council will work together to make sure that the decision that are made will be in the best interest of the City. He then spoke about RCH and the step by step plan, a mutually beneficial agreement. We as the city, should not be standing in the way of RCH. We want a healthy relationship with the RCH so that we can build citizen trust. A better alignment between us and RCH will install confidence with our developers, knowing their water needs will be met now and in the future.

Mayor McNeal follows up by saying his focus is Roads. The mayor points out that there will be a time where the citizens will have to make some hard decision in order to give the city the ability to fix the roads. He points out that the City and the Citizens are going to have to work together to make this happen.

- 7.2. Discuss and consider approval of a Specific Use Permit for a "Private School" as outlined in the Zoning Ordinance. This property is located at 1271 Hwy 205, McLendon-Chisholm, Texas 75032 (City Manager)

City Planner gives the staff report and recommends approval.

Mayor pro tem ask if there were two hearings held, and Bev Stibbens explains that 1 was with planning and zoning the other was with City Council. She states the change can be made to the Ordinance once approved.

Donald Goodwin has questions about the number of students and the size of the school . City Attorney states that the council may limit it to a specific number in the ordinance. There was a short conversation with the school owners to verify specifics

The motion to approve with the addition of the 24 students and Fourth Grade to the Ordinance

Made by Council Member Easter

Seconded by Council Member Towry

Motion passed Unanimously

Council Adjourns into Executive Session at 8:05 PM

Council reconvenes Public Meeting 8:29 PM

- 7.3. Discuss and consider an ordinance amending the Code of Ordinances, Chapter 10, "Subdivision Regulations", Article 3, "Standard Specifications and Construction Details in Subdivisions", by adding 10.03.010 allowing private streets to become public streets providing certain conditions to be met for said streets to be accepted by the City of McLendon-Chisholm. (MPT Jerry Brewer)

This agenda item was tabled due to the forms needed to act on the Ordinance have not been produced. Table item to July 8, 2025

Motion to approve

Made by Council Member Easter

Seconded by Mayor Pro Tem Brewer
Motion passed Unanimously

- 7.4. Discuss and consider approving new appointments to the Planning and Zoning Commission. (City Manager)

Motion to Discuss and approve commission candidates
Made by Council Member Powers
Seconded by Council Member Easter

City Manager introduces the two candidates for Planning and Zoning
Motion passes unanimously

- 7.5. Discuss and consider directing staff on Inframark delinquent accounts. (City Manager)

City Manager gives the staff report on the delinquent accounts and ask the council let staff know how to collect.

Council Member Easter ask for information on the collection agency cost

Council Member Towry ask if RCH can still cut water for none payment. (Bev Stibbens tells Mr. Towry that there is a clause in our contract that states that.) Mr Towry says he would like to see a letter saying the water be cut off) Jeff White tells Mr. Towry the cost of sending the letters and points out we need to set a policy so that there is a clear direction. There is a conversation about the the process of putting this into place.

Council Member Goodwin asks what has been done to this point.

Council Member Powers asks Jeff to clarify the cost of the letter and wants staff to see if we can do something about that cost. He also believes that we can show compassion but people need to pay their bills.

Mayor asks that staff comes back to council on the July 8 meeting to report results of talks with RCH and Inframark.

- 7.6. Discuss and consider directing staff on the creation of a Park Board as per the Home Rule Charter (City Manager)

City Manager give the staff report and council directs staff to post the volunteer positions and gather applications to be brought back on the August 12 meeting.

- 7.7. Discuss and consider creating a McLendon-Chisholm Comprehensive Plan Review Committee (City Manager)

City Manager give staff report
After a short discussion , it is decided that staff will advertise and gather applications to be brought back to council in August.

- 7.8. Discuss and direct staff on City Manager Interview Process/Committee (City Manager)

Bev Stibbens gives the staff report and tells council the process by which the new City Manager applicants will be selected. John Powers was nominated to be the 3rd Hiring Committee Member.

Motion to approve John Powers to sit on the committee with Bev Stibbens and Mayor Bryan Mcneal

Made by Mayor Pro Tem Brewer

Seconded by Council Member Goodwin

Motion passed Unanimously

- 7.9. Discuss and consider authorizing Mayor Bryan McNeal to send a letter to Public Utility Commission of Texas (PUCT) in support of Sonoma Verde Phase 1-V being added to RCH Water Supply Corporation's Certificate of Convenience. (Mayor McNeal)

Bev Stibbens speaks about this agenda item. She points out that council will be giving RCH the right to 1000+ meters and we are getting nothing in return. She suggests that at the very least the city should be asking for a permanent seat on the board and the Law suit be dismissed.

