



**AGENDA
CITY COUNCIL MEETING
TUESDAY, JULY 12, 2022
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. INTRODUCTION OF NEW CITY ADMINISTRATOR	
5. CITIZEN COMMENTS	
6. APPROVAL OF MINUTES	
6.1. Consider approval of the minutes of the June 8, 2022 City Council Meeting 06.08.22	4 - 7
6.2. Consider approval of the minutes of the June 20, 2022 Special City Council Meeting 06.20.22 Special Mtg	8 - 9
6.3. Consider approval of the minutes of June 28, 2022 City Council Meeting 06.28.22	10 - 43
7. ITEMS FOR CONSIDERATION	
7.1. Discussion and approval of an ordinance amending the Code of the City of McLendon-Chisholm, by amending Chapter 1, "General Provisions", Article 1.02, "Administration", Division 4, "City Administrator", Section 1.02.095, "Powers and Duties" by deleting and replacing Subsection (1), and Chapter 1, "General Provisions", Article 1.02, "Administration", Division 5, "Municipal Judge, City Planner and City Engineer", Section 1.02.121 by deleting (b) and (c) and Chapter 5, "Fire Prevention and Protection", Article 5.03, "Fire and Rescue Department", Section 5.03.022 by deleting and replacing said section with a new Section 5.03.002; and providing for severability and providing an effective date. Ordinance amending Code of Ordinances	44 - 46
7.2. Consider approval of City Council Policy #3 Staff Report City Council Policy #3	47 - 51

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|------|--|---------|
| 7.3. | Rockwall County Emergency Services Corporation Budget 2022 | 52 - 59 |
| | Staff Report | |
| | FY23 Administrative/Operating Budget | |
| | FY23 Emergency Management Budget | |
| | FY23 Ambulance Budget | |
| 7.4. | Review, evaluation, ratification, elimination, and/or amendment to previously adopted City Council policies | 60 - 64 |
| | Staff Report | |
| | Policy No. 1 | |
| | Policy No. 2 | |
| 7.5. | Reappointment of Members to the Board of Adjustment | 65 |
| | Staff Report | |
| 8. | EXECUTIVE SESSION | |
| 8.1. | Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.071(2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. | |
| 8.2. | Reconvene Regular Meeting | |
| 8.3. | Executive Session Action | |
| 9. | ITEMS FOR DISCUSSION | |
| 10. | UPDATES, DISCUSSION AND DIRECTION TO STAFF | |
| 11. | 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.

12. 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, Rochelle Green, 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 8, 2022 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



**CITY COUNCIL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
June 8, 2022**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, June 8, 2022, at City Hall 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Trudy Woessner	Mayor Pro Tem
	Lorna Kipphut	Council Member
	Daniel Tucker	Council Member
	Bryan McNeal	Council Member

ABSENT:	Dyon Purdy	Council Member
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Staff Present:	Rick Crowley	Interim City Administrator
	Shelly Green	City Secretary
	Michael Halla	City Attorney

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:31 p.m.

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

Mayor Short delivered the invocation and Council Member Kipphut led the pledge of allegiance to the U.S. and Texas Flags.

3. RULES OF DECORUM

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

4. CITIZEN COMMENTS

Adriene Balkum, Dr. Addressed the Council on Item 6.6 Food Truck Ordinance

5. APPROVAL OF MINUTES

5.1. Action regarding the Minutes of May 24, 2022, Regular City Council Meeting.

MOTION: APPROVE THE MINUTES OF MAY 24, 2022 AS AMENDED

MADE BY: Council Member Kipphut

SECONDED BY: Mayor Pro Tem Woessner
APPROVAL: Unanimous by Members Present

6. ITEMS FOR CONSIDERATION

- 6.1. Authorize Mayor to sign check and execute any contracts regarding taxes paid to be returned to citizens.

MOTION: AUTHORIZE THE MAYOR TO SIGN THE CHECK AND EXECUTE ANY CONTRACTS REGARDING TAXES PAID TO BE RETURNED TO CITIZENS DUE TO ROLL-BACK ELECTION.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member McNeal
APPROVAL: Unanimous by Members Present

- 6.2. Summary and discussion of the TML Budget Workshop (presented by Council Member Kipphut).

WITHDRAWN FROM AGENDA

- 6.3. Discussion and action regarding appointments to the Board of Adjustment.

MOTION: APPOINT JAMES PARNEL AS AN ALTERNATE ON THE BOARD OF ADJUSTMENT.

MADE BY: Council Member Kipphut
SECONDED BY: Mayor Pro Tem Woessner
APPROVAL: Unanimous by Members Present

- 6.4. Present draft Road Consortium Update to City Council. This is in preparation for the 6/15/22 Road Consortium Meeting where the cities have been asked to do a short update on major activities and highlights in their respective cities. Council Member Kipphut is the Road Consortium Representative for McLendon-Chisholm, and she would like Council review on her presentation.

Council Member Kipphut presented her update:

What's Up in McLendon-Chisholm

MAJOR PROJECTS	MAJOR ISSUES
• Impact of TAX ROLLBACK on 2022 Budget and subsequent budgets • New City Administrator • Commercial Growth (205/550) (205/548) • Food Trucks?	• Current In-City Growth is in compliance with Comp Plan min 1 acre lot size • Growth in ETJ is MASSIVE • Huffines, Mann...what else looms? • SH 205 Construction • WATER

6.5. Discussion of upcoming Budget Preparation (Requested by Interim City Administrator Crowley)

Interim City Administrator Crowley presented his recommendations for preparing for the upcoming Budget. He suggested he would like to ask City Financial Advisor to prepare the numbers and the dollars for the new budget as well as prepare an amendment to the existing budget.

He further suggested that Ray make a presentation to the Council to receive questions and options.

Interim City Administrator Crowley ask the Council to submit any issues and/or concerns they may have to him as soon as possible.

6.6. Report on the status of food truck ordinance and take any necessary action.

Interim City Administrator Crowley presented a memo on this item:

“I am not satisfied with my progress on consolidating my draft of the ordinance with City Attorney Halla’s draft. It has proven to be more complicated for me, frankly, than it should be, but I think that I have separated the food truck/food trailer provisions from the remainder of the Ordinance that we would be amending, so that I can report of that at the meeting. After the meeting, I will ask City Attorney Halla to draft the amendatory Ordinance without having unwanted affects on the existing regulations for street vendors, etc. – which is the task that, thus far, I have been unable to accomplish.

I think that I have included all of the provisions in the attached regulations that we discussed at the last meeting. I will go over those and likely ask the Council for further input on several other of the broader issues at hand.”

Interim City Administrator Crowley presented Sec. 4.03.002 Food Trucks Authorized and Regulated to the Council and received their questions and comments.

7. EXECUTIVE SESSION

7.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: New City Administrator.

7.2. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Appointment of members to Board of Adjustment.

No Executive Session was held for this item.

Mayor Short adjourned the meeting into Executive Session at 7:57 p.m.

9.3. Reconvene Regular Meeting

The meeting reconvened into regular session at 8:34 p.m.

9.4. Executive Session Action

No Action

10. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor Short reminded everyone that school is out so they should all be watching for more children out and about. He also commented on the success of the Memorial Day ceremony.

11. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

None

12. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 8:35 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary



**CITY COUNCIL SPECIAL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
June 20, 2022**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, June 20, 2022, at City Hall 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Trudy Woessner	Mayor Pro Tem
	Lorna Kipphut	Council Member
	Daniel Tucker	Council Member
	Bryan McNeal	Council Member
	Dyon Purdy	Council Member

Staff Present:	Rick Crowley	Interim City Administrator
	Michael Halla	City Attorney

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:00 p.m.

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

Council Member Tucker delivered the invocation and Council Member Kipphut led the pledge of allegiance to the U.S. and Texas Flags.

3. RULES OF DECORUM

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

4. CITIZEN COMMENTS

None

5. EXECUTIVE SESSION

- 5.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.087 Economic Development, to discuss Economic Development Prospects and/or Projects more specifically related to Economic Development Prospect termed "Project First".

- 5.2. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.074(a)(1) Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: New City Administrator

Mayor Short adjourned the meeting into Executive Session at 6:02 p.m.

- 5.3. Reconvene Regular Meeting

The meeting reconvened into regular session at 8:34 p.m.

- 5.4. Executive Session Action

MOTION: AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH CONRAD HILDEBRANDT AS THE NEW CITY ADMINISTRATOR.

MADE BY: Mayor Pro Tem Woessner

SECONDED BY: Council Member Tucker

APPROVAL: Unanimous

12. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 8:35 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rick Crowley, Interim City Administrator



**CITY COUNCIL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
June 28, 2022**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, June 28, 2022, at City Hall 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short	Mayor
	Trudy Woessner	Mayor Pro Tem
	Lorna Kipphut	Council Member
	Daniel Tucker	Council Member
	Bryan McNeal	Council Member
	Dyon Purdy	Council Member
Staff Present:	Rick Crowley	Interim City Administrator
	Shelly Green	City Secretary
	Jim Simmons	Fire Chief
	Michael Halla	City Attorney
	Mike Coker	City Planner
	Ray Smith	City Accountant

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:30 p.m.

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

Council Member Tucker delivered the invocation and Council Member Kipphut led the pledge of allegiance to the U.S. and Texas Flags.

3. RULES OF DECORUM

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

4. CITIZEN COMMENTS

No Citizen Comments

5. PUBLIC HEARING

- 5.1. Continuation of a public hearing to consider the application of Steven Smith requesting a change in zoning from "SF 2.5" Single Family 2.5 to "PD" Planned Development District for the development of a 10 single-family residential

subdivision with minimum one and one-half acre lots on 27 acres of land currently zoned 2.5 which requires a minimum lot size of two and one-half acres of land. The property location is adjacent to the intersection of FM 550 and FM 1139 on the southeast side of the intersection. The property is described as county parcel ID numbers 10783, 45857, and 10782. Zoning of the subject property will amend the official Zoning Map of the City of McLendon-Chisholm.

