

City of Pilot Point, Texas
Minutes of the February 12, 2018
City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:30 p.m. for a Regular City Council meeting. City Council members present were Mayor Shea Dane-Patterson, John White, Whitney Delcourt, Jim Porter, Elisa Carrasco, Dean Cordell, and CJ Hilliard. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Fire Chief Heath Hudson, Development Services Director Kelly Carpenter, Deputy Development Services Director Calvin Manuel, Finance Supervisor Lana Ensminger, EDC Director Amanda Davenport, Librarian Wendy Turner, Public Works Director Mario Cisneros and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson announced a quorum at 6:30 pm and called the meeting to order.

B. PLEDGE TO FLAGS:

1. **United States of America**
2. **Texas Flag**

Mayor Dane-Patterson led the Pledge to Flags.

C. INVOCATION

Invocation was led by Father Tom Kennedy of St. Thomas Aquinas Catholic Church.

D. ITEMS OF COMMUNITY INTEREST

Mayor Dane-Patterson made the following announcements.

1. This Friday is the last day to file an application to be placed on the ballot for the May 5th General Election for Place 2 and Place 5.
2. City offices will be closed on Monday, February 19th in observance of Presidents' Day.
3. On Monday 19th, the City Council will hold a joint workshop with the Capital Projects Advisory Committee to discuss the possible November 2018 Bond Election and potential capital projects.
4. City sponsored Easter Egg Hunt will be Saturday, March 24th from 10 am to noon at the Old City Park.

E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION: (No Action)

1. **Public Forum:** *(Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the City Council may choose to discuss and consider the item. If the issue is not on the agenda, the Council is not permitted by state law to respond to or discuss the item other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Council may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)*

i. Proclamation recognizing Confined Space Training

Mayor Dane-Patterson presented a proclamation recognizing Confined Space Training to the Public Works Department and the Fire Department.

F. CONSENT AGENDA

1. **Discuss, consider, and possible action on approval of the City Council minutes of January 22, 2018 and January 29, 2018.**

2. **Discuss, consider, and possible action on a Resolution adopting the 2018 Pilot Point Investment Policy.**
3. **Discuss, consider, and possible action on the 2018 PPYSA Field Use Agreement.**
4. **Discuss, consider, and possible action on a work order for professional services with Wall Engineering, LLC. for engineering services for a lift station located on Industrial Drive and US 377.**

Mayor Dane-Patterson removed item F3 from the Consent Agenda.

Councilmember Porter moved to approve the Consent Agenda. Councilmember Hilliard seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. **Public hearing on a proposed Ordinance amending the City of Pilot Point Code of Ordinances Section 14.02.102 regarding the standards and maintenance of fences and screens.**

Mayor Dane-Patterson opened the public hearing at 6:00 pm.

Kelly Carpenter, Director of Development Services, stated that the Planning & Zoning Commission and City Council had previously reviewed and commented regarding the proposed amendments. The Planning & Zoning Commission recommends the City Council approve the proposed Ordinance.

Mayor Dane-Patterson closed the public hearing at 6:44 pm.

2. **Discuss, consider, and possible action on a proposed Ordinance amending the City of Pilot Point Code of Ordinances Section 14.02.102 regarding the standards and maintenance of fences and screens.**

Councilmember Hilliard moved to approve an Ordinance amending the City of Pilot Point Code of Ordinances Section 14.02.102 regarding the standards and maintenance of fences and screens. Councilmember Carrasco seconded the motion. The motion passed unanimously.

3. **Discuss, consider, and possible action on an Ordinance of the City of Pilot Point, Texas, making it unlawful for certain sex offenders to reside within 2,000 feet of premises where children gather; providing that a culpable mental state is not required for committing an offense; providing for certain affirmative defense; providing for severability, a penalty of \$500, and an effective date.**

Councilmember Carrasco moved to approve an Ordinance of the City of Pilot Point, Texas, making it unlawful for certain sex offenders to reside within 2,000 feet of premises where children gather; providing that a culpable mental state is not required for committing an offense; providing for certain affirmative defense; providing for severability, a penalty of \$500, and an effective date. Councilmember Cordell seconded the motion. The motion passed unanimously.

4. **Discuss, consider, and possible action on a Resolution of Support to participate in a special funding program through the Texas Department of Housing and Community Affairs (TDHCA) as requested by Bonner-Carrington.**

Below are some of the citizens comments:

- 1) Kevin Richardson, 10570 Strittmatter Rd., Pilot Point, stated he would like to know about the return on the investment to the City for services.
- 2) Mike Holt, anonymous, stated he would like to know what the tax appraisal is for the project.

- 3) Travis Irick, 342 E. Wilson Rd., Pilot Point, stated that he is not against affordable housing, but stated that this does not follow the City's RUDAT plan.
- 4) J.D. Tadlock, 400 S Hwy 377, Pilot Point, stated that he only wants what is best for the town.
- 5) Jeff Erwin, Aubrey, stated that the City of Aubrey had their first armed robbery due to the apartments located in Aubrey..
- 6) Trent Trubenbach, 10699 Strittmatter Rd., Pilot Point, stated that he believes the apartments will hurt school programs.
- 7) Robert Chambers, 901 Debbie Ln., Pilot Point, stated he would like for the City engineers to review the plans and for the City to slow down and take a hard look at the plans.
- 8) Jeff Duesman, 11132 FM 455 E, Pilot Point, stated that he was speaking for the whole Duesman family and feels this project will have a negative effect on the City.
- 9) Kimberly Kelly, 412 Copenhavr St., Pilot Point, stated she use to work at a low income apartment and is not in favor of it.
- 10) Kyle Manning, 10300 Hwy 377, Pilot Point, stated that the City has an opportunity right now and would like to see Council have control of our growth.

