



CITY COUNCIL
City of McLendon-Chisholm, Texas
Regular Meeting Minutes
July 11, 2017

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, July 11, 2017, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Robert Steinhagen	Mayor
Adrienne Balkum	Council Member
James Herren	Council Member
Wayne Orchard	Mayor Pro Tem
Sim Woodham	Council Member (Absent)
Scott Turnbull	Council Member

Staff Present:	David Butler	City Administrator
	Lisa Palomba	City Secretary
	David Paschall	City Attorney

- 1. Mayor Steinhagen called the meeting to order at 6:33 p.m.**
- 2. Council Member Herren delivered the Invocation. Recitation of the Pledge of Allegiance to the United States and Texas flags followed the Invocation.**
- 3. Mayor Steinhagen welcomed those attending the meeting and those viewing the meeting online via Facebook Live. Mayor Steinhagen then reviewed Council Meeting Guidelines including Rules of Decorum.**

4. Citizens Comments.

Mark Kipphut, 31 Fireside Drive, McLendon-Chisholm, commented that he is Treasurer of his Home Owners Association. He is representing 94 property owners of Chisholm Crossing Phase One and Phase Two. Kipphut expressed gratitude toward Mayor Steinhagen and City Administrator Butler for their support in stating the needs for TxDOT to include a dedicated turn lane for his community's entrance adjacent to State Highway 205 which is in the final design and construction phase of the State Highway 205 Expansion Project. Kipphut explained that he approached TxDOT several times using their process by attending public meetings and submitting written requests. When these failed to gain a clear response from TxDOT, he had a private meeting on June 30, 2017 with Ms. Nancy Peron, TxDOT SH 205 Expansion Project Manager. Kipphut explained how Peron detailed a process that starts with the City of McLendon-Chisholm stating a requirement. Kipphut said that timing is of the essence as the project is near the end of its preliminary design phase. Kipphut met with Butler on July 6, 2017 and at Butler's request submitted a letter stating the requirement and now his understanding is

the Mayor intends to sign the letter for supporting this request to TxDOT. Currently residents and visitors use the existing shoulder on the south bound side of SH 205 as an ad hoc turn lane to allow access to the development; The planned design of four lanes and urban curbs removes this option and will require drivers to decelerate in 45-55 mph traffic to make a right-hand turn creating an obvious safety concern. Further, Kipphut explained that It will also impede the flow of traffic and therefore conflicts with the Rockwall County and City of McLendon-Chisholm Thoroughfare Plan.

5. City Council Minutes of May 25, 2017 and June 27, 2017. Mayor Pro Tem Orchard asked if the minutes had been amended. City Secretary Lisa Palomba indicated that Mayor Steinhagen provided suggested amendments to Minutes of May 25 and June 27 which were provided to Council Members in their packets. Orchard moved to approve the Minutes of May 25, 2017 and June 27, 2017 as amended. Council Member Turnbull seconded the motion. **A vote was cast and the motion carried by unanimous consent (Woodham, absent).**

The Mayor noted that Council Member Woodham is ill this evening and unable to attend the meeting. His absence is excused.

6. Misinterpretations and Misrepresentations of the State of the City Address. **Mayor Steinhagen made the following remarks regarding the State of the City Address delivered on June 27, 2017:** *Over that past two weeks I have been inundated by emails, hand-written letters and phone calls from citizens who are commenting to me about a slew of recent social media posts that are completely devoid of truth. As of today, I've received 112 emails, six letters and countless phone calls, not one of which was negative towards me or the City Council.*

Last month I responded to a social media post written by a citizen of McLendon-Chisholm in hopes that the misinformation they were presenting was based on misunderstanding only to discover how indifferent and unaffected they are by facts or truth. It was a post where I answered an unfounded accusation, fully expecting gratitude, even embarrassment, for correcting the misunderstanding. Instead, their response focused on a different topic where they levied another baseless accusation towards me, which again, I responded with the facts of evidence to correct what I assumed was another misunderstanding. Brushing aside my reputation, they lobbed another assault in my direction on another completely different topic, which was the precise moment in time when I realized that responding to this individual, and those like them, was like mud wrestling a pig in that we both get muddy but the pig actually likes it.

Irony of ironies, these latest attacks come on the heels of my State of the City address, where I spent a considerable amount of time addressing the fundamentals of representative government and the steps that we have taken as a City Council to ensure that the voice of the majority rules. And still the unrelenting shrill voices of a vocal minority, many of whom aren't even citizens of McLendon-Chisholm, demonstrate by the fallacious rhetoric they extoll, how intent they are to demonize those of us on the Council that represent the quiet majority of citizens.

