



**CITY COUNCIL**  
**City of McLendon-Chisholm, Texas**  
**Regular Meeting Minutes**  
**July 25, 2017**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, July 25, 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
Scott Turnbull	Council Member

Staff Present:	David Butler	City Administrator
	Lisa Palomba	City Secretary

- 1. Mayor Steinhagen called the meeting to order at 6:48 p.m.**
- 2. Council Member Orchard delivered the Invocation and led the Pledge of Allegiance to the United States and Texas flags.**
- 3. Proclamation – Mayor Steinhagen announced that a Proclamation was scheduled to be presented to McLendon-Chisholm resident Christian Giador.** However, the Proclamation will be postponed until the August 8, 2017 Council Meeting due to a scheduling conflict.
- 4. 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.**
- 5. Citizens Comments.** Mayor Steinhagen opened the floor for Citizen Comments.

McLendon Chisholm Volunteer Fire Department (MCVFD) Lt. Herman Larkin, 8 Greenhollow Lane, addressed Council regarding the following: Larkin mentioned he was unable to attend the last meeting, however, he watched the meeting on Facebook Live; audio is difficult to hear and should be corrected; also commented that the MCVFD is staffed so volunteers have a faster response time but also maintain a reasonable work-life balance; volunteers must remain in the district when on call; scheduled on a rotating basis; handling of multiple calls; members attending training sessions; and provided examples of simultaneous calls handled and ability to respond. Larkin further commented regarding the MCVFD Six Year Plan indicating that the numbers are good due to

extensive planning efforts between the MCVFD and past Councils moving toward City ownership of the MCVFD and noting that although previous council members were voted out of office, the existing plan is still in place. Larkin then addressed the term "premium service" indicating the term was misunderstood at a previous meeting and has been misused against the MCVFD. Larkin clarified what he meant by "Premium" meaning that dedicated volunteers remain in close proximity to respond to calls and Council should remember sacrifices are made by volunteers to serve.

No one else spoke. Steinhagen closed the Citizen Comment period.

**6. Mayor Steinhagen asked if Council Member were ready to vote on the of the July 6, 2017 City Council Special Work Session Minutes and July 11 Regular City Council It was suggested to table the consideration of the Minutes until later in the meeting. There were no objections. The item was tabled.**

**7. Audit Review Committee and Audit Review Charter.** David Paschall provided history and purpose of the existing ad hoc Audit Review Committee and his understanding of the desire for Council to have a standing Audit Review Committee and accompanying Charter. Paschall noted that some information is still undefined in the proposed ordinance and will need to be completed prior to adoption. Steinhagen asked Paschall to confirm Texas Open Meeting Act (TOMA) requirements as it pertains to a standing Audit Committee. Paschall confirmed that a standing Audit Committee must comply with TOMA requiring an agenda to be posted, minutes prepared and Oath of Office by members. In the proposed Ordinance, Council will determine the original Chair and Vice Chair until the committee appoints others to those positions. Balkum questioned terms of office of Chair and Vice Chair, quorum requirements, and noted the proposed ordinance has no penalties for repeated absences. Paschall commented that Council could remove a member at any time. Balkum further commented regarding concerns about the proposed Code of Conduct applying to Audit Committee members or a situation if inappropriate financial information was breached. Paschall remarked that a Committee member could be removed at any time for any reason. Paschall said the Ordinance establishes the Committee and indicated the ordinance refers to the Charter for procedures. Steinhagen asked about appointing a Chair and Vice Chair at Ordinance adoption or a later date. Steinhagen indicated he would like to speak with the current Chair of the ad hoc committee and place the item for on the next agenda for consideration. Balkum asked if Audit Committee members could serve on multiple committees. Paschall indicated that members could serve in other capacities as long as there is not a conflict of interest. Balkum asked if former Council Members could serve on the Audit Committee. Paschall replied that it is possible as currently written. Discussion was held regarding former Council Members serving or serving after a wait period. Number of members was also discussed including the idea of having just three members but no more than five members; concerns of mistrust; and former Council Members prohibited from serving for 2-4 years and must recuse from participation when appropriate. Paschall praised the author of the Charter. Item will be postponed until the next regular meeting.

**8. Code of Conduct.** Council Member Balkum noted the draft document had several typographical errors; language should be simplified; wardrobe policy should be clear; social media should be included and perhaps the City should look at corporate examples of similar policies. Steinhagen commented the following should be addressed in the policy: importance of trustworthiness; gifts and gratuities; conflicts of interests; customer service oriented attitudes; personal appearances and political activity. Herren noted he will add items and amend the draft as necessary and change the order of items within the document. Paschall will review how aspects of social media and political activity should be addressed. The item is postponed for consideration until the August 8, 2017 City Council Meeting.

