



**CITY COUNCIL**  
**City of McLendon-Chisholm, Texas**  
**Meeting Minutes**  
**January 8, 2019**

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, January 8, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

Keith Short	Mayor
Adrienne Balkum	Council Member
Scott Turnbull	Mayor Pro Tem (via Video Conference)
Jim Bloom	Absent
James Herren	Council Member
Herman Larkin	Councilmember

Staff Present:	Lisa Palomba	City Administrator/City Secretary
	Jim Simmons	Fire Chief/Fire Marshal
	City Attorney	Michael Halla

**1. Call to Order.**

Mayor Short called the meeting to order at 6:30 p.m.

2. Council Member Herren delivered the Invocation and led the Pledge of Allegiance to the U.S. and Texas Flags.

3. Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

**4. Citizen Comments.**

Mayor Short stated he had several comments.

Bev Stebbins, 279 Partridge Dr., wanted to congratulate the new trash company for the smooth transition she had at her home. She was pleased and happy with the transition

Mayor Short asked if all other comments were for item six and if they were willing to wait to discuss it under item six. This was true for all but Mr. Donnegan.

Mike Donegan, 2620 Ridgelake Lane, asked that if the council deems it necessary to conduct another survey, he has developed a list of questions he would like to see on it:

1. What type of small neighborhood type retail businesses would be attractive in the city limits?

2. Would you prefer commercial businesses along state roads or in a commercial sector?
3. Would you like written newsletters or townhall meetings when important issues are before the council?
4. Do you receive enough information on City expenses in the City budget?
5. What concerns you the most about the expansion on Hwy 205?

Mr. Donnegan does not think politically-minded questions are important.

Mayor Short closed citizen comments and moved to item 19, Mayor's Announcements.

## **19. Council Member Reports and Announcements.**

### **a. Mayor's Announcements – Events, Area Happenings, and Information.**

Mayor Short stated that over the weekend some things were posted on the City's Facebook page. Mayor Short was married before when he was 21 and then divorced. He has been married for 22 years to his current wife. His estranged sister-in-law posted inappropriate and inaccurate comments about his current wife and daughter. Mayor Short's ex-wife spoke with her sister and she removed the item off the Facebook page.

Mayor Short introduced the new City Attorney Michael Halla.

Mayor Short recognized Ms. Lisa for providing support for a citizen. He had a call from a citizen who said they requested some assistance from her and within five minutes she had returned an e-mail or phone call to them and was in the middle of handling their request. They were very adamant that they wanted me to know how good one of our City employees handled their need. I think it is very important to recognize people when they do a good job. Lisa, thank you for your service to citizens.

## **5. Approval of Minutes.**

- a. **November 13, 2018**
- b. **November 26, 2018**
- c. **December 11, 2018**
- d. **December 20, 2018**

Mayor Short introduced item 5. He asked if there was a motion to approve all minutes.

**Council Member Balkum motioned to approve the draft minutes of all four meetings including December 20<sup>th</sup> minutes as revised.**

**Council Member Herren seconded the motion.**

Council Member Balkum would like to look at the meeting minutes for typos.

Ms. Palomba stated Mr. Larkin gave her corrections today as well.

**Mayor Short called a vote on approving all four sets of the draft minutes.**

**A vote was cast and the motion carried unanimously.**

### **13. Agreement for Fire Protection and Integration**

Mayor Short introduced item 13 early because the Fire Chief has Tuesday trainings and needs to leave early.

Mayor Pro Tem Turnbull requested this item because we have not received feedback on the contract. He wanted to go through the contract and hear from the Fire Chief where they stood with the contract.

Mayor Short clarified that Mayor Pro Tem Turnbull would like a list and timeline from the Fire Chief.

Mayor Pro Tem Turnbull asked if we have enough employees to meet the requirements and receive grant money from the SAFER Grant.

Fire Chief Simmons stated that they do. There are five full time and one shared position among several firefighters.

