

City of Pilot Point, Texas
Minutes of the February 25, 2019
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, Jim Porter, Whitney Delcourt, Andy Singleton, Ronald Petty, and Casie "CJ" Hilliard. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Finance Supervisor Lana Ensminger, Development Services Director John Taylor, Asst. City Attorney Regina Edwards, 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
*Honor the Texas Flag, I pledge allegiance to thee,
Texas, one state under God, One and indivisible*

Mayor Dane-Patterson led the Pledge to Flags.

C. INVOCATION

Invocation was led by Jim Porter, Pilot Point Mayor Pro Tem

D. ITEMS OF COMMUNITY INTEREST

- 1) City Council will hold a special meeting on Thursday, February 28, 2019 to discuss the mural concept in the Historic Downtown Square area.
- 2) This past Sunday was the last service for the Christian Church.
- 3) On Saturday, March 2, 2019, the Pilot Point Library and the 19th Century Club will be hosting a Birthday Party for Dr. Seuss.

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. Mayor Dane-Patterson and City Council congratulated City Secretary Alice Holloway and presented her with flowers for receiving her Master Municipal Clerk (MMC) Designation from the International Institute of Municipal Clerks.

F. CONSENT AGENDA

1. **Discuss, consider, and possible action on approval of the City Council minutes:**
 - February 11, 2019
2. **Discuss, consider, and possible action on a resolution approving the Economic Development Corporation Investment Policy and Strategy of the Corporation.**

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

G. REGULAR AGENDA

1. **Discuss, consider, and possible action on an ordinance of the City Council of the City of Pilot Point, Texas, receiving certification of the City Secretary; Declaring each unopposed candidate elected to office; and Canceling the May 4, 2019 General Election.**

City Secretary Alice Holloway stated that the place in the General Election is unopposed. Ms. Holloway stated that she has submitted a certification declaring each unopposed candidate elected to office.

Councilmember Hillard moved to approve an ordinance of the City Council of the City of Pilot Point, Texas, receiving certification of the City Secretary; Declaring each unopposed candidate elected to office; and Canceling the May 4, 2019 General Election. Councilmember Porter seconded the motion. The motion passed unanimously.

2. Discuss, consider, and provide staff direction on the interpretation of the 377 Corridor Standards.

Development Services Director Taylor stated that he is asking the City Council to provide staff direction and clarification on the following questions:

- What is considered new construction?
- Is the expansion of an existing business across Business 377 involving the conversion of a vacant lot into a fenced storage/sales lot with a sign for heavy equipment but without the construction of a building considered “new construction”?

In addition, Mr. Taylor asked if council wants the ordinance to be black and white or flexible.

Mayor Dane-Patterson stated that she does not believe the ordinance should be flexible. She stated that everyone should be treated the same. Councilmember Porter stated that if it was flexible, it opens the door for issues.

The City Council directed Mr. Taylor to follow the ordinance as written.

Mayor Dane-Patterson stated that several businesses were contacted and told that they have to enclose the trash compactor, and some have complied, and some have not. She stated that the corridor standards state for new construction only and we as the City should comply with the standards as written. Councilmember Hilliard stated that she agreed with Mayor Dane-Patterson.

The City Council directed staff to enforce standards as writing going forward.

3. Discussion and provide staff direction on changes to the requirements for residential exterior building materials.

Development Services Director Taylor stated that in recent discussions on residential Planned Developments one of the recurring issues have been about the masonry content of the future houses and how masonry was defined.

Councilmember Petty stated he had some concerns on the masonry materials. Councilmember Hilliard stated that she has no problems with it and Mayor Dane-Patterson agreed. After more discussion, no direction was given.

4. Discuss, consider, and possible action on the March 2019 City Council meeting schedule.

Mayor Dane-Patterson stated that she asked for this item to be on the agenda because past meetings during spring break has been moved or cancelled. After council discussed their schedules, staff was directed to post only one meeting in March. The meeting will be on March 18, 2019.

H. STAFF REPORTS

The City Council may discuss any of the items under Staff Reports, but no formal action will be taken.

- January City Secretary Report
- January Library Report
- January Main Street Report
- January Finance Report
- January Police Department Report
- January Court Report

I. 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 the Texas Government Code, Section § 551.071: Consultation with 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 this chapter and/or consultation with attorney regarding pending litigation, contemplated litigation or a settlement offer re: (1) settlement proposal from Nathan Brown/SNAG Investments, LLC regarding Burks Street; and (2) pending litigation: Cause No. PR-2018-00716 The City of Pilot Point v. Shelby, et al.; and

3. In accordance with the Texas Government Code, Section 551.072: Deliberate the purchase, exchange, lease, or value of real property, including: (1) an approximately 35 acre tract generally located west of Pecan Creek and north of FM 455 for the wastewater treatment facility project, and (2) an approximately 39 acre tract generally located east and west of Pecan Creek and south of FM 455 for the wastewater treatment facility project and (3) an approximately .835 acre tract generally located west of 377.
4. Mayor Dane-Patterson read the purpose of the executive session and Council convened into Executive Session at 7:28 PM.

J. 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:

- i. In accordance with the Texas Government Code, Section § 551.071: Consultation with 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 this chapter and/or consultation with attorney regarding pending litigation, contemplated litigation or a settlement offer re: (1) settlement proposal from Nathan Brown/SNAG Investments, LLC regarding Burks Street; and (2) pending litigation: Cause No. PR-2018-00716 *The City of Pilot Point v. Shelby, et al.*; and
- ii. In accordance with the Texas Government Code, Section 551.072: Deliberate the purchase, exchange, lease, or value of real property, including: (1) an approximately 35 acre tract generally located west of Pecan Creek and north of FM 455 for the wastewater treatment facility project, and (2) an approximately 39 acre tract generally located east and west of Pecan Creek and south of FM 455 for the wastewater treatment facility project and (3) an approximately .835 acre tract generally located west of 377.

Mayor Dane-Patterson announced the meeting is back in regular session at 8:35 p.m.

(Item 1 -1)

Councilmember Porter move to direct the City Attorney to proceed as directed in Executive Session. Councilmember Hilliard seconded the motion. The motion passed unanimously.

(Item 1-2)

Councilmember Porter moved to approve settlement offer as discussed in Executive Session. Councilmember Delcourt seconded the motion. The motion passed unanimously.

(Item 2)

No action taken as result of Executive Session.

K. ADJOURN.

Mayor Dane-Patterson moved to adjourn. Councilmember Hilliard seconded the motion. The motion passed unanimously. The meeting adjourned at 8:38 pm.



Shea Dane-Patterson, Mayor

ATTEST:



Alice Holloway, City Secretary

Approved: March 18, 2019