**9. Landscaping Improvement Proposals.** City Administrator Butler provided information related to new drawings received from landscape companies who bid on landscape improvements for City Hall grounds. Quotes were discussed along with types of plants. Steinhagen recommends Land Art noting their design submission was creative and the company seems knowledgeable regarding which plants will thrive in the environment. Butler encouraged Council to consider the timing of improvements as it is the hottest time of the year and it could be difficult for new plantings to establish. Cut n' Edge's proposed design was also discussed noting they have completed work in the Kingsbridge neighborhood. Turnbull suggested moving the expense to next year's budget and planting in the fall. Current maintenance of City Hall grounds was discussed. Butler indicated the current company will continue routine maintenance such as weeding and mulching. Orchard commented regarding plant warranties. Butler is available to meet with Cut n' Edge to discuss timing, warranties and mulch. Woodham asked for the bid prices again and asked if any of their past work has been reviewed. Turnbull remarked Cut n' Edge has completed projects in Kingsbridge and the work looked well done. Turnbull suggested moving the landscaping improvements into next year's budget. Warranties were further discussed. Orchard remarked regarding specific plants in the bids, mulch and the need for an adjusted bid. Woodham is interested in a good warranty and suggested approval of the most prudent bid. Steinhagen noted that transplanting currently growing plants to other locations on the property is a risk and some loss should be expected but even if just some transplanted plants lived through the process it would save money over having to purchase all new plants. Balkum suggested performing a soil analysis. Butler noted that soil quality is a concern. Orchard noted there are currently many dead trees that need replacing and the quote should be revised to reflect dead tree removal that will have already taken place. Balkum moved to approve a contract with Cut n' Edge for landscaping improvements. Turnbull seconded the motion. Brief discussion was held. Balkum asked for better visuals on proposed improvements. A vote was cast and the motion carried by unanimous consent. Butler will provide an update to Council at a future meeting regarding a revised quote, better visuals and timing of improvements.

Steinhagen called for a recess at 7:55 p.m.

The meeting was reconvened at 8:12 p.m.

Steinhagen moved to Item 11d noting the presence of Kelly Stockburger, Environmental Health Specialist/Designated Representative.

Orchard asked Stockburger to explain services she provides to the City. Stockburger indicated McLendon-Chisholm is one of five cities she represents and described services provided including inspection of public pools, restaurants, food trucks and septic systems. Handling of nuisance odor complaints was discussed relating to response time. Fees for services including her current rate of \$50 per inspection, which Stockburger remarked has not changed since 2001, is comparable to other cities. General discussion was held between Council Members and Stockburger including: mobile food trucks must be permitted; septic systems; pools; drainage issues; mosquitoes and homeowner maintenance of onsite sanitary sewer systems (OSSF). Steinhagen thanked Stockburger for her many years of service to the City and asked Stockburger if she had interest in teaching a class on homeowner maintenance of OSSF systems. Stockburger explained that the TCEQ Auditor felt there might be a conflict of interest and that homeowners wishing to maintain their own systems must be taught by a licensed maintenance contractor and that teaching such a course is really beyond the scope of her role as the City's Designated Representative and she would be overstepping her authority. Further discussion was held regarding a State requirement for homeowners to have OSSF maintenance contracts for the first two years following a new OSSF installation and whether a class was required for homeowners wishing to maintain their own systems. Stockburger confirmed that homeowners maintaining their own system are not required to take a class or certify to maintain their septic systems and the City has no responsibility to keep track of such. Numbers of septic systems in the City and the nuisance odor abatement process was discussed. Council discussed that regardless if a homeowner takes a class or has a maintenance provider home owners are ultimately responsible to ensure their systems are functioning properly. Further discussion was held regarding the possibility of putting a video about OSSF maintenance on the City's new website when it is up and running. Council also discussed that any complaints reported are anonymous and that citizens should call City Hall if a neighboring property owner's septic system has an offensive odor. Steinhagen asked Stockburger if she felt her current arrangement with the City is fair. Stockburger replied that it was a fair arrangement.