Mayor Pro Tem Turnbull asked about the inventory of assets. He received a list, reviewed it, but did not see documentation concerning cash assets/liabilities as required by the contract. He stated they were supposed to identify the assets/liability as of September 30. He asked Mr. Simmons if this occurred.

Mayor Pro Tem Turnbull asked about cash. He asked why the simplest of assets could not be accounted for.

Mayor Pro Tem Turnbull asked about the asset transfer deadline (9.1.3).

Council Member Balkum read the contract section 9.1.3.

Mayor Pro Tem Turnbull is concerned about the cash because if there has been a transfer of assets or expenditures without authorization by the City, those funds would need to be replenished.

Fire Chief Simmons stated there was no cash spent by the MCVFD. He will provide Mayor Pro Tem with all documents.

Mayor Pro Tem Turnbull stated he will look forward to reviewing the documents and reviewing once Chief Simmons provides them. Mayor Pro Tem Turnbull also asked about selling the '95 pumper, that it has been on the books for 60 days.

Mr. Simmons stated the vehicle has been for sale for 40 days. There are two parties interested. The plan is if it doesn't sell by the end of the month he will transfer at that time.

Mayor Pro Tem Turnbull clarified that if the vehicle is not sold by the end of January he will make the transfer.

Mr. Simmons stated that was correct.

## **6. Community Waste Disposal (CWD) Services**

Mayor Short introduced item six. Mayor Short asked for professionalism in public comment and then opened the floor for public comment.

Elaine Reynolds stated that Jason answered most of her questions and has been wonderful.

Mary Naish, 320 Herron Circle, stated that she lives on a private road. CWD stated they do not have a truck small enough to service her road. She has not had her trash picked up in 2.5 weeks. Lisa did come out and service some of their trash. Now it's being said that as of now, they will have to wheel all their carts down to 205 because nobody is going to be able to come down Herron Circle. They have a disabled vet and an elderly person living on their road so it is difficult to take their trash a far distance. She wants to understand how they can make this work. Currently it does not work, but she is still paying for the service.

Council Member Balkum asked if she has been reimbursed.

Ms. Naish stated no. They all paid at the beginning of December have not had a pick up from the old company since before Christmas.

Council Member Balkum asked if CWD's truck that dropped their trash can off is an okay vehicle to go down their street.

Ms. Naish stated the vehicle is identical to the old company's flatbed truck. The only reason she knew the trash company was changing was because they delivered a new trash can. She did not receive a newsletter. But now they say they don't have a truck that can service this road.

Council Member Balkum stated they will communicate with Ms. Naish.

Mr. Jeremy Swindle, 321 Herron Circle, is not being serviced by the trash company. He asked if there are solutions. Will they need to hire another company? He does not feel it

is appropriate for them to have to take their garbage down to the end of the street with the elderly people and the disabled vet. The cans are heavy and it is not safe to take them down there.

Council Member Balkum stated she looked at six companies to come down the road. Two of them were possibilities to use for that road. The numbers were high. She also has a concern that the cans are on 205 so she wants to discuss this with CWD. They are being proactive to try and find other solutions. She stated they are looking into things and she wants to make sure there is communication. She thanked Mr. Swindle for sharing comments.

Gary Nickel, 612 Kentwood, stated he was impressed with the transfer of service, but is confused by the brochure. There seems to be some inconsistencies. He asked why it is necessary to bag garbage now before putting garbage in the trash can. This makes him wonder how different their trash service will be, primarily yard waste.

Mayor Short stated he believed they will have some answers for him.

Mr. Roemer, from CWD, stated they, as far as Herron Circle, were not aware that a pick-up truck was used to service the road in question when the contract was signed. The service in their RFP expected to use a garbage truck, not a pick-up truck to service the area. They are working with the City to come up with other solutions, perhaps they can have secondary pricing to service that road.

Mr. Roemer stated that yard debris may be placed in garbage cans. He also clarified that recyclables do not have to be bagged but if they are bagged it needs to be in a clear bag.

Mayor Pro Tem Turnbull asked for clarification on garbage bag colors.