Mayor Short opened the public hearing at 6:35 p.m.

City Planner Coker gave an overview of this project.

Andrew Thomas, 346 Ridge Point, attorney appearing on behalf of the Watsons. He pointed out that they are not developers. They are trying to develop a neighborhood for their family. All issues that came up have been resolved.

6. CONSENT AGENDA

6.1. Budget Report May 2022

6.2. Building Official Report May 2022 – Extracted from Consent Agenda by Council Member Kipphut

6.3. Animal Control Report May 2022

MOTION: APPROVE ITEMS 6.1. AND 6.3 OF THE CONSENT AGENDA

MADE BY: Council Member Tucker
SECONDED BY: Council Member Purdy
APPROVAL: Unanimous

MOTION: APPROVE ITEM 6.2 AS CORRECTED

MADE BY: Council Member Kipphut
SECONDED BY: Council Member McNeal
APPROVAL: Unanimous

7. ITEMS FOR DISCUSSION

7.1. Consider approval of an application request from Steven Smith requesting approval of a planned development district for the development of 10 single-family residential lots subdivision with minimum one and one-half acre lots on approximately 27 acres of land currently zoned SF 2.5 which requires a minimum lot size of two and one-half acres of land.

City Planner Coker presented his report on this item:

APPLICANT: Steven Smith
Smith Custom Homes, LLC
2307 Laci Lane
Royce City, Texas

Location: Adjacent to the intersection of FM 550 and FM 1139 on the southeast side of the intersection.
Rockwall AD ID#: 10783, 45857, 10782.

REQUEST:

The applicant is requesting approval of a planned development district for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land currently zoned SF 2.5 which requires a minimum lot size of two and one-half acres of land.

PROPERTY OWNERS: Brian and Elisabeth Watson
1401 Wells Cr.
Rockwall, Texas

REPRESENTATIVE: Steven Smith

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL subject to the conditions recommended by staff and the following condition:

Correct page two of the preliminary plat [which is also the conceptual plan for this planned development district] replacing references to the City of Rockwall with City of McLendon-Chisholm. [Done]

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval a change in zoning from SF 2.5 to a planned development district for the creation of a ten-lot subdivision with minimum one and one-half acre lots. This request conforms to the recommendations of the Future land Use Plan.

Conditions:

Compliance with the development standards contained in exhibit B and conformance with the preliminary plat attached as the conceptual plan for this planned development district.

BACKGROUND INFORMATION:

The subject property is a 27-acre tract of land located on the southeast side of the intersection of FM 550 and FM 1139. The applicant previously requested a variance to the required street frontage for several lots that failed to comply with the 300 linear street frontage requirement. The Board of Adjustment denied that request and the property owner decided to request a planned development district that provides street frontages as shown on the Concept Plan [preliminary plat]. All proposed lots are a minimum of one and one-half acres of land.

Location map

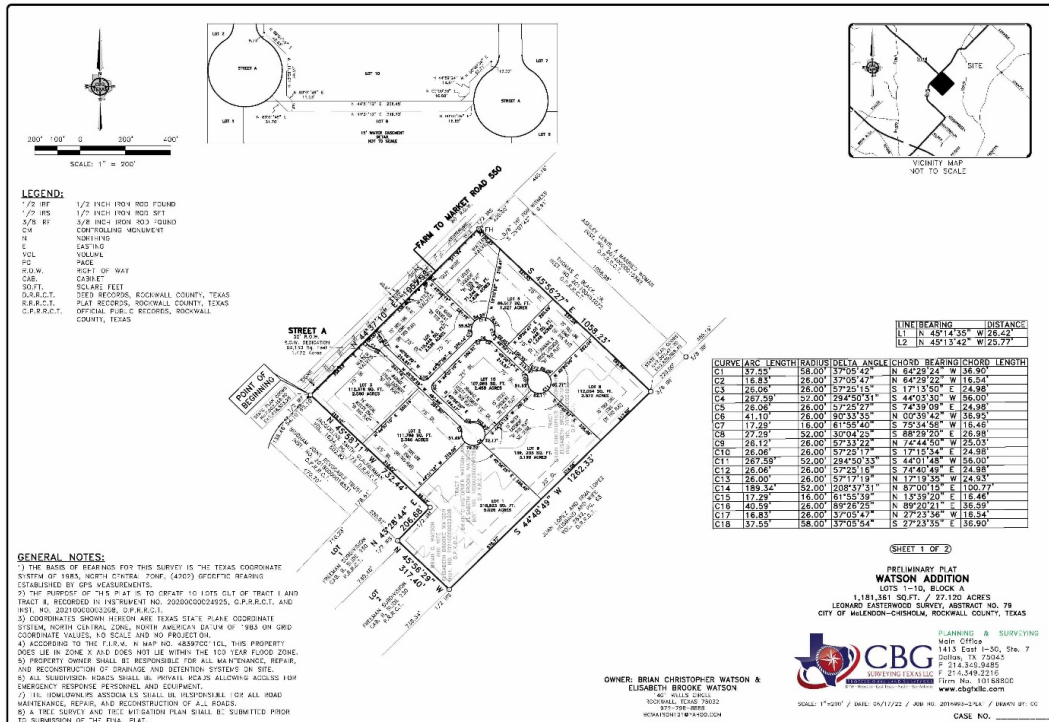
WATSON WAY ADDITION
SUBDIVISION
Lots 1-10, Block A 27.12 ACRES
City of McLendon-Chisholm
Rockwall County, Texas



Location Map

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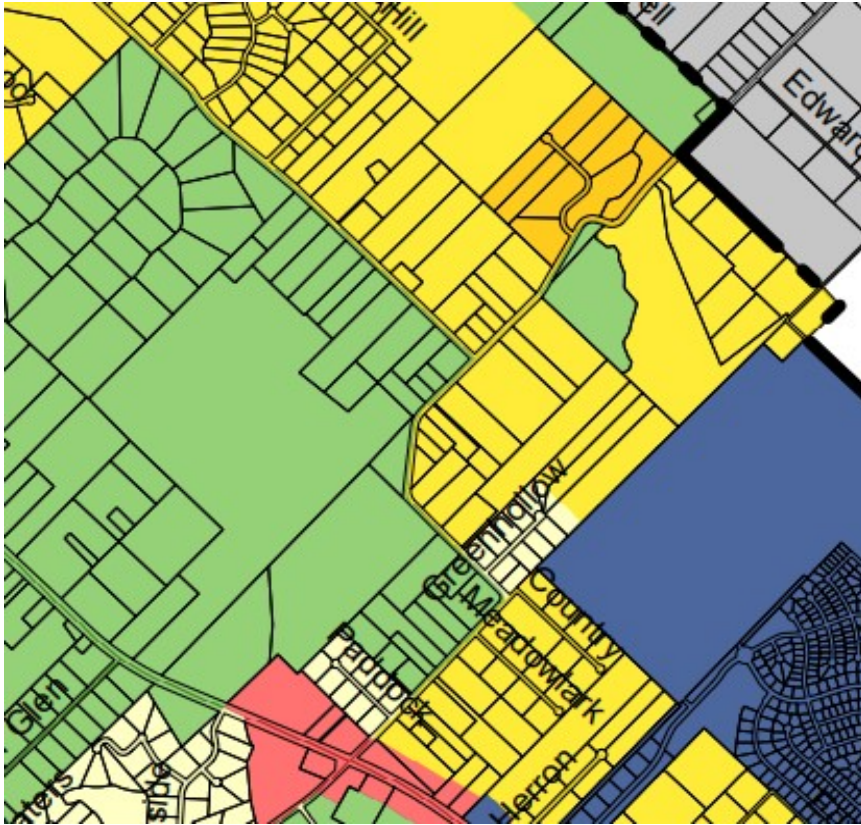
Conceptual Plan [also preliminary plat]



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CBG
SURVEYING TEXAS LLC
A PROFESSIONAL SERVICE CORPORATION
1015982-0267
P.O. BOX 101598 DALLAS TX 75045
TEL: 214.349.9485 FAX: 214.349.2216
WWW.CBGTXLLC.COM

Zoning Map



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Comprehensive Plan/Future Land Use Map



Thoroughfares/streets:

The subject properties front on FM 550 and are located directly across FM 550 from the southeast end of FM 1139. The Thoroughfare Plan calls for FM 550 to be an existing Major Collector to have a minimum 60-80 foot right of way width, the existing right of way width is 80 feet.

All streets within the planned development district are private and will be maintained by a homeowners/property owners association as has been noted on the preliminary plat.

EXHIBIT B-DEVELOPMENT STANDARDS

EXHIBIT B

WATSON WAY ESTATES

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS

For Approximately 27.12-Acres

City of McLendon-Chisholm, Rockwall County, Texas

1. Purpose and Intent

This Planned Development District provide for the development standards for a planned subdivision containing 10 single-family residential lots with a minimum lot size of 1.5-acres of land. This development is approximately 27.12 acres of land generally located southeast of the intersection of E. FM 550 and FM 1139.

2. Special Provisions

This Exhibit includes the PD Development Standards and the Concept Plan both of which are included and made a part of the ordinance adopting the Planned Development District.

- a. Minor amendments to the PD, including minor amendments to an approved Concept Plan or Development Plan, shall satisfy the following standards:
 - i. Does not increase density;
 - ii. Does not change the maximum structure height, reduce setbacks or parking requirements, or reduce the size of any residential lot.

Requests to amend the PD or the Concept or Development Plans that fail to satisfy the standards of i. ii. Above shall be considered as a change in zoning and shall be required to satisfy the requirements of an original request for a change in zoning.
- b. Minor amendments amendment to the PDD including approved Concept or Development plans may be approved by the Mayor and the City Administrator. No action is required by the Planning and Zoning Commission or the City Council.
- c. Requests for minor amendments shall be made in writing and shall justify the reason or reasons for the requested amendment.