#### **Steinhagen moved to Item 10. Citizen Survey.**

**10. Citizen Survey.** Council Members discussed possible question topics of the upcoming Citizen Survey including: where did citizens live prior to McLendon-Chisholm; how long citizens have lived in the City; communications, rural lifestyle; low taxes; Code of Conduct; lot size restrictions; development; controlled growth of City; Open Space Alliance Trails and interconnectivity of trails; and citizen preference for a centralized or decentralized business district along State Hwy. 205. General discussion was held regarding various business district possibilities.

Board of Adjustment Member Beverly Stibbens made remarks to Council regarding existing high standards and strict guidelines for businesses. Screening wall requirements were also addressed.

Other possible survey topics discussed among Council included: grocery stores; growth and build out population; Municipal Judge qualifications and terms; possible appointment of an alternate Municipal Judge; awareness questions; and concealed carry. Considerable discussion was generated reading possible inclusion of questions related to concealed carry. Other items discussion included: outdoor weather warning sirens; Sheriff's Office and services provided; McLendon-Chisholm Volunteer Fire Department questions including: history of the MCVFD; services; calls; fire calls numbers' medical assist calls; funding from City and County taxes; City subsidizing County fire calls and information video to accompany questions.

**Turnbull suggested moving ahead to Item 14. Mayor Steinhagen moved ahead to Item 14. Executive Session.**

Mayor Steinhagen recessed into Executive Session (Closed Meeting) at 10:47 p.m. in accordance with Local Government Code Section 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.

**15. Mayor Steinhagen reconvened the Regular Meeting at 11:12 p.m.**

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

**Mayor Steinhagen returned to Item 10, Citizen Survey, for consideration.**

**Discussion regarding the upcoming Citizen Survey continued.** Council discussed the desire to hear opinions of citizens to determine budgeting needs. Further discussion was held regarding MCVFD questions including calls; staffing times; tax deductible donations and amounts of donations; Citizen of the Year nominees; newsletters; eblasts; identifying potential boards and commission volunteers; and identifying Veterans and other civil service workers including retired and current educators.

**11a. Budget Adoption Calendar.** City Secretary Lisa Palomba explained the timeline for adopting the Budget and Tax Rate for Fiscal Year Ending 2018.

**12a. Communication.** Council Member Balkum commented on City communication efforts including the new website in development including layout; content; organization of the website; public notices; community room calendar and home page. Balkum showed Council some examples of the work in progress and discussed user friendliness regarding updating the new website. It was noted the search function needs improvement needed and possibly adding a page for press releases. Adding local Tax Rates was discussed; Twitter and Instagram use was briefly discussed.

**12b. Budget, Finance and Investment.** No comments.

**12c. Roads and Transportation.** Council Member Herren announced there is a Transportation meeting Wednesday, July 26<sup>th</sup>.

**12d. Code of Ordinance Updates.** Council Member Woodham indicated that the updates are a work in progress.

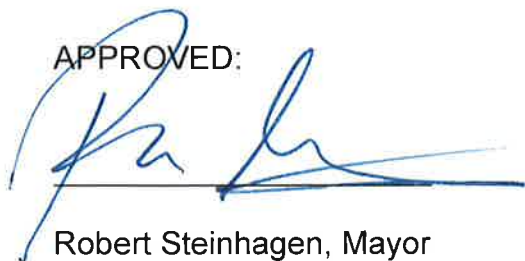
**12e. McLendon-Chisholm Volunteer Fire Department.** Mayor Pro Tem Orchard will meet Wednesday, July 26<sup>th</sup> with Chief Jones and others related to budget.

**12f. Emergency Services Corporation.** Mayor Steinhagen discussed the new Rockwall County EMS Contract which was recently approved. The new contract will include a decrease in response time to more rural areas of the County; a new proposed ambulance location on FM 549 and an effective date of October 1, 2017.

Mayor Steinhagen also reported that he and Council Members Orchard and Balkum recently attending an HOA Meeting at High Point Ranch Estates regarding extraterritorial jurisdiction (ETJ) matters and that High Point Ranch Estate residents were very welcoming and supportive. Steinhagen remarked that he explained the reasoning behind releasing ETJ to Rockwall. Steinhagen also noted that the HOA may be willing to ask their members to support the MCVFD with a \$100 annual assessment. Discussion concluded.

Council Member Turnbull moved to adjourn the meeting, seconded by Council Member Balkum. The motion to adjourn was approved by unanimous consent. **The meeting was adjourned Wednesday, July 26, 12:25 a.m.**

APPROVED:



Robert Steinhagen, Mayor

ATTEST:



Lisa Palomba, City Secretary