Mr. Roemer stated that when people bag recyclables it should be a clear, or light blue bag so you can see what is inside.

Mr. Larkin stated Corporal Michael Fox who is a US Marine, retired, double amputee, lives at the end of Herron Circle. His home was built and gifted to him through "Home for Troops". It is important to make sure we don't put any extra burdens on him. But, we do need to be fair to all our citizens. He is also concerned about the look of 205. There were a lot of trash from bags blown open.

Mayor Pro Tem Turnbull stated the transition was fine, but there were mistakes about where carts were replaced after being dumped. We need to be sure carts are put back in the right place. I'm sure it will be worked out.

Council Member Balkum asked about customer service calls.

Mr. Roemer stated there were a lot of calls, but transitions are difficult especially on the holiday. There were streets missed, such as Windsor Dr., because the previous

contractor did not give them complete lists. We did come back on Saturday to service the houses missed. For Herron Circle, the solution to move their trash to 205 was a temporary solution. They are looking for another solution. He stated they are dedicated to work on a solution.

Council Member Balkum stated it is hard to meet expectations and customer needs and she appreciates the communication with CWD. She asked for a quote for the Herron Circle issue for the smaller vehicle.

Mr. Roemer stated they will have a quote Thursday.

Council Member Balkum stated they will go over the price quote and inform the citizens what is next.

Concerns were expressed about old carts not being pick up. Mr. Roemer stated CWD will them up.

Council Member Balkum ask if a date had been set for the Extreme Green even.

Mr. Roemer gave a few dates for the Extreme Green event - on April 20, March 9, March 16 and June 8.

Ms. Palomba stated that for the time being, people on Herron Circle can take their trash to 205 and if you need help getting carts to 205, call the City.

Mr. Roemer stated that CWD has designated Saturday as "missed trash" pick up day.

## **7. Information Technology Award of Contract**

Mayor Short introduced item 7.

Ms. Palomba stated the City received three proposals. She suggested narrowing the contract down to one or two options or award the contract tonight.

Mayor Pro Tem Turnbull wants to table this item until the first meeting in February and resubmit the RFP for a larger response. He has spent 20 years in the industry and was not impressed with their options. He recommends contacting Microsoft to notify their partners so the City will have a wider selection of applicants. He asked the City Attorney if they need to resubmit the RFP or if they can just extend it.

City Attorney stated you need to restart the bidding process again. You can table it and direct staff to issue another RFP. You do not have to accept if you are not satisfied.

Ms. Palomba used TML, Website and newspaper to advertise.

Mayor Pro Tem Turnbull stated he will help Lisa get in touch with Microsoft.

**Mayor Pro Tem Turnbull made a motion to table this item until the second Council Meeting in February.**

**Council Member Herren seconded the motion.**

Mayor Short called for a vote.

**Vote passed unanimously.**

### **8. Appointments to Economic Development Review Panel**

Mayor Short introduced Item 8.

Council Member Herren asked if council could postpone this item since Council Member Bloom, who requested it, is not in attendance.

Mayor Short tabled item eight until the 22<sup>nd</sup> of January.

### **9. iCompass Agenda Management**

Mayor Short introduced Item 9.

Council Member Balkum wants an update on iCompass. She sees we are using it. She had questions about the document center – is that a program they are using that you just scroll through? Also, for proprietary documents, how will we be sure those documents aren't just out there?

Mayor Pro Tem Turnbull asked Lisa Palomba for training on how to use iCompass.

Council Member Balkum also asked about the PDFs which are dropped in, if they will be searchable. She also asked about the log-in information. What if someone were to get her information, would they be able to log-in at another location, or would it cancel itself out? Also, on the layout, it is hard visually. Will they customize the template?

Council Member Balkum would like the video streaming of meetings to move forward.

### **10. Code of Ordinance Updates.**

Council moved to discuss Item 10. Code of Ordinance Updates.

Council Member Balkum mentioned yard signs/garage sales.

Council Member Balkum asked if the fire marshal can distribute tickets.