Those who cast aspersions on us hate our efforts to limit the size and scope of our city government while we protect the wide-open spaces and more rural lifestyle the overwhelming majority of the people have expressed, through a survey and through their votes in elections, is one of the most important reasons why they choose to live here and one of the most important things that they want to see us protect.

Carl Marx said that the best way to gain power is to divide communities against one another, which is precisely the tactic being employed by the same individual that I referred to previously.

Yet this effort has had the opposite effect. Instead of revolts, citizens have closed ranks and expressed overwhelming support for this City Council to stand its ground.

The majority of the people who live in M-C are just like most conservatives around the nation who have sat quietly as leftist liberals lay a gauntlet of shrill rhetoric that is intended to subvert the will of the majority by shouting-down and ridiculing anyone who may disagree.

Last year's presidential election exemplifies this point, for that was when the voice of that quiet majority was deafening to the liberal left as Donald Trump won an election that no one seemed to believe he could or would win. They sat shell-shocked the night that American patriots took back their country, unambiguously rebuking the media's one sided and highly distorted reporting.

Unrelentingly, the liberal left has doubled its efforts to snatch back control of our country from the jaws of defeat and destroy a President that, like this City Council, continues to fulfill the promises made.

Then as now the overwhelming majority of the people in M-C sit and read the baseless scurrilous attacks against us and shake their head. They don't respond to incendiary posts on social media because they don't want to be castigated by the cyber-tyrants who try to create the misimpression that they, as un-elected, self-appointed, self-righteous, know it all's, somehow better represent the people of this City than we do.

Let me share some empirically based facts that will serve to correct just a few of the outrageously fallacious and libelous statements that have been made about me, this Council and City officials.

First, to fulfill the unexpired term of the former mayor who resigned from office, as an elected representative on the City Council, I was appointed by a unanimous vote of the City Council, a vote in which state law prohibited me from participating. I participated in neither the vote nor the discussion to appoint me as Mayor. Therefore, I am a duly appointed, not self-appointed, mayor.

Next, a dictatorship exists when those in power care not about the voice or opinions of the people, but instead efforts to suppress the majority's voice where the only opinion that matters is held by the person in power. Dictators care not about truth or facts of evidence but only in revealing their own mind, which is sovereign and supreme.

The expressed powers of a mayor and city council for a general law type A city, such as ours, are established not by those of us in power, but by the state of Texas. Add to that the actions of this Council to constrain its own powers in an ongoing effort to limit the size and scope of the City government, enhance transparency, amplify the voice of the people, and ensure that the opinion of the majority shall not be undermined by the few. Further, this Council has already taken steps to restrict obstacles to liberty for what people can do on their own property, and has set an agenda to identify where the shackles of government over-reach inhibits that liberty so that the process to remove those restraints from the people can move forward.

Contrast that to what's being propagated recently on social media by those whose points of view, like that of any Marxists pinning to grab power by any means necessary, are presented as irrefutable. They shout-down, castigate, and vilify anyone who may disagree with their point of view.

Most telling of all is how the efforts to distort the words and actions of me and the City Council better reflect the views of those who pen the baseless accusations. This demonstrates how clearly these individuals understand their views contradict that of the majority, which is why the only way for them to take power is to attribute unfounded and fallacious facts that are in direct contrast to our words and actions.

However, this City Council demonstrates the convictions of its collective belief in limited-government and personal liberty through its actions, not through empty rhetoric.

Now I do want to take time to speak to one post that truly infuriated me especially because it impugned the character and reputation of City officials which would include our City Administrator, Dave Butler.

There was no decision not to lower the flags last week to half-mast in honor of the brave five Dallas Police Officers who were slain in the line of duty on July 7, 2017, however one post last week asserted that there was. Dave Butler is a retired police officer, He is also a Medal of Valor recipient for dedicated service to the communities he served. He was the first Medal of Honor recipient for that community. Additionally, Dave Butler, just a few months after the Dallas Police Officers were killed on duty, attended the funeral of another officer, someone that he trained, who was slain in the line duty. Additionally, Council Member Woodham is a Dallas Police Officer. Mike Smith was one of the officers killed in the line of duty on July 7, 2016. Officer Smith was a friend of mine who attended Watermark Church. For someone to accuse the City Council or Dave Butler of not respecting or observing this event is beyond galling...on another note, a Dart Police Detective was seriously injured in a serious motorcycle crash while on duty last

October. There will be a fund raiser at Dickey's BBQ tomorrow, and a portion on the proceeds will go to the officer. Please show your support for Officer Ellis.

