



CITY COUNCIL
City of McLendon-Chisholm, Texas
February 28, 2017
Minutes

City Council Present:	Nathan Hodges	Mayor
	Gary Lovell	Mayor Pro Tem
	James Herren	Council Member
	Wayne Orchard	Council Member
	Robert Steinhagen	Council Member
City Council Absent:	Patrick Short	Council Member
Staff Present:	David Butler	City Administrator
	Stephanie Galanides	City Secretary
	David Paschall	City Attorney

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 6:30 p.m.

CITIZEN COMMENTS

Scott Turnbull, 1117 Newkirk Court expressed support for appointing Jim Herren, unopposed candidate in the May 6 General Election for City Council Place 5, to fill the vacancy in that place.

Discussion and action regarding City Secretary position.

Stephanie Galanides communicated her plan to retire from the position of City Secretary effective June 30, 2017. The Mayor expressed appreciation to Galanides for her help and support during his time in office and stated that she had been invaluable to him.

Steinhagen echoed the Mayor's sentiments and stated "I have been reluctant to trust people in city government or any government for that matter. You've earned my trust by your actions. You've demonstrated yourself to be honest, truthful and always willing to go the extra mile. There's a stigma that goes along with those who serve in government. You certainly are the exception to that stigma. And I just appreciate all you have done, not just for me, but for the people of McLendon-Chisholm. You will be missed.... just know you will be missed. So, thank you so much for everything you have done."

Gary Lovell stated that he had enjoyed working with Galanides, expressed appreciation for her help, stated that he hated to see her go and wished her good luck.

Addressing Galanides, Orchard stated "It's been an honor working with you. You've always been kind and have approached this job with integrity, and always looking out for what is best for the City. And I appreciate that not just as a City Council Member but as a citizen here. You're going to be deeply missed. And hopefully, since you're going to be retired, you can come up every Tuesday and just hang out with us."

Steinhagen asked that the comments made to Galanides be added to the written record in their entirety based on the audio file.

There was discussion regarding how to proceed with selection of a new city secretary. The consensus of the Council was that the selection should be left to the Mayor pursuant to authority provided by state law. City Attorney David Paschall will review provisions in the City's Code of Ordinances and draft an amending ordinance that provides authority to make appointments to city offices to the Mayor.

Discussion and action regarding Resolution 2017-07R appointing a person to fill the vacancy in Place 5 of the City Council to serve until the May 6, 2017 General Election.

MOTION: APPOINT JIM HERREN TO FILL THE VACANCY ON CITY COUNCIL PLACE 5 CREATED BY THE UNTIMELY DEATH OF COUNCIL MEMBER JERRY KLUTTS.

MOTION MADE: STEINHAGEN

SECONDED: ORCHARD

Steinhagen provided background, including credentials and qualifications, regarding and support for the appointment of James (Jim) Herren, unopposed candidate in the May 6 General Election for Place 5 on the City Council, to the position currently vacant due to the passing of Jerry Klutts. Herren accepted the Mayor's invitation to address the Council and attendees. Herren shared details regarding his personal and professional background and motives for getting involved with city government. Herren stated that government should be accountable to the people and as transparent as possible and that the Council should act in accordance with the wishes of citizens.

VOTE ON THE MOTION: UNANIMOUS (Absent: Short; Vacant: Place 5)

Issuance of Oath of Office to newly appointed Council Member to City Council Member Place 5 if an appointment is made.

Galanides issued the Oath of Office to newly appointed Council Member for Place 5 James Herren.

Discussion and action regarding the Minutes of February 14, 2017.

Action regarding the minutes of February 14 was deferred to the March 14 meeting.

Reports and Announcements;

- a) **Financial Reports for January 2017.**
- b) **Building Official Report for January 2017.**
- c) **Rockwall County Sheriff Activity for January 2017.**
- d) **McLendon-Chisholm Volunteer Fire Department and EMS Activity for January 2017.**
- e) **Other reports or announcements.**

The reports were included in the Council meeting packet.

Renewal of Motion to award contract for plan review and building inspection services to Lee Roberts Inspections, discussion and action.

Discussion resumed. Hodges expressed concern regarding potential issues associated with implementation of a different company for building plan review and inspections at the time that there will be changes in staffing (city secretary).