3. Development Plan

Prior to development of any portion of this planned development district, the City Council shall consider a development plan upon recommendation from the Planning and Zoning Commission. Any development plan shall conform to the Concept Plan that has been approved and made a part of this ordinance.

Planned Development Districts: Article 5, Special Districts, McLendon-Chisholm Zoning Ordinance:

Sec. 5-1 PD Planned Development District

A. General purpose and description. The Planned Development District “PD” prefix is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this ordinance is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the community. A PD District may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

B. Permitted uses. Any use specified in the ordinance granting a Planned Development District shall be permitted in that district. The size, location, appearance, and method of operation may be specified to the extent necessary to ensure compliance with the purpose of this ordinance.

C. Development standards.

1. Development standards for each separate PD District shall be set forth in the ordinance granting the PD District and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the city council may deem appropriate.

2. The ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of variances in each district or districts and a general statement citing the reason for the PD request.

3. The Planned Development District shall conform to all other sections of the ordinance unless specifically exempted in the granting ordinance.

D. Conceptual and development plan. In establishing a Planned Development District, the city council shall approve and file as part of the amending ordinance appropriate plans and standard for each Planned Development District. During the review and public hearing process, the city council shall require a conceptual plan and a development plan (or detail site plan).

1. Conceptual plan. This plan shall be submitted by the applicant. The plan shall show the applicant's intent for the use of the land within the proposed Planned Development District in a graphic manner and shall be supported by written documentation of proposals and standards for development.

(a) A conceptual plan for residential land use shall show general use, thoroughfares, and preliminary lot arrangements. For residential development which does not propose platted lots, the conceptual plan shall set forth the size, type, and location of buildings and building sites, access,

density, building height, fire lanes, screening, parking areas, landscaped areas, and other pertinent development data.

(b) A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the city council, may include but is not limited to the types of use(s), topography, and boundary of the PD area, physical features of the site, existing streets, alleys, and easements, location of future public facilities, building heights and locations, parking ratios, and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final development plan.

(c) Changes of detail which do not alter the basic relationship of the proposed development to adjacent property, and which do not alter the uses permitted or increase the density, building height, or coverage of the site and which do not decrease the off-street parking ratio, reduce the yards provided at the boundary of the site, or alter the landscape plans as indicated on the approved conceptual plan may be authorized by the mayor or his/her designee. If an agreement cannot be reached regarding whether or not a detail site plan conforms to the original concept plan, the city council shall determine the conformity.

2. Development plan or detailed site plan. This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the conceptual plan. The development plan may be submitted for the total area of the PD or for any section to the city council. A public hearing on approval of the development plan shall be required at the Council level, unless such a hearing is waived pursuant to [section 5-1 D.](#), Conceptual and development plan, at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

(a) A site inventory analysis including a scale drawing, existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.

(b) A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of two or not more than five feet at location of entry slope as determined by the city.

(c) A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision for off-street parking.

(d) A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.

(e) An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two family may be required by the city council

if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the mayor or his/her designee.

3. Procedure for establishment. The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in [section 1-14](#), Amendments, changes, and administrative procedures. This procedure is expanded as follows for approval of conceptual and development plans.

(a) Separate public hearings shall be held by city council for the approval of the conceptual plan and the development plan or any section of the development plan unless such requirements are waived by the city council. A single public hearing is adequate when:

(b) The applicant submits adequate data with the request for the Planned Development District to fulfill the requirements for both plans; or

(c) Information on the concept plan is sufficient to determine the appropriate use of the land and the detail site plan will not deviate substantially from it; and

(d) The requirement is waived at the time the amending ordinance is approved. If the requirement is waived, the conditions shall be specifically stated in the amending ordinance.

(e) The ordinance establishing the Planned Development District shall not be approved until the conceptual plan is approved.

(f) The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the city council for the initial and subsequent sections will be required.

(g) Regardless of whether the public hearing is waived for the development plan, approval by the city council is still required.

(e) An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the mayor or his/her designee.”

MOTION: APPROVE THE REQUEST FOR APPROVAL OF A PLANNED DEVELOPMENT DISTRICT FOR THE DEVELOPMENT OF 10 SINGLE-FAMILY RESIDENTIAL LOTS SUBDIVISION WITH MINIMUM ONE AND ONE-HALF ACRE LOTS ON APPROXIMATELY 27 ACRES OF LAND CURRENTLY ZONED SF 2.5 WHICH REQUIRES A MINIMUM LOT SIZE OF TWO AND ONE-HALF ACRES OF LAND.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Tucker
APPROVAL: Unanimous

7.2. Consider approval of the application of Steven Smith requesting approval of a preliminary plat for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land.

City Planner Coker presented his report on this request:

APPLICANT: Steven Smith
Smith Custom Homes, LLC
2307 Laci Lane
Royce City, Texas

LOCATION: Adjacent to the intersection of FM 550 and FM 1139 on the southeast side of the intersection. Rockwall CAD ID#: 10783, 45857, 10782.

PLANNING AND ZONING COMMISSION HEARING DATE: May 23, 2022

REQUEST:

The applicant is requesting approval of a preliminary plat for the development of 10 single-family residential lot subdivision with minimum one and one-half acre lots on approximately 27 acres of land.

PROPERTY OWNERS: Brian and Elisabeth Watson
1401 Wells Cr.
Rockwall, Texas

REPRESENTATIVE: Steven Smith

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission recommend approval of the preliminary plat for a 10 single-family lot subdivision subject to the following conditions:

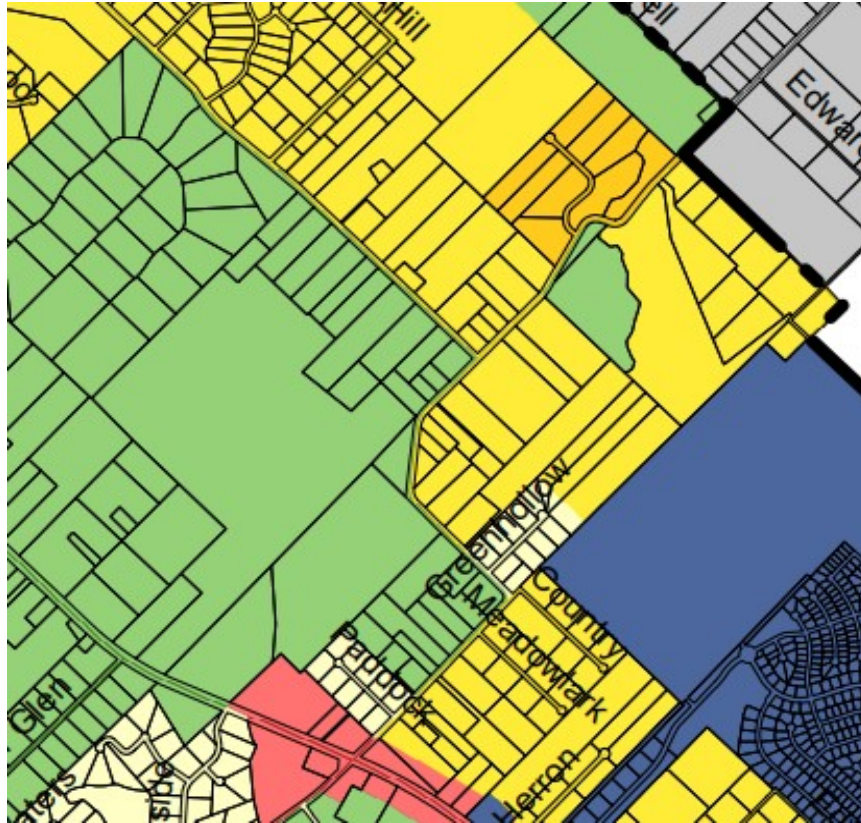
Conditions:

- Compliance with the preliminary plat.
- Application for final plat not be submitted until the City Engineer has approved the civil engineering plans and related requirements for the subdivision.

BACKGROUND INFORMATION:

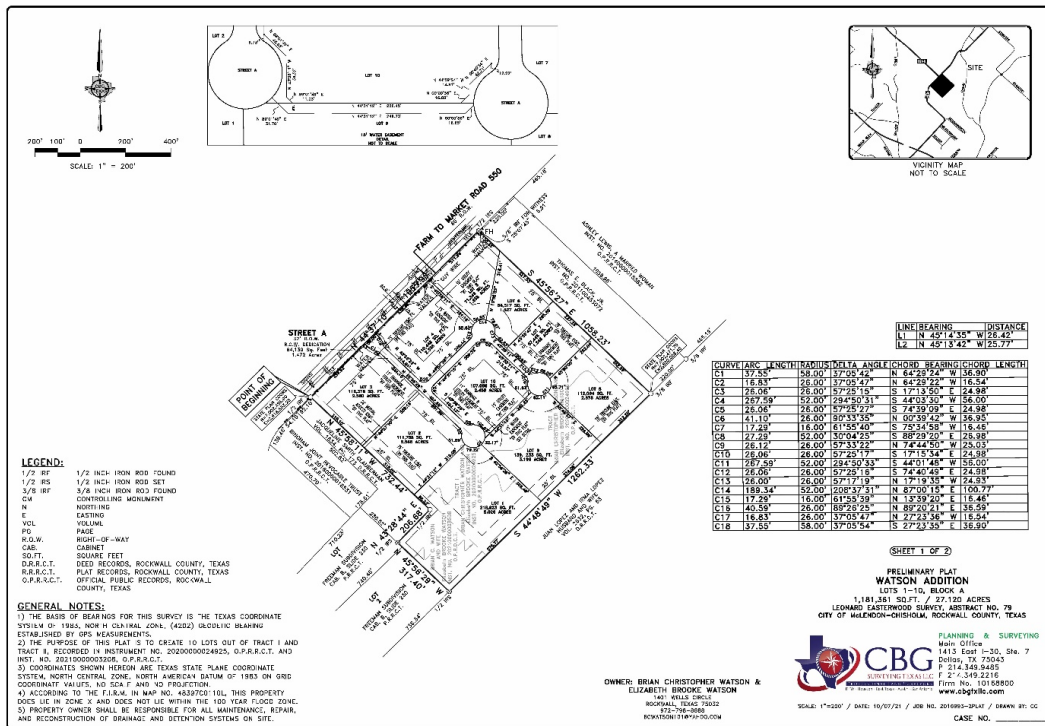
The subject property is a 27-acre tract of land located on the southeast side of the intersection of FM 550 and FM 1139. The applicant previously requested a variance to the required street frontage for several lots that failed to comply with the 300 linear street frontage requirement. The Board of Adjustment denied that request and the property owner decided to request a planned development district that provides street frontages as shown on the Concept Plan [preliminary plat]. All proposed lots are a minimum of one and one-half acres of land.

