



CITY COUNCIL
City of McLendon-Chisholm, Texas
June 28, 2016
Minutes

City Council Present:	Nathan Hodges	Mayor
	Jerry Klutts	Council Member
	Gary Lovell	Mayor Pro Tem
	Wayne Orchard	Council Member
	Patrick Short	Council Member
	Robert Steinhagen	Council Member
Staff Present:	David Butler	City Administrator
	Stephanie Galanides	City Secretary

Mayor Hodges called the meeting to order, led the recitation of the Pledges of Allegiance to the United States and Texas flags and delivered the invocation at 6:32 p.m.

CITIZENS COMMENTS

Beverly Stibbens, 279 Partridge Drive inquired regarding the reason for adoption of Robert's Rules of Order.

Stu Maberry, 21 Fireside Drive, expressed concerns regarding the conduct of and lack of civility during recent City Council meetings. Maberry asked that the Council conduct business professionally and treat each other and constituents with courtesy and a measure of deference.

Colt Clemens, 1269 Livorno Drive, expressed concerns that monthly sewer fees are overly high and suggested that a method for paying sewer bills at City Hall be established to replace the current remittance procedure established by Severn Trent. Referencing the Texas Department of Transportation Safe Routes to School program, Clemens urged the Council to establish goals to develop safe ways for children to walk or ride bicycles to school and stated his opinion that the City could work with developers and possibly provide incentives to accomplish said goals.

Adrienne Balkum, 1518 Firenza Court, expressed concerns regarding monthly sewer fees and regarding reported residences within Sonoma Verde that she said had not received letters from or set up billing accounts with Severn Trent.

Presentation of 2015 Audited Financial Statements – Murrey Paschall & Caperton, P. C.

Kyle Caperton, Murrey & Co. P.C., presented and answered questions regarding the 2015 Audited Financial Statements and the 2015 Audited Financial Statement for the Sonoma Public Improvement District.

Financial Reports for May 2016.

Ray Smith, owner and manager of Ray Smith CPA, presented and answered questions regarding services provided by his company and regarding the financial reports for May 2016. Smith stated that, due to the issuance of Certificates of Obligation Series 2015, the City's accounting now includes bond accounting. In response to a question from the Mayor, Smith stated that the monthly report would be re-formatted to be easier to follow. There was discussion regarding increasing the level of accounting services to include involvement in the budget process.

Discussion and action regarding the Minutes of May 24, 2016.

Steinhagen asked that the minutes of May 24, 2016 be revised on page 2 to add language specifying that the proclamation presented to outgoing Mayor Moody was issued without the knowledge or consent of the Council.

MOTION: APPROVE THE MINUTES OF MAY 24, 2016 AS REVISED ON PAGE 2 TO ADD LANGUAGE SPECIFYING THAT THE PROCLAMATION PRESENTED TO OUTGOING MAYOR MOODY WAS ISSUED WITHOUT THE KNOWLEDGE OR CONSENT OF THE COUNCIL.

MOTION MADE: STEINHAGEN
SECONDED: KLUTTS
APPROVED: UNANIMOUS

Discussion and action regarding the Plat of the Rockwall County Tower Site Addition consisting of 1 Lot (0.157 Acres) out of Tract 15-2 (1830 acres) in the L. Easterwood Abstract No, 79 situated at 561 State Hwy 205 South – submitted by Rockwall County.

Speaking on behalf of Rockwall County, Precinct 3 Commissioner Dennis Bailey requested that action regarding the plat of the Rockwall County Tower Site Addition be deferred to July 26. Bailey answered questions regarding the site selection process and other sites considered. Orchard stated that he would like to see the potential site on city-owned property behind City Hall re-evaluated. Bailey indicated that he will research implications of the site near City Hall and report back to the Council while still preparing the plat for the selected site off of State Highway 205.

MOTION: DEFER ACTION REGARDING THE PLAT OF THE ROCKWALL COUNTY TOWER SITE ADDITION TO JULY 26.

MOTION MADE: SHORT
SECONDED: ORCHARD
APPROVED: UNANIMOUS

Discussion regarding drainage concerns in the Sonoma Verde Addition - MC 550 Investors.