Motion made to approve

Made by Council Member Towry

Seconded by Council Member Easter

Motion passes 6-1

8 EXECUTIVE SESSION

Mayor adjourn into Executive Session at 8:05 PM

Mayor reconvenes to General Session at 8:29

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

8.1. ACTION NEEDED RESULTING FROM EXECUTIVE SESSION

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.

Jeff White say proposed budget should be filed in City Secretary's office next week and Public Hearing Budget Notice will be posted.

**Bev Stibbens annouces a Budget Workshop on July 10 at 5PM
Also announces City Hall will be closed on July 3, 2025**

Mayor McNeal give an update on the Sewer Break./

10 ADJOURN

Mayor adjourns the meeting at 9:25 PM

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

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., JUNE 20, 2025 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.

CAO

Mayor

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 10, "SUBDIVISION REGULATION", ARTICLE 10.03, "STANDARD STREET SPECIFICATIONS AND CONSTRUCTION DETAILS IN SUBDIVISIONS", BY ADDING SECTION 10.03.010 "CONVERSION OF PRIVATE STREETS TO PUBLIC STREETS"; PROVIDING A REPEALING CLAUSE; PROVIDING; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas is a duly organized municipality, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to its Home Rule Charter; and

WHEREAS, the City Council has determined that it is necessary and advisable for the good of its residents and the benefit of the public to have an option of City control and maintenance over certain private streets and allow said private streets to become public streets under certain conditions in order to more adequately protect the citizens' health, safety and general welfare.

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

SECTION 1. That Chapter 10, Subdivision Regulation, Article 10.03, "Standard Street Specifications and Construction Details In Subdivisions" of the City of McLendon-Chisholm Code of Ordinances be and the same is hereby amended by adding Section 10.03.010, and which shall read as follows:

“...

CHAPTER 10. SUBDIVISION REGULATION

...

**ARTICLE 10.03 STANDARD STREET SPECIFICATIONS AND CONSTRUCTION
DETAILS IN SUBDIVISIONS**

...

Sec. 10.03.010 Conversion of private streets to public streets

(A) The City of McLendon-Chisholm may, but in no event is it obligated to, accept private streets as public streets upon conformance to the following provisions:

(1) A petition signed by property owners representing at least 80% of the lots abutting a private street, must be submitted to the City Secretary. The petition shall be submitted on forms obtained from the City Secretary. In the alternative, the Board of Directors of the Homeowners Association (HOA) for the affected subdivision may submit a petition for the City to accept private streets and the associated property as public streets and right-of-way upon written notice to all association members and upon the favorable vote of 80% of the membership. Documentation of the notice and minutes of the meeting at which the vote took place and recording the notice of the meeting must be submitted to the City Secretary at the time the petition is filed. A petition shall not be deemed "complete" until all the requirements of the petition have been included. An incomplete petition shall not be considered by the Council;

(2) The City has the right to inspect the private streets to determine the needed repairs prior to the City Council's legislative decision whether to accept the streets and the City shall be the sole judge of whether repairs are needed;

(3) All security stations, access control devices and other structures not consistent with a public street development as determined by the City must be removed or disabled at the owners' or associations' expense;

(4) All monies in a homeowner association fund (or similar fund which serves the same or similar purpose), designated for street maintenance, be delivered to the city. In the absence of a homeowner association and/or the fund or inadequate funds in the account, the property owners shall reimburse the City for any street maintenance provided during a period as determined by the City Council;

(5) At the expense of the owners or association, the subdivision plat must be submitted as a re-plat dedicating the rights of way and other easement to the City; and

(6) At the expense of the Homeowners Association, all homeowner association documents shall be amended, if necessary, to allow the Association to petition the City to accept private streets and any associated property as public streets and rights of-way upon written notice to all Association members and upon the favorable vote of a majority of the membership.