Council Member Balkum stated some newspapers mention when a city has a new ordinance.

Council Member Balkum thinks there should be quick links in the code.

Council Member Herren believes the City Council's job is to provide guidance and direction but should not have authority over the overall daily operations of the City.

Councilmember Balkum stated she did enjoy that everyone did their homework reviewing the trash service as well as reviewing the applicants and their proposals. She did think that could be done with any position. She believes the Council should be involved in any of these contracted services for any type of potential position. She believes all their input is valuable to make sure they are going in a good direction for the City.

Council Member Balkum felt that the Mayor offered to take her questions to the interview of the attorney, but dismissed her input. She believes all their input is valuable as members of the City Council.

Council Member Herren stated there should be a job description of any position we have for a City position and people submit their resumes based on that. For a contractor, the City will do an RFP. The Mayor should have authority to manage, but the council is responsible for funding the city. When developing the budget for the city, we help determine how that gets spent also. I do believe the Mayor has certain responsibilities for running the city, but I do believe the city council has a right to have a say on who gets hired. There needs to be a balance.

Mayor Pro Tem Turnbull stated that using the job description instead of an RFP for advertising and taking resumes for a full-time position can be changed. He is in favor of the council reviewing all applications and voting for any position that comes before them.

Council Members Herren and Balkum agreed with Mayor Pro Tem Turnbull that the entire council should review all applications and vote on any position that comes before them.

Council Member Balkum asks if a Council Member is not present and we are voting on a position, do we need to wait for another meeting to have a majority? If we had a split vote, would we postpone until we were all together?

City Attorney Halla explained that you could move to table a motion, but that a motion to table would supersede any other motion.

Mayor Pro Tem Turnbull asked in that case can the Mayor cast the deciding vote?

Councilmember Balkum asked who would be in charge of making decisions in case of an emergency.



Mayor Short stated he believes the Government Code states he is the head of emergency management as the Mayor of the city.

Mayor Short stated he does not believe the responsibility should flow down to the City Administrator because she has enough on her plate without that. He believes the next in line from him should be the Fire Marshal because he is going to be the command staff and it should be delegated from him to the Fire Marshal. He should be the next in line because he's going to be there anyway.

Council Member Balkum pointed out that the City Administrator should be involved.

Changes to the verbiage in the Code were discussed.

Council Member Balkum stated last year they missed the deadline for getting a new municipal judge and she also asked about the RFP for an accountant.

Council discussed position descriptions.

Council Member Balkum ask if the City Planner would be responsible for city maps.

Mayor Pro-Tem Turnbull stated they need to be able to put their job duties under the position so they will know what they are supposed to be doing.

City Attorney Halla stated they should put as much information as possible into an RFP.

Council talked about position descriptions.

Mayor Short called a recess at 8:54 p.m.

The meeting reconvened at 8:54 p.m.

Mayor Short talked about animal control and dog areas and leash lengths.

Mayor Pro Tem thinks a maximum leash length should be 10 feet.

Mayor Short is okay with that. The average is 6 feet.

Mayor Short asked if there was a state law or ordinance about tethering an animal.

## **11. City Survey Direct Mail Notice**

Mayor Short introduced Item 11.

Council Member Balkum combined the list of property owners and voter registration. She is now at 3391 but she is still removing duplicates. The actual count will be less than

3390. To lower the cost of printing, she likes the 9x6 or 5x4 mailer. Her suggestion is two mailers, two different sizes, smaller, to save money.

Council Member Herren stated he is not sure he is in favor of doing a survey this year. He doesn't think things have changed and he doesn't want to spend the money.

Council Member Balkum welcomed everyone's input. She wants information to help the council do their job. The reason she is bringing it to the council now is because she needs approval for funds to purchase the postcards.

Mayor Pro Tem Turnbull stated the 5x4 cards are the least expensive and to use that for the first mailing and the larger size for the reminder mailing. He agrees that the focus should be different than the survey in the past, but it could be a benefit to the community. He believes the money is well spent on the survey.

