



CITY COUNCIL
City of McLendon-Chisholm, Texas
January 24, 2017
Minutes

City Council Present:	Nathan Hodges	Mayor
	Wayne Orchard	Council Member
	Patrick Short	Council Member
	Robert Steinhagen	Council Member
City Council Absent:	Gary Lovell	Mayor Pro Tem
City Council Vacant:	Place 5	Council Member
Staff Present:	David Butler	City Administrator
	Stephanie Galanides	City Secretary
	David Paschall	City Attorney
	Michael Coker	City Planner

Planning and Zoning Commission Present

Rhonda Davis
Jason Linscott
Terrell Miller
Scott Turnbull
Norman Willis

Board of Adjustment Present

Frank Fite
Gary Nickel
Beverly Stibbens
Herb Harker
Cindy Lorton
Joe McCormick

Mayor Hodges called the meeting to order at 5:36 p.m. Council Member Short delivered the invocation. The Mayor asked all to observe a moment of silence in honor of Council Member Jerry Klutts who passed away unexpectedly on January 21, 2017. City Administrator Dave Butler read the obituary of Jerry Klutts aloud. Attendees recited the Pledges of Allegiance to the United States and Texas flags.

JOINT WORK SESSION – Discussion by City Council, Planning and Zoning Commission and Board of Adjustment regarding duties and direction.

The Mayor convened the work session at 5:45 p.m. New and reappointed members of the Planning and Zoning Commission (Commission) and Board of Adjustment Board) introduced themselves. Hodges welcomed the Commission and Board members, expressed appreciation for their willingness to serve and opened the floor for questions, suggestions and discussion. City Planner Mike Coker presented information and participated in the discussion.

Items discussed included:

- Availability and presentation of orientation and reference materials to support the service of the Commission and the Board;
- Role of the City Planner including review of land use applications and preparation of briefs for the Commission, Board and City Council that detail background, legal considerations and recommendations;

- Requirements and recommendations regarding election of chairman, Open Meetings Act training, conduct of meetings, and public hearing procedures;
- The Comprehensive Plan and its relationship to zoning and subdivision regulations and specifically regarding application of Policy 3.1 lot size specifications to land use application deliberations;
- Conviction regarding and commitment to goals and characteristics desired by citizens, specifically density and lot size requirements;
- Zoning case procedures that included explanation of notice requirements and planned development (PD) districts that provide for flexibility in developments such as Sonoma Verde;
- Development of a productive working relationship between the Council and the Commission through joint work sessions, reliance on the input provided by the City Planner and communications; and
- Recommendation to utilize resources available through the Texas Municipal League website (www.tml.org).

Coker provided an overview and answered questions regarding his role and the roles and authorities of the Commission and the Board.

The work session portion of the meeting ended at 6:58 p.m. Hodges expressed appreciation to the Board and Commission members for their participation.

CITIZENS COMMENTS

Gary Nickel, 612 Kentwood Drive, asked for an explanation of options of the Council in the instance of a vacancy on the Council. City Attorney David Paschall stated that the Council could name a replacement or could let the seat remain vacant until the May 6, 2017 General Election. Steinhagen requested that an item regarding an appointment to Place 5 be included on the February 14 City Council agenda.

Discussion and action regarding the Minutes of January 10, 2017.

Steinhagen requested that action regarding the minutes of January 10 be deferred to the February 14 meeting. No action was taken by the Council.

Reports and Announcements;

- a) Financial Reports for December 2016.
- b) Building Official Report for December 2016.
- c) Rockwall County Sheriff Activity for December 2016.
- d) McLendon-Chisholm Volunteer Fire Department and EMS Activity for December 2016.
- e) Other reports or announcements.

Steinhagen stated that there had been several robberies in the City and the County recently and urged residents to be vigilant. Butler stated that barricades closing it to through traffic had been placed on League Road. There was discussion regarding options for and how to be reimbursed for improving League Road prior to the developer of Sonoma Verde's obligation to do so. Steinhagen expressed frustration regarding progress of the Texas Department of Transportation project to improve FM 1139.

Discussion and action regarding prospective building inspection service providers regarding provision of plan review and building inspection services.