Mayor Pro Tem Orchard also remarked regarding the fundraiser for Officer Ellis. Orchard mentioned the hours will be tomorrow from 11-2. Orchard made remarks regarding people who comment on social media in a negative manner. Orchard indicated he will respond to people and encouraged people to contact him if they have issues to discuss but he will not argue through social media. Orchard also mentioned that Council is trying to fulfill the mission statement. Orchard commented that we may disagree and that is okay but communication is key. Orchard stated that he lives in McLendon-Chisholm because people look out for one another. Orchard wants his children to grow up here and feel safe. People are trying to drive a wedge in the community. People have power over others when using social media. A negative comment can trigger a landslide of other negative comments from what people read and all that negativity spreads. Orchard encouraged people to be responsible when posting on social media. If anyone has a disagreement with a Council Member, please contact one of us.

Council Member Turnbull also made comments including: *Council members don't always have to agree. Nor are Council Members blindly following the Mayor without thinking, as some citizens have posted on social media. I stood in front of the previous Council, on two separate occasions, to strongly urged them to leave the Mayor's seat open rather than fill it by appointment. When the Council addressed the issue of filling the Council seat left vacant by Steinhagen's appointment as Mayor again I voted against filling by appointment on two different occasions. These votes were in direct opposition to Steinhagen's position on the issue. When the motion to fill by appointment passed, I nominated and voted to appoint Sim Woodham to fill the vacant seat. Council Member Turnbull echoed Mayor Pro Tem Orchard's words and encouraged citizens to contact him or anyone on Council if there are issues to be discussed.*

Council Member Balkum read the following statement: *I would like to address some of the recent comments by both citizens of McLendon-Chisholm and some surrounding neighbors on social media.*

To begin, we as a Council would like to thank the citizens for your concerns and for your involvement in this democratic process. Make no mistake, community involvement has always been, and will always be a top priority of Mayor Steinhagen and all current Council Members. I want to take a moment to remind the citizens of M-C just why then Council Member Steinhagen, Council Member Orchard, and Mayor Nathan Hodges all won landslide victories against the incumbent council members and mayor. Recall the tax rollback election, led by Mr. Steinhagen, voted and passed by citizens of M-C after the previous council passed a 108% tax increase to fund a city hall building with little to no communication with the people of McLendon-Chisholm. Citizens were angry about the previous council's perceived lack of communication, lack of online information, etc. Citizens were angry because we all felt that the Council was acting, not on behalf of the citizens, but according to their own agenda.

Fast forward to 2017. These same councilmen, who fought two years ago for a representative government for M-C, on behalf of the people, are now being accused of some of the very things they have fought and are actively fighting against. Just as a reminder, here are a few of the changes made in the past two years. The City website has been updated and is maintained with current information. Excluding the ordinances. We are in the process of revamping the City website with a newer version that will be able to meet newer communication needs. All I can say is, I am personally involved and am putting forth my efforts to accomplish this. On our City of McLendon-Chisholm Facebook Fan Page we are broadcasting our City Council meetings live. Not all are perfect with audio. But we are making the effort to think about cost effective ways for citizens to be able to check in at their leisure to be informed. This is one of our ways of reaching those who are not able to attend for whatever their personal reasons are. A city survey was sent to gain insight into the wants and needs of the citizens, and another one is now being drafted. We are trying to accomplish this by establishing, affirming, and communicating a clear vision for the City that quashes unwanted urbanization and bolsters a smaller more rural community culture. If protecting the quality of life of its current citizens is a priority then City leaders must find ways to influence newcomers before they commit to move into the community. So how can we do this? I am producing information that will speak to those interested in moving to MC. It's a pretty extraordinary project that has never been done before. I'm calling it the City Reel. I want all the neighborhoods in McLendon-Chisholm to be involved in this project to share your stories, to promote your strengths, to highlight the history, to tell a story that you want people to know about the place you call home. This is our home. Let's be proud of it. I love and I agree with what Evan Tate said at a recent fundraiser for the Open Spaces Alliance BBQ. "No one is foolish enough to think that we need to stop growth, but we need to control growth and maintain the quality of life we have and have always had in Rockwall County." Several County and City Officials were there. Including Rockwall Mayor Jim Pruitt.

