



**CITY COUNCIL**  
**City of McLendon-Chisholm, Texas**  
**April 11, 2017**  
**Minutes**

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

Mayor Pro Tem Lovell called the meeting to order at 6:30 p.m. Council Member Steinhagen delivered the invocation. Life Scout Jamie Davidson of Troop 1989 was in attendance in pursuit of the Communication merit badge. Davidson led the recitation of the Pledges of Allegiance to the United States and Texas flags.

#### **CITIZENS COMMENTS**

Scott Turnbull, 117 Newkirk Court, detailed the Council's options regarding the vacancy in the Mayor position. Turnbull suggested that the position remain vacant until two meetings before the deadline to call a special election in order that citizens have time to express their opinions regarding the options available to the City Council and to provide recommendations and to submit petition(s) should they be so inclined.

Adrienne Balkum, 1518 Firenza Court, provided background regarding Council Member Steinhagen's involvement, accomplishments and dedication. Balkum encouraged the Council to appoint him to the position of Mayor at the April 25 meeting.

#### **Acceptance of Resignation of Mayor Nathan Hodges.**

##### **MOTION: ACCEPT THE RESIGNATION OF MAYOR NATHAN HODGES.**

MOTION MADE: STEINHAGEN  
SECONDED: HERREN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

#### **Discussion and potential action regarding vacancy in Mayor's position:**

- a) **Receive and vote on nominations to appoint a person to fill the vacancy and to serve until the next regular municipal election on May 5, 2018 and approval of Resolution 2017- R making the appointment; or**
- b) **Order a Special Election to be held on Tuesday, November 7, 2017 for the purpose of electing a person to fill the vacancy and to serve until the next regular municipal election on May 5, 2018.**

The consensus of the Council was to defer the item to April 25. No action was taken by the Council.

**PUBLIC HEARING – To receive input regarding Proposed amendments to Article 6.03 ("On-Site Sewage Disposal Systems and Facilities) of Chapter 6 ("Health and Sanitation") of the Code of Ordinances to amend Section 6.03.006 to provide homeowners, who have**

**successfully completed the basic maintenance provider course provided by a TCEQ approved training provider, the option of maintaining their own septic system.**

Mayor Pro Tem Lovell opened the public hearing at 6:52 p.m. As there were none present to provide input regarding the proposed amendments to On-Site Sewage Disposal Systems (OSSF) regulations, Lovell closed the public hearing at 6:52 p.m.

**Discussion and action regarding Ordinance 2017-04 Amending Article 6.03 ("On-Site Sewage Disposal Systems and Facilities) of Chapter 6 ("Health and Sanitation") of the Code of Ordinances by amending Section 6.03.006 to provide homeowners, who have successfully completed the basic maintenance provider course provided by a TCEQ approved training provider, the option of maintaining their own septic system.**

There was discussion regarding the proposed amendment to OSSF regulations.

**MOTION: APPROVE ORDINANCE 2017-04 AMENDING ARTICLE 6.03 ("ON-SITE SEWAGE DISPOSAL SYSTEMS AND FACILITIES) OF CHAPTER 6 ("HEALTH AND SANITATION") OF THE CODE OF ORDINANCES BY AMENDING SECTION 6.03.006 TO PROVIDE HOMEOWNERS, WHO HAVE SUCCESSFULLY COMPLETED THE BASIC MAINTENANCE PROVIDER COURSE PROVIDED BY A TCEQ APPROVED TRAINING PROVIDER, THE OPTION OF MAINTAINING THEIR OWN SEPTIC SYSTEM PROVIDED THAT SECTION 10 OF THE ORDINANCE IS REVISED TO DELETE SUBSECTION "F" PERTAINING TO TESTING AND REPORTING REQUIREMENTS FOR HOMEOWNERS THAT MAINTAIN THEIR OSSF.**

MOTION MADE: HERREN  
SECONDED: STEINHAGEN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

**Discussion and action regarding the Minutes of February 28, 2017, March 14, 2017 and March 28, 2017.**

The minutes of February 28 were revised prior to the meeting to correct a typographical error on page 3.

**MOTION: APPROVE THE MINUTES OF FEBRUARY 28, 2017, MARCH 14, 2017 AND MARCH 28, 2017.**

MOTION MADE: STEINHAGEN  
SECONDED: HERREN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

**Discussion and action regarding Petition and Statement of Intent of Oncor Electric Delivery Company LLC for Authority to Change Rates in accordance § 36.102 of the Public Utility Regulatory Act of the Texas Utilities Code.**

Cindy Tayem, Area Manager stated that Oncor state was requesting authority to change rates and that the City must either suspend or deny the rate change by April 21. Tayem stated that should cities vote to deny the request, Oncor would appeal the case to the Public Utilities Commission (PUC) which will rule on the case for the entire system and that no further action by the City would be required. Tayem stated that should the Council vote to suspend, they would need to revisit the issue within 90 days at which time they could vote to deny the rate change.

**MOTION: APPROVE ORDINANCE 2017-06 DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY LLC.**

MOTION MADE: STEINHAGEN  
SECONDED: HERREN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

**Discussion and action regarding Ordinance 2017-05 amending the Code of Ordinances in Chapter 8, Offenses and Nuisances, by adding a new Article 8.08, Solicitation on Private Property.**

**MOTION: APPROVE ORDINANCE 2017-05 AMENDING THE CODE OF ORDINANCES IN CHAPTER 8, OFFENSES AND NUISANCES, BY ADDING A NEW ARTICLE 8.08, SOLICITATION ON PRIVATE PROPERTY.**

MOTION MADE: HERREN  
SECONDED: STEINHAGEN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

City Attorney David Paschall stated that the draft ordinance was drafted in response to concerns regarding door-to-door solicitation. Paschall explained that the proposed ordinance prohibits solicitation on private property when a resident or other person verbally requests there be no solicitation and when signage is posted on private that indicates that the occupants to do desire to be solicited.

**Discussion and action regarding Resolution 2017-08R Amending the Master Fee Schedule adopted by Resolution 2016-14R to revise plan review fees for new homes.**

Staff explained that the fee schedule was revised to increase the plan review fee for new residences to \$125, the amount to be charged by North East Texas Inspections.

**MOTION: APPROVE RESOLUTION 2017-08R AMENDING THE MASTER FEE SCHEDULE ADOPTED BY RESOLUTION 2016-14R TO REVISE PLAN REVIEW FEES FOR NEW HOMES.**

MOTION MADE: HERREN  
SECONDED: STEINHAGEN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

**Discussion and action regarding Inspections Services for On-Site Sewage Facilities, Food Service and Swimming Pools.**

City Administrator Dave Butler reported that Kelly Stockburger who served as the City's Designated Representative for on-site sewage facilities (OSSF) matters and as the Registered Sanitarian that inspects swimming pools and foodservice establishments. There was discussion regarding responsibilities and required licensing and certifications. Council directed Butler to research options.

**Discussion regarding City Secretary position.**


The item was deferred to the April 25 meeting.

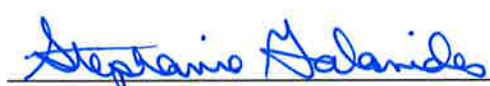
**MOTION: ADJOURN THE MEETING (7:40 P.M.).**

MOTION MADE: HERREN  
SECONDED: STEINHAGEN  
APPROVED: UNANIMOUS (Absent: Orchard, Short)

APPROVED:

ATTEST:

  
Robert Steinhausen, Mayor

  
Stephanie Galanides, City Secretary

