

**City of Pilot Point, Texas**  
Minutes of the March 18, 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, Ronald Petty, and Dean Cordell. 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:**

United States of America

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 Alan Guard, Pilot Point City Manager

**D. ITEMS OF COMMUNITY INTEREST**

- 1. Presentation of Proclamation recognizing Assistant City Secretary JoAnn Wright for 20 years of dedicated service to the City of Pilot Point.**

Mayor Dane-Patterson announced that Asst. City Secretary JoAnn Wright was out on family medical leave and this item will be placed on the next agenda.

**E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION**

Mayor Dane-Patterson made the following announcements:

1. It's Your Park Day will be held on March 30<sup>th</sup>.
2. Movies in the Park will be held on April 26<sup>th</sup>, May 31<sup>st</sup>, and June 28<sup>th</sup>.
3. This Saturday at 8:30am, Prayer on the Square will be held. This event is conducted by Pilot Point Positive (PPP).
4. March 24<sup>th</sup> is the FFA Annual Benefit Luncheon.
5. April 13<sup>th</sup> is the City Easter Egg Hunt.

**F. CONSENT AGENDA**

- 1. Discuss, consider, and possible action on approval of the City Council minutes of February 25, 2019.**
- 2. Discuss, consider, and possible action on the approval of the financing of two (2) new bank accounts at Point Bank of Pilot Point, TX to account for bond funds.**

Councilmember Petty moved to approve the Consent Agenda. Councilmember Cordell seconded the motion. The motion passed unanimously.

**G. REGULAR AGENDA**

- 1. Discuss, consider, and possible action on a resolution approving an agreement with the Denton County Children's Advocacy Center and authorizing a one-time payment of Ten Thousand Dollars (\$10,000).**

Councilmember Porter moved to approve a resolution authorizing a one-time payment of Ten Thousand Dollars (\$10,000). Councilmember Petty seconded the motion. The motion passed unanimously.

- 2. Hold a Public Hearing for the replat of an existing residential subdivision on Lots 1-8, Block A of Whitley Meadows Addition, being a replat of part of Square 3 of Green Flake's Addition and all of a previously unplatted tract, being plus or minus 6.06 acres in the Charles Smith Survey, Abstract Number 1139 in the City of Pilot Point, Denton County, Texas.**

Mayor Dane-Patterson opened the public hearing for the replat of an existing residential subdivision on Lots 1-8, Block A of Whitley Meadows Addition, being a replat of part of Square 3 of Green Flake's Addition and all of a previously unplatted tract, being plus or minus 6.06 acres in the Charles Smith Survey, Abstract Number 1139 in the City of Pilot Point, Denton County, Texas at 6:42 p.m.

Development Services Director Taylor stated that Lots 1 through 7 on the plat are zoned SF-2. The lots meet the minimum lot dimension requirements, and the building setback lines contained in the SF-2 district regulations. Lot 8 is zoned MF-1, Multifamily Duplex which requires minimum lot size of 5,000 sq. ft. Lot 8 meets the minimum lot size requirement. In addition, the developer has made the decision to have lot 8 larger for the potential of future development of single-family lots.

In addition, Mr. Taylor stated that the Planning and Zoning Commission recommended approval of the plat with the following change of the building rear yard building setback line of 10' ft. to 25' ft on Lot 5. This plat meets the zoning ordinance, and subdivision ordinance as presented.

No comment made from the public. Mayor Dane-Patterson closed the public hearing at 6:46 p.m.

- 3. Discuss, consider, and possible action on the final plat of Lots 1-8, Block A of Whitley Meadows Addition, being a replat of part of Square 3 of Green Flake's Addition and all of a previously unplatted tract, being plus or minus 6.06 acres in the Charles Smith Survey, Abstract Number 1139 in the City of Pilot Point, Denton County, Texas.**

Councilmember Cordell moved to approve the final plat of Lots 1-8, Block A of Whitley Meadows Addition, being a replat of part of Square 3 of Green Flake's Addition and all of a previously unplatted tract, being plus or minus 6.06 acres in the Charles Smith Survey, Abstract Number 1139 in the City of Pilot Point, Denton County, Texas. Councilmember Petty seconded the motion. The motion passed unanimously.