MOTION: ENTER INTO A CONTRACT WITH LEE ROBERTS INSPECTIONS FOR PLAN REVIEW AND BUILDING INSPECTION SERVICES BASED ON OPTION 1 OF THE PROPOSAL DATED DECEMBER 28, 2016 SUBJECT TO 1.) CITY ATTORNEY REVIEW AND APPROVAL OF A CONTRACT WITH LEE ROBERTS INSPECTIONS; AND 2.) TERMINATION OF THE CITY'S CONTRACT WITH BUREAU VERITAS IN ACCORDANCE WITH ADVICE OF THE CITY ATTORNEY AND FURTHER, WITH RECOGNITION THAT BUREAU VERITAS WILL CONTINUE PROVIDING SERVICES THROUGH COMPLETION FOR PROJECTS (PERMITS) CURRENTLY UNDERWAY OR COMMENCED PRIOR TO EXECUTION OF A NEW CONTRACT.

MOTION MADE: ORCHARD

SECONDED: STEINHAGEN

There was discussion regarding the motion. Steinhagen stated that Bureau Veritas had done excellent work for the City but that is was a question of what is right for McLendon-Chisholm. Steinhagen noted that Roberts had the qualifications and certifications as Bureau Veritas and that the City, as their primary client, would basically have in-house inspectors resulting in increased accessibility without having to provide benefits provided to full-time employees. Steinhagen pointed out that the savings (increased building permit revenue) would be significant. The consensus of the Council was supportive of keeping the current city secretary on for a while to assist with the transition, if approved, to a new company for plan review and building inspections. There was discussion regarding how to expedite the execution of the contract and moving forward once it is approved by the city attorney.

Orchard amended the motion.

AMENDED MOTION: AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH LEE ROBERTS INSPECTIONS FOR PLAN REVIEW AND BUILDING INSPECTION SERVICES BASED ON OPTION 1 OF THE PROPOSAL DATED DECEMBER 28, 2016 SUBJECT TO 1.) CITY ATTORNEY REVIEW AND APPROVAL OF A CONTRACT WITH LEE ROBERTS INSPECTIONS; AND 2.) TERMINATION OF THE CITY'S CONTRACT WITH BUREAU VERITAS IN ACCORDANCE WITH ADVICE OF THE CITY ATTORNEY AND FURTHER, WITH RECOGNITION THAT BUREAU VERITAS WILL CONTINUE PROVIDING SERVICES THROUGH COMPLETION FOR PROJECTS (PERMITS) CURRENTLY UNDERWAY OR COMMENCED PRIOR TO EXECUTION OF A NEW CONTRACT.

MOTION MADE: ORCHARD
SECONDED: STEINHAGEN

Lovell stated that he was prepared to accept assurances that the transition would be monitored and support the motion. Herren stated that effectively in-house and quicker services that would result in increased building permit revenue appeared to be best for the citizens.

VOTE ON AMENDED MOTION: APPROVED: UNANIMOUS (Absent: Short)

Lee Roberts addressed the Council stating that their work did not have much to do with a contract and they he and partner David Ellis provided services per inspection as outlined in their proposal. Orchard clarified that the purpose of a contract was to specify dos and don'ts, responsibilities, insurance requirements, turnaround times, penalties, etc. Roberts stated that their process was simple; they would do the work, present the City with an invoice and work out details or any issues with staff.

Discussion and action regarding regulation of construction hours and noise.

Adrienne Balkum, 1518 Firenza Court, requested that the Council adopt regulations, similar to those of other cities in the County, restricting hours and days of the week that construction activity may occur. Balkum noted that there should be an exception for the pouring of concrete due to curing requirements. There was discussion regarding whether existing development or projects underway would be grandfathered, applicability to lot size 2 acres or smaller in size, penalties and enforcement. Bev Stibbens, 279 Partridge Drive, stated that an ordinance regulating construction hours had been adopted several years ago. Staff will research further. Paschall will draft an ordinance for consideration on March 14.

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

Orchard provided an update regarding Board and Commission appointments made on January 10. Orchard stated that appointees who, for various reasons, were unable to fulfill obligations at this

time were welcome to reapply at a future date should their circumstances or other obligations so allow. orchard presented a slate of appointees to fill certain seats on the Board and Commission.