Sonoma Verde developer Russell Phillips was called out of town unexpectedly and could not attend. City Administrator Dave Butler provided an update regarding meetings with residents, the developer and the City Engineer to address drainage concerns in the Sonoma Verde addition. Sonoma Verde resident Adrienne Balkum stated that communications with the developer were improved and that monthly meetings to address concerns were being scheduled.

Discussion and action regarding monthly sewer fees.

Hodges shared information provided to him by Chris Cuny, project engineer for Sonoma Verde regarding sewer rates and the possibility of a new or updated sewer rate study. Steinhagen expressed concern regarding information he received that the 2013 sewer rate study, paid for by the developer, was prepared by an investor in the Sonoma Verde development which he stated would a conflict of interest. Staff was directed to research whether the study was prepared by an investor of the subdivision and to also look into concerns expressed by Ms. Balkum regarding Severn Trent billing processes.

Discussion and action regarding Ordinance amending the Code of Ordinances in Chapter 1, Article 1.02, "Administration," by adding a new Division 6, "Code of Ethics" and Sections 1.02.122–1.02.130.

Hodges presented the proposed ordinance adopting a Code of Ethics and stated that it was consistent with the Code adopted by Rockwall County and several cities within the County.

MOTION: APPROVE ORDINANCE 2016-09 AMENDING THE CODE OF ORDINANCES IN CHAPTER 1, ARTICLE 1.02, "ADMINISTRATION," BY ADDING A NEW DIVISION 6, "CODE OF ETHICS" AND SECTIONS 1.02.122-1.02.130.

MOTION MADE: STEINHAGEN
SECONDED: SHORT
APPROVED: UNANIMOUS

Discussion and action regarding Ordinance 2016-06 annexing approximately 201.857 acres in the ETJ of the City generally located north and east of Rabbit Ridge Road and FM 550 and part of the development known as Bella Lagos.

Short asked that the requested annexation be discussed further in order to better understand Council Members' objections to the requested annexation and to explore the implications to the City of a decision to either approve or decline to act on the request. Short expressed his opinion that annexation would benefit the City by providing for increased control over the area and additional property tax revenue. Lovell, Klutts, Steinhagen and Orchard expressed opposition to lots sizes less than 1.5 acres in size planned for the subject property and concern regarding responsibility for maintenance of streets, parks and playgrounds. There was discussion regarding the City's authority to regulate zoning, lot size, and subdivision and other development requirements if the property remains in the extraterritorial jurisdiction and if it were annexed and regarding in what manner zoning and subdivision applications are considered by the Planning and Zoning Commission and subsequently by the City Council. City Planner Mike Coker confirmed that a super majority of the Council would be required to approve a zoning application for which the Planning and Zoning Commission voted to recommend denial.

The Mayor recognized citizens that indicated they wanted to provide input. Sharon Price, 2160 West FM 550, expressed opposition to lot sizes less 1.5 acres in size. Steve Allen, 779 Stevens Road expressed concerns regarding increased density and regarding minimum lot size requirements for installation of on-site sewage facilities. Bev Stibbens stated that the Planning and Zoning Commission makes recommendations only regarding zoning applications and does not actually approve or deny them.

No action was taken by the Council.

Discussion and action regarding a Use of City Hall/Community Room Policy.

Samples policies for use of the Community Room and City Hall were provided for Council review. Hodges asked the Council to review and provide input for development of a policy. Action was deferred to July 12.

EXECUTIVE SESSION.

MOTION: RECESS THE MEETING (8:21 P.M.) TO GO INTO EXECUTIVE SESSION (CLOSED MEETING) IN ACCORDANCE WITH GOVERNMENT CODE §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.

MOTION MADE: SHORT
SECONDED: KLUTTS
APPROVED: UNANIMOUS

The Mayor reconvened the meeting at 9:03 p.m. and stated that no action was taken in executive session.

MOTION: ADJOURN THE MEETING (9:03 P.M.).

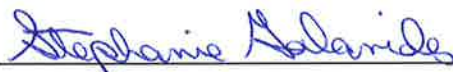
MOTION MADE: SHORT
SECONDED: KLUTTS
APPROVED: UNANIMOUS

APPROVED:



Nathan E. Hodges, Mayor

ATTEST:



Stephanie Galanides, City Secretary