Zoning Map.



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Preliminary Plat



Thoroughfares/streets:

The subject properties front on FM 550 and are located directly across FM 550 from the southeast end of FM 1139. The Thoroughfare Plan calls for FM 550 to be an existing Major Collector to have a minimum 60-80 foot right of way width, the existing right of way width is 80 feet.

MOTION: **APPROVE THE PRELIMINARY PLAT FOR THE DEVELOPMENT OF 10 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION WITH MINIMUM ONE AND ONE-HALF ACRE LOTS ON APPROXIMATELY 27 ACRES OF LAND**

MADE BY: **Council Member Kipphut**
SECONDED BY: **Council Member Woessner**
APPROVAL: **Unanimous**

7.3. Consider approval of the application of RCH Water Supply Corporation for the Development/Site/Landscape Plans for a one-acre tract of land located in Sonoma Verde Planned Development District for compliance with the requirements for approval of the Plans subject to conditions set forth by the City Planner.

City Planner Coker presented his staff report on this item:

APPLICANT: Jacob Dupuis
Dunaway Associates
118 McKinney Street
Farmersville, TX 75442

LOCATION: East corner of Sonoma Verde subdivision and adjacent to Edwards Road and League Road

REQUEST:

The applicant is requesting approval of the Detailed Development/Site Plan/Landscape Plan on one acre of land in the Sonoma Verde Planned Development District.

PROPERTY OWNERS: RCH Water Supply Corporation
5763 SH 205
Rockwall, TX 75032

REPRESENTATIVE: Jacob Dupuis

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL. The applicant has satisfied the staff recommended conditions.

STAFF RECOMMENDATION: City staff recommends that the Planning and Zoning Commission for the City of McLendon-Chisholm should recommend approval of the application for the Development/Site/Landscape Plans for a one-acre tract of land located in the Sonoma Verde Planned Development District for compliance with the requirements for approval of the Plans subject to conditions contained in this report prior to consideration of the Final Plat.

Conditions:

A detailed development/site plan and landscape plan that comply with the requirements of Ordinance 2007-20, the Sonoma Verde Planned Development District, is to be submitted for review and recommendation by the Planning and Zoning Commission and is reviewed prior to consideration of the final plat.

The Development Plan and the Landscape Plan must include the following elements as required by the Zoning Ordinance:

Landscaping: subsection 6:

Perimeter Landscape Buffers Other than Along SH 205. Except along SH 205, a 10-foot landscape buffer must be provided where the rear of a lot abuts a street. Buffers shall contain a minimum of one tree that is at least four inches in caliper (measured at two feet above the ground) and eight feet in height at the time of planting for each 35 feet of street frontage or fraction thereof. The buffer may include a sidewalk if approved by the City Council. Landscaped buffers shall also include shrubs, ground cover, sod, or other live plant materials.

Fences and Screening.

Height. Fence heights on individual residential lots are limited to a maximum height of six feet.

Side Yard Fence Returns. Side yard fence returns for fences in the interior side yard shall, at a minimum, extend to within 10 feet of the front corner of each single-family residence.

Subdivision Perimeter Fencing. Subdivision perimeter fencing shall be constructed of 100% masonry or wrought iron with masonry columns at the corner of each lot where the side or rear lot line abuts either SH 205, League Road, or Edwards Road. Subdivision perimeter fencing shall be a minimum of five feet in height. Subdivision perimeter fencing shall not exceed a length of 500 feet without a change in character such as the addition of wrought iron with a living screen.

Screening Adjacent to Open Space, Common Areas or Park Areas. All screening and fencing that is adjacent to common areas, open space, or park areas shall consist of ornamental iron, except that a screening wall or fence adjacent to a major arterial road may also consist of wood and/or masonry. All fencing or screening walls that serve as a perimeter fence or wall shall incorporate landscaping, including trees and shrubs.

Fence Materials. Fencing made of chain link, aluminum, or metal (other than wrought iron) is prohibited. Wood stockade fences shall have metal posts and triple bracing. Wood stockade fences shall be of cedar, spruce consisting of number one or two grade lumber, or any other wood of a higher quality and better durability.

Fence Maintenance. All fencing that is not located on an individual lot shall be provided within an easement, and a property owners association, a PID, or a District shall maintain the fencing.

An automatic irrigation system must also be installed.

The Development/Site Plan to show 24-foot-wide drive and two 9' x 18' parking stalls adjacent to the end of the driveway adjacent to the water tower.

[illegible][illegible]

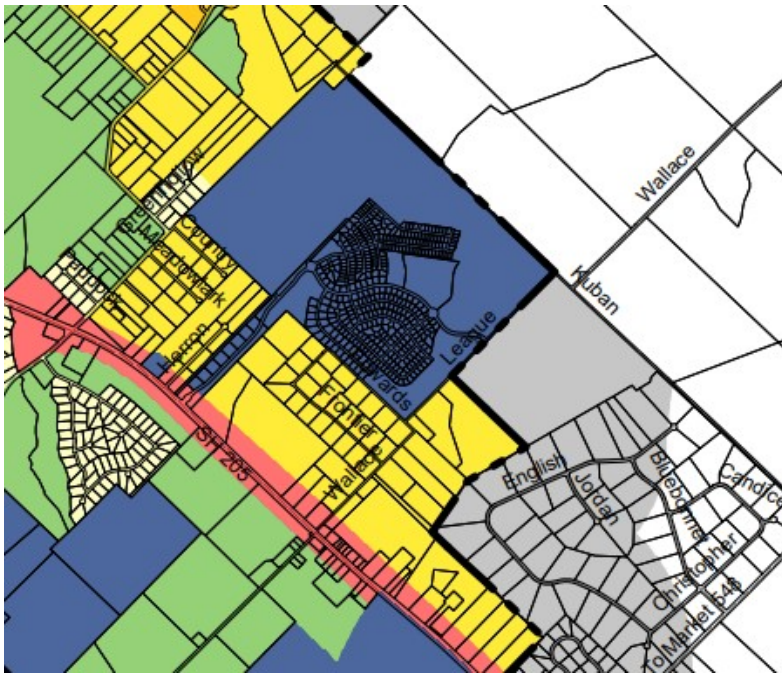
BACKGROUND INFORMATION:

The subject property is a One-Acre tract of land located generally at east corner of the Sonoma Verde Subdivision, adjacent to League and Edwards Roads, in McLendon-Chisholm, Texas. The applicant has provided a special warranty deed showing that the RCH Water Supply Corporation has acquired the property.

The property owner has provided a 40-foot access easement along the perimeter of the property adjacent to Edwards and League Roads in order to satisfy one-half the required roadway widths for those two streets.

The subject property is a portion of the Sonoma Verde planned development district located north of League Road, west of Edwards Road, east of SH 205, and south of FM 550.

Zoning Map



The development of the subject property is regulated by the City of McLendon-Chisholm subdivision regulations; the Development agreement dated June 11, 2007, and development agreement amendments one and two [amendment two having been approved by the City Council September 25, 2012]; and Ordinance #2007-20, the planned development district zoning regulations for Sonoma Verde, and a revised concept development plan dated April 2015. Utilities are permitted uses in the planned development district.

The final plat application for this tract is consistent with the amended development plan, the zoning regulations for the Planned Development District and the applicable subdivision regulations

based upon compliance with the requirements of the planned development district development standards.

[Note-The Development/Site Plan and Landscape Plans are to be considered by the Planning and Zoning Commission on the same agenda as the final plat, but preceding consideration of the Final Plat]

Thoroughfares/streets:

This phase of Sonoma Verde is adjacent to Edwards and League Roads. The McLendon-Chisholm Thoroughfare Plan indicates that Edwards Road is a Minor 4-Lane Undivided Thoroughfare. A four-lane undivided minor thoroughfare requires 100 to 120 feet of right of way. However, the Developer Agreement for this property defines the required right of way for a 4-lane undivided collector to be 80 feet. The applicant has provided dedications of right of way along Edwards and League Roads to provide one-half of the specified right of way width from the assumed centerlines of Edwards and League Roads.

Detailed development plan-Article 5, Special Districts, McLendon-Chisholm Zoning Ordinance:

“2. Development plan or detailed site plan. This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the conceptual plan. The development plan may be submitted for the total area of the PD or for any section to the city council. A public hearing on approval of the development plan shall be required at the Council level, unless such a hearing is waived pursuant to [section 5-1](#) D., Conceptual and development plan, at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

- (a) A site inventory analysis including a scale drawing, existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.
- (b) A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of two or not more than five feet at location of entry slope as determined by the city.
- (c) A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision for off-street parking.
- (d) A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.
- (e) An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the mayor or his/her designee.”

MOTION: APPROVE THE APPLICATION OF RCH WATER SUPPLY FOR THE DEVELOPMENT/SITE/LANDSCAPE PLANS FOR A ONE-ACRE TRACT OF LAND LOCATED IN SONOMA VERDE PLANNED DEVELOPMENT DISTRICT SUBJECT TO CONDITIONS SET FORTH BY THE CITY PLANNER

MADE BY: Council Member Kipphut
SECONDED BY: Mayor Pro Tem Woessner
APPROVAL: Unanimous

7.4. Consider the application of Charlotte and Robert Winsett requesting approval of a final plat containing 10 acres of land for the creation of two residential lots within the extra territorial jurisdiction of McLendon-Chisholm, Rockwall County, Texas.