I'm not saying we are against growth, but we need to have good plans. I am in the process of working with HOAs and other association leadership. We are going to host our first meeting with these leaders and board members July 27 from 7pm to 9pm. Those invitations will be hitting your inboxes soon. There are so many other things that I don't have time to mention here. The Cyberbullying and the stories that are being made up are frankly disgusting. To those who tear down and belittle... what you say has very little weight since your reputation has been proven to be unreliable. Your reputation has fallen short. I prioritize my day by asking myself how I can help my neighbor or the City. I don't spend my day tearing down volunteers, property management companies, builders, developers, City leadership in MC, Rockwall, etc. I am here to stand up against bullies. That's how I got to where I am today. I believe my point is clear. We, as a Council, have been elected to represent the citizens of M-C to the best of our ability, and we are doing just that.

We beg citizens to get involved, to vote, to participate in the survey, etc. However, in the last election a mere 150 ballots were cast. Less than 30% of citizens participated in the city survey. 1752 survey invitations and only 505 completed the survey. We truly

appreciate those who took the time and are trying to be actively involved. You are truly making a difference in our community. To the rest of those, hiding behind keyboards, throwing baseless accusations, spreading falsehoods...social media is not the place to go if you want something done differently. There are processes in place. There are avenues available if you want true change. Social media is a great place to speak, but not to act. It's easy to ridicule someone on social media, but very difficult to go through all the pain and sacrifice it takes to become a part of city government.

We assure you that we receive hundreds of communications from citizens of McLendon-Chisholm who are behind us...who are thanking us for doing our best to represent them...who appreciate the work that is being done. Again, none of us are paid. There are no hidden agendas or nefarious schemes (at least, none of which I am aware). We are just citizens of this great town, and we have dedicated ourselves to maintaining its allure and representing its people fairly.

Mayor Steinhagen remarked that he agreed with Balkum's comments. Steinhagen appreciates Balkum for her efforts to bring the HOAs together.

Mayor Steinhagen moved ahead to Item 8.

8. Request for Qualifications for Professional Auditing Services. Mayor Steinhagen recognized Deborah Pyle for serving on the Audit Review Committee as Pyle approached the podium. Steinhagen remarked that the committee intends to pursue a search for a new audit firm to audit the City's accounts while the Sonoma Public Improvement District (PID) auditors will remain in place. Pyle likes the idea of putting out a Request for Proposal (RFP) to get fresh eyes. However, RFPs are time consuming and require lots of feedback to create. Pyle is apprehensive that a search is too late in coming for this year's audit. Pyle indicated that securing an audit firm could take three to six months. Balkum asked questions regarding involvement of volunteers. Pyle indicated the ad hoc committee has only met twice but everyone on the committee has attended at least one meeting. Pyle indicated there is not a lot of structure with the ad hoc committee. Steinhagen suggested keeping the current audit firm one more year and to make a change in audit firms the following year. Steinhagen asked Council Member Turnbull for his thoughts regarding the subject. Turnbull indicated that he agreed with Steinhagen on keeping the same audit firm one more year. Council Members also discussed bringing forth an ordinance for consideration in establishing a standing Audit Review Committee and Audit Review Charter.

7. Landscaping and Improvement Proposals. City Administrator Dave Butler suggested postponement of this item as not all the design drawings have been received by the landscaping vendors. Council concurred to postpone consideration of the item until such a time as all designs are submitted.

9. Preparation for upcoming Special Budget Meeting. A Special Budget Meeting will be held July 18, 2017. Council Member Turnbull noted that seven different line items in the budget account for approximately 80% of expenditures. Turnbull expressed

importance of efficient workflow and suggested inviting vendors to attend a Council Meeting to discuss service contracts. Ray Smith, David Paschall and Michael Coker may not need to attend the same meetings as the other vendors as they are often in attendance at Council Meetings. Orchard commented that the City is growing and there is a need to adapt services to reach optimal efficiency and customer service. Steinhagen commented regarding transparency during the budgeting process and Herren discussed streamlining services and processes for optimal service and efficiency. Council Member Turnbull will send the list of vendors to City Administrator Butler who will contact vendors to arrange a meeting with Council.

10. Citizen Survey. Steinhagen announced a Special Work Session will be held July 13, 2017 to develop content and timing of the upcoming Citizen Survey. Steinhagen invited citizens to send in questions they would like to see on the Citizen Survey and encouraged citizen participation at the meeting. Steinhagen also encouraged Council Members to send questions to him ahead of the July 13, 2017 meeting as to expedite the meeting.

11. City Council Meeting Time Change. City Attorney Paschall provided general information regarding regular meetings, closed meetings, special meetings and the need for a quorum for each type of meeting. Council Members exchanged concerns regarding difficulties of attending an earlier meeting time. It was determined to retain the current City Council Meeting schedule with a regular start time of 6:30 p.m.