Council Member Balkum and Council Member Herren will sit down and talk about the survey focus.

Mayor Short agrees that the smaller mailer will be more cost-effective.

Council Member Herren asked if it was worth sending a second mailer based on how many people respond. He asked if there was a way to target constituents online rather than a physical mailer. He believes council should be looking for the best way to do this

Council Member Balkum stated each respondent would need a unique code from the city.

Mayor Pro Tem Turnbull suggested using a city account number if doing an electronic survey. However, it would be difficult.

**Mayor Pro Tem Turnbull made a motion to authorize Council Member Balkum to order 5x4 mailers for the survey.**

**Council Member Balkum seconded the motion.**

**Vote passed unanimously.**

## **12. Request for Proposals for City Engineer, City Planner and City Accountant.**

Mayor Short introduced item 12.

Mayor Pro Tem Turnbull stated the contractors in place now are good, but it would be a good idea to review their contracts. He would like them to be the best qualified, but doesn't want to put off evaluating this. He would like to post the positions and see what is available. He feels it is Council's job to get the best people in the positions. He recommends a 30-day filing deadline. Mayor Pro Tem Turnbull would like to contact local CPA chapters.

Mayor Short gave Lisa the directive to post positions in the newspaper and to contact professional organizations.

Mayor Pro-Tem Turnbull stated he would like to move forward as quickly as possible within the time constraints.

Mayor Short asked if they wanted to receive RFPs for all positions at the same time so they can review them or stagger them.

Mayor Pro-Tem Turnbull stated he would like to receive them all so they will have something to look at.

#### **14. Executive Session**

Mayor Short stated there was no reason to enter Executive Session.

#### **15. Reconvene Regular Meeting**

#### **16. Executive Session Action**

#### **17. Reports**

##### **a. Financial Reports for November 2018.**

Mayor Short opened discussion on Financial Reports.

Mayor Pro Tem Turnbull asked Lisa to ask Ray if there was a way to show offsets for the Fire Department on the SAFER Grant.

##### **b. Building Official Report for November 2018.**

No Discussion

##### **c. Rockwall County Sheriff Activity for November 2018.**

Mayor Short stated there were 25 burglaries and car theft calls for the area.

##### **d. McLendon-Chisholm Fire Rescue Department and EMS Activity for November 2018.**

Mayor Short stated Fire Rescue was active for New Years.

#### **18. Updates, Discussion and Direction to Staff**

#### **19. Council Member Reports and Announcements.**

**a. Mayor's Announcements – Events, Area Happenings, and Information.**

Mayor Short did not have announcements

**b. Council Member Balkum – Communications and Community Engagement.**

Council Member Balkum went with the company they chose for bricks for their ability to laser engrave bricks. They don't have a design.

Council Member Balkum has been on social media and taken phone calls. She stated she has taken photos of debris and made requests for removal as well as directed people to go to CWD for their trash concerns.

Mayor Short stated there was good communication with citizens, council, and city employees. He stated Council Member Balkum did a great job.

**c. Councilmember Larkin – NCTCOG 9-1-1 Board and Related Items**

Council Member Larkin gave an update on the funds passed down to the participating counties.

**d. Mayor Pro Tem Turnbull – Budget and Finance.**

Mayor Pro Tem Turnbull stated he does not have anything new on the budget, but asked Lisa to add notes on the Agenda that say "One-two Council Members may video-conference in."

City Attorney says it is the best practice to do that.

**e. Council Member Bloom – Economic Development.**

Moved to next meeting since Council Member Bloom is absent.

**f. Council Member Herren – Roads and Transportation.**


Council Member Herren reported that FM 549 expansion to four lanes is scheduled to be let in June 2022. Also, they will be doing the southern part of 205 in June of 2023.

20. Adjourn.

Mayor Pro-Tem Turnbull moved to adjourn the meeting. The meeting was adjourned at 10:38 p.m.

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Lisa Palomba, City Secretary

  
\_\_\_\_\_  
Keith Short, Mayor