City Planner Coker presented his staff report on this item:

APPLICANT: Charlotte and Robert Winsett
2725 Rocki-Dell Lane
Rockwall, Texas 75032

LOCATION: 2725 Rocki-Dell Lane, Rockwall County, McLendon-Chisholm ETJ
[Rockwall CAD PID# 12061 & 12077]

This item is a ministerial function. The City Council has three options related to platting decisions: Approval; Approval with conditions; or disapproval. If approved with conditions, the conditions must be specified. If disapproved, the reasons for the disapproval must be stated.

REQUEST:

The applicant is requesting approval of a final plat containing 10 acres of land for the creation of two residential lots within the extra territorial jurisdiction of McLendon-Chisholm, Rockwall County, Texas.

PROPERTY OWNER: Charlotte and Robert Winsett
2725 Rocki-Dell Lane
Rockwall, Texas 75032

Representative: Robert Winsett

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO COMPLIANCE WITH STAFF CONDITONS.

STAFF RECOMMENDATION: Approval with conditions:

Conditions:

- Amend the signature blocks to comply with the requirements of the City of McLendon-Chisholm Subdivision requirements. [shown below] The Rockwall County Judge is not required to sign the approved final plat. [Platting Inter Local Agreement with Rockwall County.]
- Remove the language “Preliminary this document shall not be recorded for any purpose and shall not be use or viewed or relied upon as a final survey document” from the final plat prior to recording.

(I) Dedications and certificates. Such dedications and certificates as are applicable.

(iii) Certification by a registered engineer or a licensed state land surveyor, duly licensed by the State of Texas, to the effect that the plan represents a survey made by him, and that all the necessary survey monuments are correctly shown therein.

(iv) The following certificates shall be placed on the final plat, in a manner that will allow the filling in of the certificate by the proper party:

“1. Approved:

Mayor

Date

2. Acknowledged:

This approval shall be invalid unless the approved Final Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas within ninety (90) days from said date of final approval.

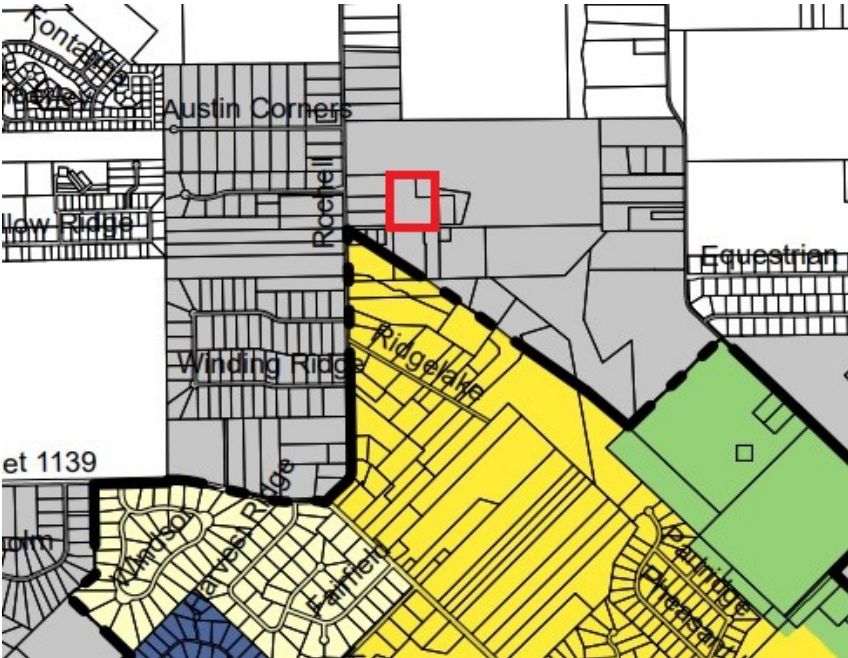
Witness my hand this _____ day of _____, 20_____.

City Secretary, City of McLendon-Chisholm, Texas”

BACKGROUND INFORMATION:

The City has a one-half mile extra territorial jurisdiction from the existing City Limits. The gray area on the attached city limits map is the ETJ. The red square is the subject 10 acres of land. The 10 acres is currently comprised of two tracts of land. RCAD PID#’s 12061 and 12077. Proposed Lot 1 is a little over five acres of land and contains the Winsett’s existing home. The subject property is approximately 622 feet east of Rochelle on the north side of Rocki-Dell Lane, Rockwall, County.

City limits map for subject property



[illegible]

Zoning

The subject property is located in the ETJ of the City of McLendon-Chisholm. The City does not have zoning authority in the ETJ but does have platting authority.

Thoroughfares/streets:

Rocki-Dell Lane, is an existing local street located in an ingress-egress easement. The existing easement is under 40 feet wide. The applicant is dedicating a little over 21 feet for right of way for Rocki-Dell Lane by this plat.

Sec. 10.02.005 Preliminary plans and final plats

(b) Final plat. After approval of a preliminary plan by the city council, a final plat, prepared by a registered engineer and bearing his seal, shall be submitted to the city council by filing in the office of the city secretary. Such plat shall have all changes and alterations made on it that were required on the previously submitted preliminary plan.

(1) Sheet size and scale. All final plats shall be drawn in India ink or comparable on tracing cloth or plastic tracing sheets 24 inches by 30 inches and to a scale of one-inch equals 100 feet or in accordance with the county final plat requirements. Where more than one sheet is required, an index sheet of maximum size 18 inches by 27 inches shall be filed showing the entire subdivision.

(2) The final plat shall contain the following information.

(A) Existing features inside subdivision.

(i) The existing boundary lines with accurate distances and bearings of the land to be subdivided. Boundary lines shall be drawn in heavy [lines] for easy identification.

(ii) The location of existing watercourses, railroads, and other similar drainage and transportation features.

(iii) True bearings and distances to the nearest established street lines, official monuments, or subdivision corners.

(iv) The location and width of existing streets, alleys, easements, rights-of-way, buildings, and structures to be retained.

(v) Topographical information with contour lines at one-foot intervals.

(vi) An accurate location of the subdivision in reference to the deed records of the county which shall include the volume and page of the deed of the property to be subdivided.

(B) Existing features outside subdivision.

(i) The name and property lines of adjoining subdivisions and of the adjoining property owners, together with the respective plat or deed references.

(ii) The name and location of adjacent streets, alleys, driveways, easements, watercourses, etc.

All lines outside of subdivision boundaries shall be dashed.

(C) Streets, alleys, easements. Engineering construction standards for inspections are set forth in [appendix 1](#).

The lines and names of all proposed streets or other ways or easements to be dedicated to public use shall be shown on the final plat with the following engineering data:

(i) For streets. Complete curve data (delta, length, radius, tangent, point of curve, point of reverse curve, point of tangent) shown on the centerline on each side of street; length and bearings of all tangents; dimensions from all angle points and points of curve to an adjacent side lot line.

(ii) For watercourses and easements. Drainage easements will be provided covering all land within the subdivision that is subject to inundation by a 100-year storm. Lots that are adjacent to a major watercourse will show minimum finish flood elevations two feet above the calculated 100-year flood elevation.

(D) Lots and blocks. The lines and numbers of all proposed lots and blocks with complete bearings and dimensions for front, rear and side lot lines, and area of each lot.

(E) Reservations. The use and property dimensions of all special reservations, including sites for schools, churches, and parks.

(F) Monuments and control points.

(i) The description and location of all permanent survey monuments and control points.

(ii) Suitable primary control points to which all dimension bearings and similar data shall be referred. Dimensions shall be shown in feet and decimals of a foot.

(iii) Reference to source of bearing for legal description.

(iv) Reference to existence of any floodplain indication on FEMA map.

(G) Key map. A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one mile.

(H) Title, etc. The date, scale, north point and subdivision title, name and address, and seal of engineer.

(I) Dedications and certificates. Such dedications and certificates as are applicable.

(i) A certificate of dedication of all streets, public highways, alleys, parks, utility easements, and other land intended for public use forever, signed by the owner or owners and by all other parties who have a mortgage or lien interest in the property and acknowledged before a notary public. All deed restrictions that are to be filed with the final plat shall be shown or filed separately.

(ii) A waiver of claim for damages against the city occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision.

(iii) Certification by a registered engineer or a licensed state land surveyor, duly licensed by the State of Texas, to the effect that the plan represents a survey made by him, and that all the necessary survey monuments are correctly shown therein.

(iv) The following certificates shall be placed on the final plat, in a manner that will allow the filling in of the certificate by the proper party:

“1. Approved:

Mayor

Date

2. Acknowledged:

This approval shall be invalid unless the approved Final Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas within ninety (90) days from said date of final approval.

Witness my hand this _____ day of _____, 20_____.

City Secretary, City of McLendon-Chisholm, Texas”

(J) Special restrictions. Where restrictions of use of land, other than those given in these regulations, are to be imposed by the owner/subdivider, such restrictions shall be placed on the final plat or on a separate instrument filed with the plat.

(K) Tax certificates showing that all ad valorem taxes have been paid are to be submitted concurrent with the final plat.

(3) Submission. The city shall be furnished with ten legible prints and the original tracing of the final plat at least ten but not more than 21 consecutive calendar days before the next available meeting of the planning and zoning commission at which such final plat is to be considered. One additional copy of the final plat together with engineering plans shall be submitted to city staff for review at least ten days prior to the submission of the final plat to the city council. A final plat filed prior to the 21st day preceding the next succeeding regular meeting of the commission may be considered as having been filed on the 21st day preceding the meeting. A final plat filed within ten days of the next succeeding regular meeting shall be considered as having been filed on the

21st day preceding the second succeeding regular meeting. A plat which is not accompanied with the prescribed filing fees will not be considered as having been filed.