MOTION: MAKE BOARD AND COMMISSION APPOINTMENTS AS FOLLOWS:

- 1.) APPOINT LANCE AGEE AS AN ALTERNATE TO THE BOARD OF ADJUSTMENT FOR A TERM THAT EXPIRES IN JANUARY 2019;**
- 2.) APPOINT ROBERT ROHDE TO REPLACE BRIAN McKINNEY AS AN ALTERNATE TO THE PLANNING AND ZONING COMMISSION FOR A TERM THAT EXPIRES IN JANUARY 2018; AND**
- 3.) APPOINT LESLEY SCHWALJE AND SCOTT WEAVER AS ALTERNATES TO THE PLANNING AND ZONING COMMISSION FOR TERMS THAT EXPIRE IN JANUARY 2019.**

MOTION MADE: ORCHARD
SECONDED: HERREN
APPROVED: UNANIMOUS (Absent: Short)

Review and comment regarding developing City website.

Orchard and Scott Turnbull, 1117 Newkirk Court provided an update regarding the project to development a new website for the City with specific attention to features such as calendar, notification capabilities and pages for financial reports and documents.

The Mayor adjourned the meeting for a recess at 7:49 p.m. Hodges reconvened the meeting at 7:59 p.m.

Presentation regarding Results and Analysis of Citizen Survey 2016 – Council Member Robert Steinhagen.

Steinhagen stated that the presentation he was about to give regarding the results of the Citizen Survey 2016 was his work and not the attitude or opinion of the City Council. Steinhagen stated that the Citizen Survey 2016 was undertaken because the Council wanted to know residents' opinions and dedicated the presentation and accompanying report to the Council Member Jerry Klutts who passed away suddenly on January 21, 2017. Items covered in the presentation included:

- Purpose;
- Method of survey;
- Statistics regarding and geographic (subdivision or vicinity) distribution of respondents; and
- Responses to survey questions and detailed analysis of the responses.

There was discussion regarding the survey results. Gary Nickel, 612 Kentwood Drive, Mark Kipphut, 31 Fireside Drive and Adrienne Balkum participated in the discussion.

Discussion and action regarding release of Citizen Survey Report.

Steinhagen stated that the results of the survey were a matter of public record and that he had created a redacted version of the *2016/2017 Citizen Survey Results* (Report) to remove comments mean-spirited in nature from the citizen comments included. Steinhagen stated that comments were reviewed by the City Attorney to minimize liability exposure for the City. City Attorney David Paschall stated that he had concerns regarding remarks that may have been viewed as defamatory. Paschall stated that he and the Council worked to identify those comments and exercised caution in the redaction of any that might have been a problem and probably some that would not have been a problem but that some people may not have liked. Paschall stated that the citizen comments portion was the only section of the Report he had reviewed. Steinhagen clarified that the cover page of the Report states that the analysis is his opinion(s) and may not reflect the views of others

on the Council. Steinhagen stated that the Report should be made available on the website for greater accessibility and transparency.

MOTION: PUBLISH THE REDACTED VERSION OF THE 2016/2017 CITIZEN SURVEY RESULTS ON THE CITY'S WEBSITE.

MOTION MADE: STEINHAGEN
SECONDED: ORCHARD
APPROVED: UNANIMOUS (Absent: Short)

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

Steinhagen provided information regarding the purpose and authority of the Audit Review Committee and presented recommendations for appointment.

MOTION: MAKE APPOINTMENTS TO THE AUDIT REVIEW COMMITTEE FOR FISCAL YEAR 2015-2016 AS FOLLOWS:

- **ROBERT STEINHAGEN AS CITY COUNCIL REPRESENTATIVE AND CHAIRMAN;**
- **DEBBIE PYLE AS VICE-CHAIRMAN;**
- **ANTONIO BLACKMON;**
- **CATHY JOHNSON;**
- **JASON LINSCOTT;**
- **ALEX TAYEM; AND**
- **KENDRA QUINN.**

MOTION MADE: ORCHARD
SECONDED: LOVELL
APPROVED: UNANIMOUS (Absent: Short)

MOTION: ADJOURN THE MEETING (8:53 P.M.).

MOTION MADE: STEINHAGEN
SECONDED: ORCHARD
APPROVED: UNANIMOUS (Absent: Short)

APPROVED:

ATTEST:



Gary Lovell, Mayor Pro Tem



Stephanie Galanides, City Secretary