(7) At the expense of the Homeowner's Association or owners, all stop signs must be refreshed, speed limits installed with the city's required speed limit, as per it's Code of Ordinances and intervals and all street signage updated to the preferred format of the city as determined by Staff, prior to acceptance;

(B) For private streets that cannot meet the requirements of sections (A) above, the following procedure may be considered by the City Council to accept the private streets:

(1) In order for the City Council to consider a petition requesting the city take over ownership and maintenance of a private street under this section, the petition must be signed by a minimum of 90% of the property owners abutting the private street and must be submitted to the City Secretary. The petition shall be submitted on forms obtained from the City Secretary. In the alternative, the Board of Directors of the Homeowners Association (HOA) for the affected subdivision may submit a petition for the City to accept private streets and the associated property as public streets and right-of-way upon written notice to all association members and upon the favorable vote of 90% of the membership. Documentation of the notice and minutes of the meeting at which the vote took place and recording the notice of the meeting must be submitted to the City Secretary at the time the petition is filed. A petition shall not be deemed "complete" until all the requirements of the petition have been included. An incomplete petition shall not be considered by the Council;

(2) At the petitioner's expense, the subdivision or properties shall be platted or replatted, as the case may be, dedicating 100% of the right-of-way needed for the project including any additional utility easement needed for the improvements;

(3) The petition shall request the City finance, design, repair and construct a new street to city standards along with water and sanitary sewer lines (sewer if available in the area); Water line design and construction to be coordinated with the appropriate water service;

(4) Unless otherwise agreed to by City Council, the City would be responsible for 50% of the street paving design and construction cost, unless budgetary constraints are evident and the city would be responsible for none of the water line and system upgrades relating to providing fire flow and sanitary sewer design and construction costs;

(5) Unless otherwise agreed to by City Council, the petitioners would be responsible for 50% of the street paving design and construction cost, all of the sanitary sewer design and construction cost, and all of the water line improvement cost;

(6) Should the City Council agree to the proposed project and cost responsibilities, the city, barring unforeseen delays, would have up to 24 months to begin construction to allow time for budgeting and design of the project;

(7) The project may be financed to no more than 20 years with reimbursement collected from each property owner. Financing and payback will be determined at the time of the application, or no later than sixty (60) days prior to the date construction of the improvements is scheduled to begin. The City may enter into an agreement with property owners which shall identify the estimated cost of the improvement or expansion, the schedule for initiation and completion of the improvement or expansion, a requirement that the improvement or expansion be designed and completed to city

standards and any other terms and conditions as deemed necessary by the City. The agreement shall provide for the method to be used to determine the amount of the reimbursement by the property owner for construction of the improvements or expansion in accordance with this section;

(8) The City may finance the project through the issuance of bonds or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law; and

(9) Nothing in this section shall be deemed in any way to be an exclusive method of enforcing the payment of the costs against the property owner, and shall not be deemed in any manner to be a waiver of the City's right to validly assess the property owners concerned for costs of the installation of improvements or expansion and to fix and enforce liens against the properties, all of which may be done as provided herein in the manner allowed by law. The liens are security for the expenditures made and interest accruing as allowed by law.

(10) At the expense of the Homeowner's Association or owner's, all stop signs must be refreshed, speed limits installed with the city's required speed limit and intervals and all street signage updated to the preferred format of the city, prior to acceptance;

(C) This section (C) applies to a private road consisting of asphalt, gravel, caliche, or is otherwise unimproved in an established residential subdivision used as the principle means of ingress and egress and has reached a condition of exigency. The homeowner association or owner(s) may petition the City to take over the road. The City may improve and pave the road to an asphalt standard approved by the City Engineer.

(1) Property owners of a private road that fall into this Section (C) category will follow the steps as detailed in Section B with appropriate documentation identifying the exigencies and how said exigencies should be addressed.

(2) Cost sharing requirements and financing options identified in Section B will be followed.

(3) A condition of exigency exists when any one or more of the following documented events have occurred within a year prior to a petition to the City Secretary:

a) The condition of the road(s) has prevented or significantly degraded the ability of emergency services to respond to property owners on the road(s).

b) The condition of the road(s) has prevented or significantly degraded the ability of school buses to utilize the road(s).

c) The condition of the road(s) has prevented or significantly degraded the ability of utility, trash and delivery service vehicles from being able to use the road(s) on a regular basis.

d) The condition of the road(s) and drainage has degraded to where it has negatively impacted culverts or bridges and potentially affecting the safety and welfare of the residents in the subdivision and/or other neighborhoods during heavy rains.

e) Prior attempts and outcomes by the owners or homeowner association have failed to address the road conditions.

f) Any other event(s) identified by the petitioner that the City deems relevant to the determination of an exigency.