(4) Approval. Final approval will expire one year after the city council action granting approval of any final plat unless that plat has been filed for record, except that if the owner/subdivider shall apply in writing prior to the end of such one-year period, stating reasons for needing the extension, this period may at the discretion of the city council be extended for another year but not beyond that period. The owner/subdivider may obtain approval of a portion or a section of a subdivision for which tentative or conditional approval was obtained on a preliminary plan provided he meets all the requirements of this article with reference to such portion or section in the same manner as is required for a complete addition. The final plat shall not be filed of record until the subdivision has been constructed and accepted by the city.

(5) The owner/subdivider may, at his option, elect to combine his preliminary plan and final plat of a subdivision whenever the tract of land:

(A) Is to be resubdivided without a change of street locations, or is so situated that the pattern of streets in said tract is predetermined by streets of immediately adjacent adjoining recorded subdivisions;

(B) The proposed development will be of the same use and of comparable density as adjacent existing or contemplated development; and

(C) Is a minimum of two and one-half acres in total area.

MOTION: APPROVE THE FINAL PLAT FOR CHARLOTTE AND ROBERT WINSETT CONTAINING 10 ACRES OF LAND FOR THE CREATION OF TWO RESIDENTIAL LOTS WITHIN THE EXTRA TERRITORIAL JURISDICTION OF MCLENDON-CHISHOLM, ROCKWALL COUNTY, TEXAS.

MADE BY: Council Member Kipphut
SECONDED BY Council Member Purdy
APPROVAL: Unanimous

7.5. APPOINTMENT WITH RAY SMITH, CPA, TO DISCUSS 2021 AMENDMENTS AND PREPARATION OF THE 2022 ANNUAL OPERATING BUDET.

Interim City Administrator Crowley presented this item:

“As discussed at the last meeting, Ray Smith, CPA and City Finance Director (Consultant) will attend the meeting on Tuesday. Attached are the first preliminary worksheets form which the City will use to begin developing the budget for next Fiscal Year. Also contained in the worksheets is the information needed to amend the current year budget to reflect the tax rollback which was approved by voters and other preliminary estimates of revenue and expenditures for the current and upcoming Fiscal Years.

Mr. Smith will present the information contained in the worksheets at the meeting. Please note the preliminary assumptions used in the development of the worksheets on the first page of the document. It is important to note that, even though there are column headers designated s “proposed” budget, this does not constitute a budget proposal at this point in the development of the budget, It merely indicates that this is the column in which the Mayor’s proposed budget will be shown as that is developed. Early estimates of what is known as the “voter approval tax rate” for the upcoming Fiscal Year are also provided. While Mr. Smith will present the information at the meeting, should you have any questions about them in the meantime, please do not hesitate to contact me.”

At this time, Mr. Smith presented his information and stressed that this is extremely preliminary.

Mayor Short called for a brief recess at 7:11 p.m. and reconvened the meeting at 7:16 p.m.

7.6. APPOINTMENT WITH PULLEN FAMILY TO DISCUSS CURRENT FOOD TRAILER OPERATION FOLLOWED BY POSSIBLE COUNCIL ACTION

Interim City Administrator Crowley presented a memo on this item:

“In 2019, the Pullen family opened a food trailer operation, known as “Honey’s” on Mr. Pullen’s property on SH 205. The property most abutting SH 205 is in the City Limits by virtue of Mr. Pullen’s voluntary petition for annexation quite a number of years prior. The tract abutting SH 205 has been in the City Limits since that time, but Mr. Pullen owns a significant tract of land west of that tract which is in the unincorporated area of Rockwall County and not in the City Limits.

The Pullen family was aware that the City of McLendon-Chisholm did not allow food trucks or food trailers to operate in the City, so they hired a surveyor to set stakes to mark the City Limit line and set their food trailer behind the survey stakes and poles so as not to violate the City’s ordinances. I have examined those survey poles which are still in place. The food trailer is, in fact, behind those survey poles; however, during the course of other permitting requests, the question of whether the food trailer might actually be located in the City arose. Tax maps indicated that it is located in the City while some more detailed maps indicated that it was not. After more careful consideration, the Central Appraisal District came to the final determination that the food trailer and the pavilion located on the property is located inside the City Limits. This was further verified by other GIS sources as indicated by the attached drawing. The matter was discussed with the Pullens, and I suggested that they contact their surveyor to see if he could provide information to the contrary. They did that and the surveyor was unable to dispute that the trailer is located inside of the City Limits. The poles being set in the location that they were set in resulted from a miscommunication between the Pullens and their surveyor. Having reviewed the property and tract lines in the area, I can see how this miscommunication occurred.

The Pullens are aware that the City is in the process of considering ordinance revision that, if approved, would establish parameters under which food trucks and food trailers may be allowed to operate in the City. They have requested to address the Council in an effort to resolve the circumstances noted above. From my discussion with them and from suggestions that I have made to them, I believe that the following information and requests will be provided for your consideration:

1. The Pullen's initial intent was to avoid violation of City Ordinances by locating the food trailer outside of the City Limits.
2. A misunderstanding between them and their survey resulted in unintentional location of the food trailer inside the City Limits.
3. Mr. Pullen has been paying Ad Valorem taxes to the City on the trailer and the pavilion (also located on the property) since each was placed in their current location; however, Mr. Pullen did not notice that he was being assessed and taxed for these improvements to the substantial amount of land for which he was always being taxed.
4. Honeys has been collecting sales taxes on items sold and those collected taxes have been remitted to the Texas Comptroller's Office as required. Sales tax collected and remitted has been at the County Rate.

The Pullens will likely request your consideration of the following temporary solution:

1. That they will contact the Texas Comptroller's Office to determine what is required to correct the sales tax collection and remittance issues given that the business has been located in the City Limits since it opened. This contact will also give them the information needed to begin collection of sales taxes at the City rate and its remittance to the State.
2. That the Council authorize them to continue the current operation of Honey's until such time as the City has either adopted food truck/trailer ordinance revisions or determined that no changes will be made to establish terms under which food trucks and trailers can operate in the City. Depending on the outcome of the City's consideration of these matters, they will then either discontinue their operation, continue its operation in compliance with new regulations passed, or move it outside of the City Limits.

Separately, the Pullens will likely ask the Council to give consideration to the question of whether the other food truck/trailer operations that have operated on the tract may continue to do so on the same terms as described above.

My assessment (above) as to what I expect the Pullens to present is based on my conversations with them over the course of the time that this issue has arisen. Of course, they will make their own presentation which could well vary from that indicated above. Only recently has the question of locations of the Pullen's operation as being in the City

Limits been considered. Prior to this the City has also been under the impression that Honey's was set back far enough to be outside of the City Limits."

Holley Pullen, owner of Honey's Shaved Ice, addressed the Council on this item. She stated that it has been brought to their attention that they are in the city limits of McLendon-Chisholm which is not allowed. She pointed out that this is her fourth season with the intent of being in the county. This year they discovered that the county line actually cuts back about 25 feet and comes behind her, meaning she is in the City by about five feet. She is here before the Council to ask for grace and forgiveness to look at finishing this season as is. If they can't come to an agreement, she be happy to move it at the close of her season. She pointed out she does pay sales tax and her sales tax has been solely going to Rockwall County so she will correct that.

Mayor Short stated after discussions with the current City Administrator, this was done by accident with no malicious intent to operate a business outside the scope of what the rules and ordinances that were in place. He stated he is in favor of moving forward from this point forward as long as everything's done correctly.

Council Member Woessner agreed that didn't do anything maliciously, they did what they were told to do. She feels it was done in good faith.

City Attorney Halla pointed out that from a legal standpoint, we don't have an ordinance prohibiting mobile food trucks, so we appreciate this. The key thing is differentiating some really situated people who can't treat them differently unless you have a compelling reason to do something. So before everybody rushes out and brings mobile food in, I think everybody is pretty much on notice that we've had public hearings, we've talked about mobile food ordinances. You're also willing to comply, so I don't see any similarly situated people right now. Even if somebody were to open up next week, they're going to know they're in the city limits. So there's a big deal where and the law does look at the fact is like they have three mobile food trucks, and they want to know why you are treating them differently. Well, one, this was going on before we even gave out notices and had public hearings; talked over two different draft mobile food truck . ordinances. So, before all that, it was before we had any public hearings, and they didn't know they were in the city. So, again, while ignorance of law is not an excuse per se, those, in my opinion, the judge will look at it and treat them differently even they're similarly situated, it's a different situation and so a court would actually say they're not similarly situated like the other two, the two multiple trucks went out and ran out next week and started off correct. I think a judge would hold that they're not similar. It's very important, I think, for this analysis to be in the minutes.

Council Member Kipphut clarified that Honey's is ok. Halla responded he thinks this one is okay.

Ms. Pullen stated they have been having food trucks come out. So moving forward with the season, are we allowed to continue having them come?

City Attorney Halla stated that on the basis of what we're doing here, and you let those other food trucks come in and do what they're doing, others are going to ask why I can't do the same.

Interim City Administrator injected that he thinks the City Attorney is telling you that if want to allow those other trucks that it would be better for them to be set back to 25 feet outside of the city limits. On the other hand, I don't think he's trying to dictate the policy to you whether you want to grant the answer to the question Ms. Pullen has proposed.

Ms. Pullen asked if she is limited to just the two trucks she has already booked. Mayor Short stated as long as they are located outside of the city limits, they are okay.

Council Member Kipphut pointed out that if they're on the county line, the city has no say if they're in the county.

7.7. EMERGENCY WARNING SYSTEM BY CHIEF SIMMONS

Interim City Administrator Crowley presented his information on this item:

"At a previous meeting, the matter of emergency notifications to residents was discussed. The Staff indicated that updated information would be provided to you at a future meeting.

Chief Simmons has received information as to likely price increases since the original quotations for sirens was received. He will update the Council on both that updated pricing information and provide information as to other alternatives. Certain information provided by Chief Simmons is included in this packet.