- 4. Discuss, consider, and possible action on the Preliminary Plat of Hat Creek Estates. A 56.42 acre tract located in the Samuel Flint Survey, abstract number 418, Denton County Texas.**

Director of Development Services Taylor stated that the property owner, 375 Oak Ridge, LLC, is proposing to plat a 192 residential lot subdivision called Hat Creek Estates. Phase 1 is 29.756 acres and will contain 91 lots and Phase 2 will have 26.663 acres with 101 lots.

One of the open space lots, totaling 3.598 acres, will be dedicated to the city as an improved park. All park improvements will be completed in Phase 1. The dedication of the open space with improvements will fully offset the 1 acre for every 40 lots of park land dedication requirement.

A total of 6.2 acres in Phase 1 and 5.7 acres in Phase 2 is being dedicated as right of way for internal streets. The subdivision will have internal sidewalks and a sidewalk meeting the Master Trail Plan on FM 1192.

The property is zoned Planned Development "PD" with a base of SF-2 standards and the modifications as approved with the related Development Standards. The proposed plat meets all the approved PD standards.

Councilmember Cordell moved to approve the Preliminary Plat of Hat Creek Estates. A 56.42 acre tract located in the Samuel Flint Survey, abstract number 418, Denton County Texas. Councilmember Porter seconded the motion. The motion passed unanimously.

- 5. Discuss, consider, and possible action on a resolution approving a lease agreement between the City of Pilot Point and the Pilot Point Chamber of Commerce.**

Councilmember Petty moved to approve a resolution approving a lease agreement between the City of Pilot Point and the Pilot Point Chamber of Commerce. Councilmember Porter seconded the motion. The motion passed unanimously.

- 6. Discuss, consider, and possible action on an ordinance of the City Council of the City of Pilot Point, Texas, amending ordinance no. 380-12-2018 providing for City of Pilot Point budget amendment number one (1) in order to amend the 2018-2019 fiscal year budget; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; and providing an effective date.**

Mayor Dane-Patterson questioned why funds are being removed from the Fire Department Salary payables. City Manager Guard stated that funds were in budget in case the City was awarded the Safer Grant. Mayor Dane-Patterson stated that several meetings were conducted on this topic and it was directed not to place the funds in the budget. In addition, she stated that it was agreed on by council and staff that if the City was awarded the Safer Grant, reserves would be used. City Manager Guard stated that there was a misunderstanding on the direction.

Councilmember Porter moved to approve an ordinance of the City Council of the City of Pilot Point, Texas, amending ordinance no. 380-12-2018 providing for City of Pilot Point budget amendment number one (1) in order to amend the 2018-2019 fiscal year budget; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; and providing an effective date. Councilmember Petty seconded the motion. The motion passed unanimously.

**H. STAFF REPORT**

- a. February Library Monthly Report
- b. February Main Street Monthly Report
- c. February Police Department Report
- d. February Finance Report
- e. February City Secretary 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
- 2. 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.
- 3. 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 regarding contract, payment obligations and development under agreements between Iron Horse Development, LLC and the City.

Mayor Dane-Patterson read the purpose of the executive session and Council convened into Executive Session at 7:26 PM.

**I. RECONVENE INTO REGULAR SESSION**

The City Council of the City of Pilot Point will reconvene into Executive Session (Closed 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 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
- 2. 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.
- 3. 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 regarding contract, payment obligations and development under agreements between Iron Horse Development, LLC and the City.

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

No action taken as result of Executive Session.

**K. ADJOURN.**

Councilmember Cordell moved to adjourn. Councilmember Porter seconded the motion. The motion passed unanimously. The meeting adjourned at 8:18 pm.



Alice Holloway, City Secretary



Shea Dane-Patterson, Mayor

Approved: April 8, 2019