12. Council Member Reports.

a. Communications. Council Member Balkum provided an update regarding the new website and will have more information at the next Council Meeting about a timeline for the website to go live. Balkum also announced an upcoming HOA Leaders Meeting scheduled at City Hall on July 27, 2017 from 7-9 p.m. She also made remarks about Facebook Live Broadcasts, City Reel, and producing promotional videos showcasing McLendon-Chisholm neighborhoods and the City's rural values and lifestyle. Steinhagen suggested developing an email policy.

Council moved to Item 12f.

f. McLendon-Chisholm Volunteer Fire Department (MCVFD) Meeting Update. Council Member Turnbull described his recent visit with Lt. Herman Larkin with the McLendon-Chisholm Volunteer Fire Department. Turnbull made positive comments regarding the tour of operations; MCVFD members paying for their own training courses; heavy equipment and apparatus worn by firefighters. Turnbull also stated that he asked MCVFD personnel for several years of documents and that fire personnel were very cooperative and all documents were delivered.

b. Budget, Finance and Investment. Council Member Turnbull commented that he was still reviewing the Investment Policy and information and recommendations will be forthcoming. Turnbull did comment that he will be seeking low risk investments but

investments with a higher rate of return. Streamlining the collecting and reporting of funds between the City and Sonoma PID Administration.

c. Roads and Transportation. Council Member Herren announced that Texas Department of Transportation (TxDOT) will be hosting a public meeting on July 20, 2017 to accept comments for the development of the 2018 Unified Transportation Program (UTP). UTP is TxDOT's 10-year plan to guide transportation development for future construction projects and related activities. Comments will be accepted until August 21, 2017, at 4 p.m. Information regarding the meeting will be added to the City website. Mayor Steinhagen recognized BOA Member Beverly Stibbens, who commented favorably regarding a November 2017 completion date for work on FM 1139.

d. Code of Ordinance Updates. Mayor Steinhagen announced that Council Member Woodham is working on research related to updating the Code of Ordinances. Mayor Steinhagen reported on the Special City Council/Planning & Zoning (P & Z) Commission and Board of Adjustment (BOA) Joint Meeting held July 6, 2017 regarding updates to the Comprehensive Plan. The P & Z will be meeting in August to begin consideration of updates to the Comprehensive Plan which will be forwarded to Council.

e. Severn Trent Meeting Update. Council Member Balkum provided information regarding a recent meeting held with Clay Taylor, Regional Director of Severn Trent. Severn Trent provides sewer services to the Sonoma Verde subdivision. At the meeting, it was discussed that the Texas Commission on Environmental Quality (TCEQ) recommends cities require a backflow inspection. Balkum expressed that having a backflow prevention device inspected is for health and safety of the public water supply and suggested the City should require an inspection for new services or whenever there is a change of home ownership. City Administrator Butler commented that it was beneficial for the City to know when ownership has been transferred. Wayne Orchard requested clarification of the purpose of the backflow device. Further discussion included permitting and inspection; adding to the fee schedule; and concern of overregulation.

g. Code of Conduct. Council Members Herren and Balkum discussed the possibility of adding a Code of Conduct as an amendment to the existing Code of Ethics or a stand-alone document. The Code of Conduct would apply to all City employees including salaried employees, contracted employees, volunteers such as appointed board members, vendors or anyone who is representing the City of McLendon-Chisholm. The purpose of the Code of Conduct is to provide expectations for appropriate conduct for those representing the City; penalties for non-compliance and a means for citizens to make a formal complaint. Balkum expressed the Code of Conduct is about accountability. A timeline for presenting a draft to Council was discussed. The proposed Code of Conduct is expected to be presented at the July 25, 2017 Council Meeting.

13. Executive Session: Mayor Steinhagen recessed into Executive Session at 8:15 p.m. in accordance with Texas Local Government Codes:

§551.071 Consultation with Attorney, to conduct a private consultation with the City Attorney to seek advice about pending or contemplated litigation or on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding extraterritorial jurisdiction (ETJ) matters.

14. Mayor Steinhagen reconvened the Regular Meeting at 9:30 p.m.

15. Mayor Steinhagen announced that no action was taken in Executive Session.

16. Adjourn. Council Member Turnbull moved to adjourn the meeting. Council Member Balkum seconded the motion. The motion to adjourn was approved by unanimous consent (Woodham, absent) and the meeting adjourned at 9:30 p.m.

APPROVED:



Robert Steinhagen, Mayor

ATTEST:



Lisa Palomba, City Secretary