The Council resumed discussion (1/10/2017, 12/13/2016, 11/15/2016) of proposals for plan review and building inspection services submitted by Bureau Veritas and Lee Roberts Inspections. The

Mayor asked Butler to share input received from other cities that had used, discontinued and subsequently went back to using the services of Bureau Veritas. There was discussion regarding how the Code of Ordinances is periodically updated to adopt updated versions of various codes (International Building Code, International Residential Code, International Energy Code, etc.). Lee Roberts participated in the discussion and answered questions regarding the three options (1. Per inspection, 2.) Flat annual fee and 3.) Charge of 37% of all permits) offered by Lee Roberts Inspections. Items discussed included building permit fees and re-inspection fees, staffing and qualifications. Steinhagen recommended that action be deferred to February 14. No action was taken by the Council.

Discussion and action regarding Resolution 2017-01R approving Order Calling a General Election to be held on May 6, 2017 for the purpose of electing three Council Members (Place 1, Place 3 and Place 5) each for two-year terms.

Addressing a question regarding the vacancy in Place 5, City Attorney David Paschall stated that should the Council decide to appoint someone to fill the vacancy, that appointee's term would expire in May 2017.

MOTION: APPROVE RESOLUTION 2017-01R APPROVING ORDER CALLING A GENERAL ELECTION TO BE HELD ON MAY 6, 2017 FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS (PLACE 1, PLACE 3 AND PLACE 5) EACH FOR TWO-YEAR TERMS.

MOTION MADE: SHORT
SECONDED: ORCHARD
APPROVED: UNANIMOUS (Absent: Lovell; Vacant: Place 5)

Discussion and action regarding Ordinance 2017-01 Ordering a Special Election to be held on Saturday, May 6, 2017, to submit a Ballot Proposition to the eligible voters of the City to adopt an Additional One-Half of One Percent (0.05%) Sales and Use Tax to be used for the City's General Revenue Fund.

MOTION: APPROVE ORDINANCE 2017-01 ORDERING A SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2017, TO SUBMIT A BALLOT PROPOSITION TO THE ELIGIBLE VOTERS OF THE CITY TO ADOPT AN ADDITIONAL ONE-HALF OF ONE PERCENT (0.05%) SALES AND USE TAX TO BE USED FOR THE CITY'S GENERAL REVENUE FUND.

MOTION MADE: STEINHAGEN
SECONDED: SHORT
APPROVED: UNANIMOUS (Absent: Lovell; Vacant: Place 5)

Discussion and action regarding Resolution 2017-02R authorizing the City Administrator to Execute a Contract with the Rockwall County Elections Administrator for Services related to the May 6, 2017 Elections and an Agreement with the Rockwall Independent School District for the Joint Election.

MOTION: APPROVE RESOLUTION 2017-02R AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE ROCKWALL COUNTY ELECTIONS ADMINISTRATOR FOR SERVICES RELATED TO THE MAY 6, 2017 ELECTIONS AND AN AGREEMENT WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT FOR THE JOINT ELECTION.

MOTION MADE: SHORT
SECONDED: ORCHARD
APPROVED: UNANIMOUS (Absent: Lovell; Vacant: Place 5)

Discussion and action regarding Resolution 2017-03R designating the Official Newspaper of the City.

Action was deferred to February 14. No action was taken by the Council.

Discussion and action regarding appointments to the Planning and Zoning Commission and Board of Adjustment.

Action was deferred to February 14. No action was taken by the Council.

Discussion regarding appointments to the Ad-Hoc Audit Review Committee.

Action was deferred to February 14. No action was taken by the Council.

EXECUTIVE SESSION

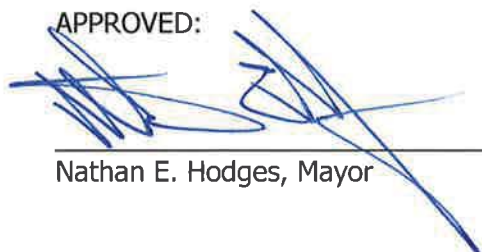
The Mayor recessed the meeting to go into Executive Session (Closed Meeting) in accordance with Government Code §551.071: Consultation with Attorney to conduct a private consultation with the City Attorney to seek advice about pending or contemplated litigation or on a matter in which the duty of the 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 at 7:59 p.m. Hodges reconvened the meeting at 8:27 p.m. and stated that no action was taken in executive session.

Mayor and Council Members expressed appreciation for the service, character and friendship of Council Member Jerry Klutts who passed away on January 21, 2017. Council Members shared memories and expressed sorrow regarding his untimely passing.

MOTION: ADJOURN THE MEETING (8:31 P.M.).


MOTION MADE: SHORT
SECONDED: ORCHARD
APPROVED: UNANIMOUS (Vacant: Place 5)

APPROVED:



Nathan E. Hodges, Mayor

ATTEST:



Stephanie Galanides, City Secretary