Councilmember Porter moved to table Item G4 regarding a Resolution of Support to participate in a special funding program through the Texas Department of Housing and Community Affairs (TDHCA) as requested by Bonner-Carrington, until the February 26, 2018 Council Meeting. Councilmember Cordell seconded the motion. The motion was unanimous.

This item will be placed on the February 26, 2018 agenda.

5. Discuss, consider, and possible action on approving a Resolution of Support for the Lone Star Resort and Marina Improvements.

Councilmember Porter moved to approve a Resolution of Support for the Lone Star Resort and Marina Improvements. Councilmember Hilliard seconded the motion. The motion passed unanimously.

6. Discuss, consider, and possible action on a proposed vacation of right of way (Sherman Street) between White and McKinney Streets; an alley perpendicular to Pedigo Street, and the provision of a ten foot electric easement along the west side of the existing right of way for Sherman.

Mayor Dane-Patterson stated that Councilmember Cordell removed himself from discussion or vote regarding this item (6). Councilmember Cordell stepped down from the dais.

Mayor Dane-Patterson moved to approve the proposed vacation of right of way (Sherman Street) between White and McKinney Streets; an alley perpendicular to Pedigo Street, and the provision of a ten foot electric easement along the west side of the existing right of way for Sherman. Councilmember Carrasco seconded the motion. The motion passed.

7. Discuss, consider, and possible action on a proposed Developers Agreement for the Plat of Lots 1,2,3,4, and 5, Block A in the Samuel Flint Survey, Abstract #418, City of Pilot Point ETJ, Denton County, Texas.

Councilmember Porter moved to table Item "G7" regarding a proposed Developers Agreement for the Plat of Lots 1,2,3,4, and 5, Block A in the Samuel Flint Survey, Abstract #418, City of Pilot Point ETJ, Denton County, Texas, until the February 26,

2018 meeting. Councilmember Carrasco seconded the motion. The motion passed unanimously.

This item will be placed on the February 26, 2018 agenda.

8. Discuss, consider, and possible action on a proposed Final Plat of Lots 1 through 5, located in the Samuel Flint Survey, Abstract #418 in Denton County, Texas between Jordan Moore Road and Walcott Road.

Councilmember Cordell moved to approve the proposed Final Plat of Lots 1 through 5, located in the Samuel Flint Survey, Abstract #418 in Denton County, Texas between Jordan Moore Road and Walcott Road with a note placed on plat "for residential use only" and limited to two weeks. Councilmember White seconded the motion. The motion passed unanimously.

9. Discuss, consider, and possible action on award of bid for sidewalk, curb ramp, and parking improvements for the downtown CDBG Project.

Councilmember Carrasco moved to accept and award of bid for sidewalk, curb ramp, and parking improvements for the downtown CDBG Project to DBI Engineers in the amount of \$227,592.12. Councilmember Porter seconded the motion. The motion passed unanimously.

10. Discussion on the draft Comprehensive Plan 2030.

Kelly Carpenter, Director of Development Services, presented the draft Comprehensive Plan 2030.

Ms. Kelly stated that the draft has a life dating from 2012. In addition, the Planning & Zoning Commission will hold a public hearing on March 5, 2018 and the City Council will hold a public hearing on March 12, 2018 to accept public comments.

Mayor Dane-Patterson stated the Plan is fabulous and is headed in the right direction.

H. EXECUTIVE SESSION:

The City Council of the City of Pilot Point will recess into Executive Session (Closed Meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to discuss the following:

1. In accordance with Texas Government Code, Section 551.071, consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding:

a. Water Well #8 Project and TCEQ Interim Approval Process.

Mayor Dane-Patterson read the purpose of the Executive Session and the City Council convened into Executive Session at 9:50 pm.

I. RECONVENE INTO REGULAR SESSION:

The City Council of the City of Pilot Point will reconvene into Regular Session (open meeting) pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding the following items discussed in Executive Session:

1. In accordance with Texas Government Code, Section 551.071, consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding:

a. Water Well #8 Project and TCEQ Interim Approval Process.

Mayor Dane-Patterson convened into Regular Council meeting at 10:12 pm.

No action was taken as a result of the Executive Session.

J. ADJOURN.

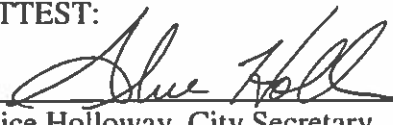
Mayor Dane-Patterson moved to adjourn the meeting and Councilmember Hilliard seconded the motion.

The motion passed unanimously. The meeting adjourned at 10:13 p.m.



Shea Dane-Patterson, Mayor

ATTEST:



Alice Holloway, City Secretary
Approved: February 26, 2018