(4) At the expense of the Homeowner's Association or owner's, all stop signs must be refreshed, speed limits installed with the city's required speed limit and intervals and all street signage updated to the preferred format of the city, prior to acceptance;

(5) After acceptance of the petition by the City Council, barring unforeseen delays, construction of the road should commence within **six (6) months** unless budgetary constraints require waiting until the beginning of the next fiscal year. Upon completion, any future improvements will be a City responsibility.

(D) Upon certification of the requisite number of signatures on the petition by the City Secretary, if such is presented in accordance with division (A)(1), (B) (1) or (C)(1) above, the City Council shall consider the petition at its first available meeting upon due notice being given to the HOA or owners, if applicable.

..."

The remaining sections and subsections of Article 10.3 are not amended hereby and remain in full force and effect.

SECTION 2. All provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance 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 3. 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 thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of McLendon-Chisholm, Texas.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and publication, as the law in such cases provides.

SECTION 5. That the recitals to this Ordinance are hereby incorporated into the body of this Ordinance as if fully set forth in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, this 24th day of June 2025.

APPROVED:

By: _____
Bryan McNeal, Mayor

ATTEST:

By: _____
Angela Jennings, City Secretary

Exhibit A



Make our Road a City Owned Road

Make your voice heard! Please fill out the form to support this petition.

Welcome to our "Private to Public Road" Petition Form. This petition is a powerful tool for residents to come together and ask our elected officials to make our private roads public and strengthen our community.

By participating in this petition, you're joining your neighbors in voicing your concerns and advocating for solutions that benefit everyone. Your involvement is essential in shaping the future of our community and ensuring that it remains a vibrant, thriving place to live, work, and play.

This petition requests that the City of McLendon-Chisholm accept our private streets and the associated property as public streets and right of way.

Let's unite in solidarity and work towards common goals that enhance the quality of life for all residents. Your participation in this community petition is a testament to your commitment to building a stronger, more resilient, and inclusive community. Join us in making a difference and shaping the future of our community together.

Name_____

Street Address_____

City_____ State_____ Zip_____

Phone Number_____

E-mail Address_____

Reason for Supporting_____

Signature_____

HOA Representative_____ Homeowner_____

Must be signed by 80% of residents in neighborhood making request

Exhibit B



Make our Road a City Owned Road

Make your voice heard! Please fill out the form to support this petition.

Welcome to our "Private to Public Road" Petition Form. This petition is a powerful tool for residents to come together and ask our elected officials to make our private roads public and strengthen our community.

By participating in this petition, you're joining your neighbors in voicing your concerns and advocating for solutions that benefit everyone. Your involvement is essential in shaping the future of our community and ensuring that it remains a vibrant, thriving place to live, work, and play.

This petition requests that the City of McLendon-Chisholm finance, repair or design and construct a new street to city standards along with water and sanitary sewer lines (if applicable); Water line design and construction to be coordinated with the appropriate water service.

Let's unite in solidarity and work towards common goals that enhance the quality of life for all residents. Your participation in this community petition is a testament to your commitment to building a stronger, more resilient, and inclusive community. Join us in making a difference and shaping the future of our community together.

Name_____

Street Address_____

City_____ State_____ Zip_____

Phone Number_____

E-mail Address_____

Reason for Supporting_____

Signature_____

HOA Representative_____ Home Owner_____

Must be signed by 90% of residents in neighborhood making request

Exhibit C



Make our Road a City Owned Road

Make your voice heard! Please fill out the form to support this petition.

Welcome to our "Private to Public Road" Petition Form. This petition is a powerful tool for residents to come together and ask our elected officials to make our private roads public and strengthen our community.

By participating in this petition, you're joining your neighbors in voicing your concerns and advocating for solutions that benefit everyone. Your involvement is essential in shaping the future of our community and ensuring that it remains a vibrant, thriving place to live, work, and play.

This petition requests that the City of McLendon-Chisholm finance, repair or design and construct a new street to city standards along with water and sanitary sewer lines (if applicable); Water line design and construction to be coordinated with the appropriate water service. This petition is acting under Section C .3 a-f.

Let's unite in solidarity and work towards common goals that enhance the quality of life for all residents. Your participation in this community petition is a testament to your commitment to building a stronger, more resilient, and inclusive community. Join us in making a difference and shaping the future of our community together.

Name_____

Street Address_____

City_____ State_____ Zip_____

Phone Number_____

E-mail Address_____

Reason for Supporting_____

Signature_____

HOA Representative_____ Home Owner_____

Must be signed by 90% of residents in neighborhood making this request