Should sirens be the preference of the Council, and if they are approved for funding in an upcoming budget, there will be a host of other policy considerations to develop related to their operations. If that happens, there will be sufficient time to develop those policies as we wait on the delivery and installation of the new sirens.

It is good to keep in mind the function of emergency warning sirens as this matter is being considered. Sirens are designed to alert people who are OUTSIDE of, for example, a predicted or eminent weather event. They are not designed to be heard inside of a home; however, depending on locations, they may actually be heard by those indoors."

Chief Simmons presented updated information regarding sirens. He provided a quote for the equipment, which shows a cost increase from 2020 of approximately \$15,000 to \$20,000, along with a map showing coverage of the two proposed sirens. He also provided information regarding the best weather apps of 2022.

After considerable discussion, the Council ask Chief Simmons to bring back more information for their consideration.

7.8. CONSIDER APPROVAL OF COUNCIL POLICY NO. 3

Interim City Administrator Crowley presented information on this item:

“Council Member Tucker has requested that the adoption of the above referenced policy (City Council Policy #3: Policy for Funding Acquisition of Large Capital Investment Projects and Items) as a follow-up to Council Policy #2 previously adopted by the Council. This policy addresses procedures, required information, and other information to be provided to the Council when the subject acquisitions are requested for approval by the Council. If the Council has an interest in adoption of the policy, review by the Finance Director and City Attorney will follow to add any language they may find appropriate.”

Council requested that this policy be reviewed by the City Attorney and the CPA and bring back with their recommendations.

7.9. CONSIDER APPOINTMENTS TO PLANNING & ZONING COMMISSION

MOTION: APPOINT FLOYD GENE MCLENDON JR. TO FILL THE VACANCY ON THE COMMISSION.

MADE BY: Council Member McNeal
SECONDED BY: Council Member Purdy
APPROVAL: Motion failed by a vote of 2-3

MOTION: APPOINT BRAD MARTIN TO FILL THE VACANCY; REAPPOINT DANIELA SWINDOLL; APPOINT FLOYD GENE MCLENDON JR. AS AN ALTERNATE.

MADE BY: Council Member Tucker
SECONDED BY: Council Member Kipphut
APPROVAL: Motion passed by a vote of 3-2

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

Mayor Short reminded everyone that school is out so they should all be watching for more children out and about. He also commented on the success of the Memorial Day ceremony.

9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

None

10. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 8:27 p.m.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MCLENDON-CHISHOLM, BY AMENDING CHAPTER 1, "GENERAL PROVISIONS", ARTICLE 1.02, "ADMINISTRATION", DIVISION 4, "CITY ADMINISTRATOR", SECTION 1.02.095, "POWERS AND DUTIES" BY DELETING AND REPLACING SUBSECTION (1), AND CHAPTER 1, "GENERAL PROVISIONS", ARTICLE 1.02, "ADMINISTRATION", DIVISION 5, "MUNICIPAL JUDGE, CITY PLANNER AND CITY ENGINEER", SECTION 1.02.121 BY DELETING (b) AND (c) AND CHAPTER 5, "FIRE PREVENTION AND PROTECTION", ARTICLE 5.03, "FIRE AND RESCUE DEPARTMENT", SECTION 5.03.022 BY DELETING AND REPLACING SAID SECTION WITH A NEW SECTION 5.03.002; AND PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of McLendon-Chisholm, Texas, is a general law city incorporated in and operating under the laws of the State of Texas; and

WHEREAS, the City Council has created the position of City Administrator; and

WHEREAS, with these regulations, the City Council has determined it is in the best interests of the community to amend the Code of Ordinances to better enable the City Administrator to function and perform the job duties assigned to the position.

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

SECTION 1. FINDINGS OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2.

That Chapter 1, "General Provisions", Article 1.02, "Administration", Division 4., "City Administrator", Section 1.02.095, "Powers and Duties", by deleting and replacing subsection (1) and Chapter 1, "General Provisions", Article 1.02, "Administration", Division 5, "Municipal Judge, City Planner and City Engineer", Section 1.02.121 by deleting subsections (b) and (c), and Chapter 5, "Fire Prevention and Protection", Article 5.03, "Fire and Rescue Department", Section. 5.03.002, "Fire Chief", and which shall read as follows:

"...

Chapter 1. General Provisions

...

Article 1.02. Administration

...

Division 4. City Administrator

Section 1.02.095, Powers and Duties

- (1) Hire, terminate and otherwise discipline any city employee as the Administrator determines appropriate.

...

Division 5. Municipal Judge

...

Section 5.03.002. Fire Chief.

The fire chief shall be the executive head of the department. The fire chief shall be hired at the discretion of the City Administrator. The fire chief shall be selected based on his/her training, experience, executive and administrative qualifications and overall merit and fitness and hold head of department certification by the Texas Commission on Fire Protection.

...”

SECTION 3. INCORPORATION INTO THE CODE.

This Ordinance is hereby incorporated and made a part of the McLendon-Chisholm City Code of Ordinances.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of McLendon-Chisholm.

SECTION 5. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of McLendon-Chisholm, Texas, declares that it would have passed each and every part of the same notwithstanding the

omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

DULY ADOPTED by the City Council of the City of McLendon-Chisholm, Texas, on the __ day of July 2022.

APPROVED:

Keith Short, Mayor

ATTEST:

Rochelle Green, City Secretary



City of McLendon-Chisholm
Staff Report

Date:

July 12, 2022

Agenda Item:

6.2 Consider approval of City Council Policy #3

Background:

City Council Policy #3 was presented to the Council at the May 28, 2022 meeting. At that time staff was directed to forward to the City Attorney and City CPA for their review and recommendations.

Both consultants have reviewed the plan and it is attached with their recommended changes.

Shelly Green, City Secretary

City of McLendon-Chisholm

Policy of Mayor and City Council

City Council Policy #3: **Policy for Funding Acquisition of Large Capital Investment Projects and Items**

Adopted: _____

Purpose:

The purpose of this policy is to establish the requisite level of information required by the Mayor and Council to consider approval of proposed acquisitions of Large Capital Investment Projects and Items. The policy applies to any projects and/acquisitions equal to or in excess of twenty-five thousand dollars (\$25,000), or to a related group of like capital investment projects and/or items which in the aggregate total twenty-five thousand dollars (-\$25,000) or more.

Process

-Acquisitions covered by this policy may include, for example but are not limited to: wastewater infrastructure, municipal buildings or building renovation, streets and drainage, and other infrastructure. These types of acquisitions and projects are generally more appropriate for consideration as a part of the Annual Operating Budget development process. Requests made through said budget process shall be accompanied by a description of the proposed acquisitions, documentation of the need for approval of the acquisition, and a recommendation from the City Administrator and the City Finance Director (or appropriate consultant) as to the proposed source of funding for the acquisitions. Their-Any proposal must also be accompanied by estimated costs associated with required design and construction services. The City Administrator shall propose a method of selection for consultants required for design and construction services based on the nature and specifics of the project/s proposed. Approval for said design and construction services require City Council authorization. Said acquisitions must be secured under the terms of applicable State Law and contracts for same shall require approval of the City Council.

Recommendations related to the proposed source of funding for applicable acquisitions shall include a basic analysis of the following alternatives in addition to the recommendations made by the City Administrator and the Finance Director (or consultant):

Cash purchase funded by Current Revenue

Cash purchase funded from Cash Reserves

Short term notes with a term consistent with the life expectancy of the proposed acquisition

Other funding alternatives as may be applicable consistent with life expectancy of the proposed acquisition or project

Prior to proceeding with approved projects, the City Administrator shall recommend, and the City Council shall approve-consider approving the mechanism through which the projects will implemented or constructed which may include, but not necessarily be limited to, the following alternative methods:

|

General Contract

Construction Management at Risk

Construction Management – Agency

Design and Build

Participation in Oversizing and/or cost-sharing with other agencies or developers

Other appropriate methods

If the request for consideration is being made at any time other than as a part of the Annual Operating Budget development process, the same information noted above shall be provided to the Mayor and Council, and a justification of the need to make the acquisition as an amendment to the Annual Operating Budget shall also be provided.

City Administrator Certification:

The proposed policy is proposed by: Council Member Tucker

Signature

Date

City Attorney Certification:

Signature

Date

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM ON _____:

Mayor

Signature

Date

1

Memorandum

July 5, 2022

TO : Mayor and Council
FROM : Rick Crowley, Interim City Administrator
SUBJECT : Agenda Item: Rockwall County Emergency Services Corporation Budgets

Council Member McNeil and I attended the June meeting of the Rockwall County Emergency Services Corporation. At this meeting the proposed budgets for the ESC were submitted to members of the Corporation along with allocations to the member entities. Member entities, including the City of McLendon-Chisholm, pay proportionate shares of the cost to operate the ESC based on established allocation methodology. These proposed budgets are attached to the Council packet information for your consideration.

There are three ESC budgets in which the City of McLendon-Chisholm participates and, therefore, must pay its proportionate share of operating costs. These include the Ambulance Services Budget (provides ambulance services in the City and the County), the Emergency Services Corporation Budget (provides the Office of Emergency Management serving the County and each City related to emergency services planning, operations, and management of various functions), and the ESC Administrative Budget (for this year only includes flat fees to each entity to pay for the annual audit.) McLendon-Chisholm does not participate in the Law Enforcement Firing Range since we do not have a police department, so no costs are allocated to the City for that program. Total budgets and the City of McLendon-Chisholm's allocation for applicable programs are:

Ambulance Budget

Total Budget*	\$ 15,000	
McLendon-Chisholm Allocation		\$ 277.86

ESC Budget

Total Budget	\$349,888	
McLendon-Chisholm Allocation		\$ 6,486.38

ESC Administrative Services Budget

Total Budget	\$ 6,000	
McLendon-Chisholm Allocation		\$ 750.00

McLendon-Chisholm Allocation Total

\$7,514.24

*While the ambulance service continues to be operated on a “zero subsidy paid to the contractor basis”, the ESC proposes to budget \$15,000 for consulting services to assist in the interim evaluation of the existing contract toward an upcoming contract renewal/provider selection effort.

The **purpose of this agenda item** is to provide an opportunity for the Mayor and Council to review the proposed budgets prior to the consideration of their adoption by the ESC board which will likely occur at the July meeting. If the Mayor and Council have any concerns about the proposed budget or the allocations to the City of McLendon-Chisholm, those should be provided to Council Member McNeil at this meeting so that he can address those with the corporation board prior to adoption. If not, it is likely that the proposed budgets will be adopted. The allocations are consistent with the Corporations by-laws and contracts, and the number appear quite reasonable.

I have taken the liberty of forwarding the proposed budgets to Ray Smith, CPA (City’s consulting Finance Director) for inclusion the City’s 2023 Annual Operating Budgets. If changes are made to the budget as it is adopted by the ESC Board, Mr. Smith should be notified so that corresponding changes can be made in the City’s proposed budget.



COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION ADMINISTRATIVE / OPERATING BUDGET

PROPOSED FY 2023
(Oct. 1, 2022- Sept. 30, 2023)

Available Fund Balance	0
Revenues	
Sponsor Contributions	6,000
Total Revenues and Fund Balance	6,000
Expenses	
Annual Audit	5,250
Computer Software	600
Office Supplies & Printing	150
Total Expenses	6,000

Allocation Methodology – split equally between all participants

Proposed 06/15/22
1 of 2

Expense Allocation

PROPOSED FY 2023

<u>Entity</u>	<u>Amount</u>
City of Fate	750.00
City of Heath	750.00
City of McLendon Chisholm	750.00
Mobile City	750.00
City of Rockwall	750.00
Rockwall County	750.00
City of Rowlett	750.00
City of Royse City	750.00
<u>Total Contributions:</u>	6,000.00

ADOPTED AND APPROVED this ____ day of ____, 2022.

President, Board of Directors
County of Rockwall ES Corporation

ATTEST:

Secretary, Board of Directors
County of Rockwall ES Corporation

Proposed 06/15/22
2 of 2



COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION EMERGENCY MANAGEMENT BUDGET

ADOPTED FY 2023
(Oct. 1, 2022 - Sept. 30, 2023)

Revenues	
ESC Available Fund Balance	0
Sponsor Contributions	349,888
Total Revenues and Fund Balance:	349,888
Recurring Expenses	
Salaries & Benefits	299,950
Training & Travel	300
Dues & Subscriptions	1,000
Uniforms	350
Auto Insurance	2,678
Fuel & Vehicle Maintenance	5,000
Telephone Communications	1,800
Postage	100
Equipment Repairs	200
Office Supplies	600
Office Chair Replacements	1,500
Vehicle Replacement (2010 F150)	<u>36,410</u>
Total Expenses	349,888

Allocation Methodology		
Rockwall County		50%
Fate	22,890	21.80%
Heath	9,890	9.42%
McLendon Chisholm	3,890	3.70%
Mobile City	218	.21%
Rockwall	49,300	46.95%
Royse City	18,810	17.92%

Proposed 06/15/22
1 of 2

Expense Allocation

ADOPTED FY 2023

<u>Entity</u>	<u>Amount</u>
Sponsor Contributions	
City of Fate	38,138.52
City of Heath	16,478.37
City of McLendon Chisholm	6481.38
Mobile City	363.22
City of Rockwall	82,141.94
City of Royse City	31,340.56
Rockwall County	174,944.00
Total Contributions	349,888

ADOPTED AND APPROVED this ____ day of _____ 2022

President, Board of Directors
County of Rockwall ES Corporation

ATTEST:

Secretary, Board of Directors
County of Rockwall ES Corporation

Proposed 06/15/22
2 of 2



COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION AMBULANCE BUDGET

PROPOSED FY 2023
(Oct. 1, 2022 - Sept. 30, 2023)

Available Fund Balance	0
Revenues	
Sponsor Contributions	15,000
Total Revenues and Fund Balance	15,000
Expenses	
Consulting	15,000
Total Expenses	15,000

Allocation Methodology		
Rockwall County		50%
Fate	22,890	21.80%
Heath	9,890	9.42%
McLendon Chisholm	3,890	3.70%
Mobile City	218	.21%
Rockwall	49,300	46.95%
Royse City	18,810	17.92%

Proposed 6/15/22
1 of 2

Expense Allocation

PROPOSED FY 2023

<u>Entity</u>	<u>Amount</u>
City of Fate	1,635.03
City of Heath	706.44
City of McLendon Chisholm	277.86
Mobile City	15.57
City of Rockwall	3,521.50
City of Royse City	1,343.60
Rockwall County	7,500.00
<u>Total Contributions:</u>	15,000

ADOPTED AND APPROVED this ____ day of _____ 2022.

President, Board of Directors
County of Rockwall ES Corporation

ATTEST:

Secretary, Board of Directors
County of Rockwall ES Corporation

Proposed 6/15/22
2 of 2



City of McLendon-Chisholm
Staff Report

Date:

July 12, 2022

Agenda Item:

6.4 Review, evaluation, ratification, elimination, and/or amendment to previously adopted City Council policies

Background:

On May 10, 2022, the City Council approved two policies to provide guidance to city staff on various items. Policy No. 1 provides direction to the City Secretary to present the previously adopted City Council Policies to the City Council annually for their review, evaluation, ratification, elimination, and/or amendment. This review should be scheduled each year after City Officer election at the second meeting after a new Council has been seated.

The Mayor, any City Council Member, the City Administrator, or the City Attorney may request the reevaluation of any adopted City Council Policy at any time by requesting that the Mayor include said consideration on a City Council agenda. The reevaluation may result in repeal, amendment, or replacement as may be authorized by a majority vote of the City Council.

I have attached the two policies that were adopted on May 10th for your review. You may also consider Policy #3 if it is approved at the July 12th meeting.

Shelly Green, City Secretary

City of McLendon-Chisholm
Policy of Mayor and City Council
City Council Policy #1: Mayor and City Council Policies
Adopted: May 10, 2022

Purpose:

The purpose of this policy is to establish a framework for approval, documentation, and continuing evaluation of policies adopted by the City Council of the City of McLendon-Chisholm. These policies, which may be amended at the discretion of the City Council from time to time, constitute a directive established by the City Council and, with regard to the subjects covered therein, provide a purpose and process by which adopted policies are implemented. Adopted policies are the directives of the Mayor and Council on matters of policy that are deemed worthy of written documentation.

Process

Policies proposed for consideration by the Mayor and Council which do not require significant costs for development may be proposed by:

The Mayor

Any City Council Member

The City Administrator

The City Attorney

Upon the proposal of a proposed policy by any officer of the City noted above, the City Administrator is directed to draft the proposed policy within a reasonable period of time for presentation to the Mayor and Council for their consideration. If a proposed policy requires significant costs to develop and funds for same are not specifically included in the Annual Operating Budget of the City, the costs associated with policy development must be presented to the Mayor and Council for a determination if the costs associated will be authorized. The City Administrator shall provide an estimate of policy development costs for consideration by the Mayor and Council.

A majority vote of the City Council shall be required to adopt a City Council Policy.

Upon adoption of a City Council policy, the City Secretary is directed to be the custodian of such policy and shall keep all such adopted policies available in hardcopy and in digital format. The City Secretary is also directed to present all previously adopted City Council policies to the City Council annually for their review, evaluation, ratification, elimination, and/or amendment. The City Secretary shall present said previously adopted policies to the Council for these purposes each year after each City Officer election at the second meeting after a new Council has been seated. If there are no new Council Members seated or no contested election, the presentation of existing policies shall be presented to the Mayor and Council at the second meeting after Council Members have been sworn in for new terms.

City of McLendon-Chisholm

Policy of Mayor and City Council

City Council Policy #2: Policy for Funding Acquisition of Vehicles and Major Equipment

Adopted: May 10, 2022

Purpose:

The purpose of this policy is to establish the information required by the Mayor and Council to consider approval of proposed acquisitions of vehicles and major equipment. Major equipment is defined as any singular item with an estimated useful life of one or more years with a cost equal to or greater than five thousand dollars (\$5,000). This policy applies to the acquisition of any vehicle and to the acquisition of one or more like-kind major equipment item/s where the total cost of said purchase is equal to or in excess of twenty-five thousand dollars (\$25,000).

Process

Requests for consideration of acquisition of vehicles and major equipment as defined above are generally more appropriate for consideration as a part of the Annual Operating Budget development process. Requests made through said budget process shall be accompanied by a description of the proposed acquisitions, documentation of the need for approval of the acquisition, and a recommendation from the City Administrator and the City Finance Director (or consultant) as to the proposed source of funding for the acquisitions.

Recommendations related to the proposed source of funding for applicable acquisitions shall include a basic analysis of the following alternatives:

Cash purchase funded by Current Revenue

Cash purchase funded from Cash Reserves

Short term notes with a term consistent with the life expectancy of the proposed acquisition

Other funding alternatives as may be applicable consistent with life expectancy of the proposed acquisition

If the request for consideration is being made at any time other than as a part of the Annual Operating Budget development process, the same information noted above shall be provided to the Mayor and Council, and a justification of the need to make the acquisition as an amendment to the Annual Operating Budget shall also be provided.

City Administrator Certification:

The proposed policy is proposed by: **Rick Crowley**


Signature


Date

City Attorney Certification:

Signature

Date

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM ON MAY 10, 2022.

Mayor


Signature

Date



City of McLendon-Chisholm
Staff Report

Date:

July 12, 2022

Agenda Item:

6.5 Reappointment of Members to Board of Adjustment

Background:

Two members of the Board of Adjustment have terms which expired June 30, 2022. They would both like to remain on the Board.

Beverly Stibbens and Melody Osario are both requesting to be reappointed.

Shelly Green, City Secretary