

**City of Pilot Point, Texas**  
Minutes of the May 14, 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, Development Services Director Kelly Carpenter, Asst. Development Services Director Calvin Manuel, Library Director Wendy Turner, Main Street Manager Lenette Cox, Asst. Fire Chief Bryan Cox, Finance Supervisor Lana Ensminger, EDC Director Amanda Davenport, Asst. City Secretary JoAnn Wright 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 Councilmember Jim Porter.

**D. ITEMS OF COMMUNITY INTEREST**

1. City offices will be closed on May 28, 2018 in observation of Memorial Day.
2. The next City Council meeting will be held on Tuesday, May 29, 2018 since Monday is a holiday.

**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 May 2018 as Child Abuse Prevention Month**

Mayor Dane-Patterson read a proclamation recognizing May 2018 as Child Abuse Prevention Month.

**ii. Proclamation recognizing May 14, 2018 as 2018 Children's Mental Health Awareness Day**

Mayor Dane-Patterson read and presented a proclamation to Sonia Redwine of the United Way of Denton recognizing May 14, 2018 as 2018 Children's Mental Health Awareness Day.

**iii. Proclamation recognizing May 2018 as National Preservation Month**

Mayor Dane-Patterson read and presented a proclamation to Main Street Director Cox recognizing May 2018 as National Preservation Month.

**iv. Proclamation recognizing May 2018 as Building Safety Month**

Mayor Dane-Patterson read and presented a proclamation to Development Services Director Carpenter recognizing May 2018 as Building Safety Month.

v. **Proclamation recognizing May 21-27, 2018 as National Public Works Week**

Mayor Dane-Patterson read a proclamation recognizing May 21 -27, 2018 as National Public Works Week.

vi. **Proclamation recognizing May 13-19, 2018 as National Police Week**

Mayor Dane-Patterson read and presented a proclamation to Police Chief Conner recognizing May 13 – 19, 2018 as National Police Week.

vii. **Presentation to Councilmember John White for his service to the City of Pilot Point**

Mayor Dane-Patterson read and presented a plaque to John White thanking him for his service on the Pilot Point City Council from 2014 – 2018.

Councilmember White left the meeting.

**F. CONSENT AGENDA**

1. **Discuss, consider, and possible action on approval of the City Council minutes of April 23, 2018.**
2. **Discuss, consider, and possible action on a Resolution approving an agreement between the City of Pilot Point and the Texas Department of Transportation authorizing the temporary closure of State right of way for the Bonnie & Clyde Days Festival.**

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

**G. REGULAR AGENDA**

1. **Discuss, consider, and possible action on a Resolution of the City Council of the City of Pilot Point, Texas, canvassing the returns and declaring the results of the General Election for City Officers held on May 05, 2018.**

City Secretary Holloway stated that for the May 5, 2018 Election, there were a total of 2,238 registered voters eligible to vote. Only 349 (15.59%) voted and then read the results of the election.

	<u>EARLY</u>	<u>ELECTION</u>	<u>BY</u>	<u>PROVISIONAL</u>	<u>TOTAL</u>	
	<u>VOTING</u>	<u>DAY</u>	<u>MAIL</u>	<u>VOTING</u>	<u>VOTES</u>	<u>%</u>
<b><u>Place 2</u></b>						
Kimberly Kelly	89	38	15	0	142	42.14%
Whitney Delcourt	128	64	3	0	195	57.86%
<b><u>Place 5</u></b>						
Dean Cordell	172	75	17	0	264	100%

Councilmember Carrasco moved to approve a resolution of the City Council of the City of Pilot Point, Texas, canvassing the returns and declaring the results of the General Election for City Officers held on May 05, 2018. Councilmember Hilliard seconded the motion. The motion passed unanimously.

2. **Presentation of Certificate of Election and administer Oath of Office.**

City Secretary Holloway administered the Oath of Office to Councilmember Delcourt and Councilmember Cordell.

3. **Discuss, consider, and possible action on a resolution accepting the resignation of John White and declaring a vacancy for place one.**

Councilmember Carrasco moved to approve a resolution accepting the resignation of Councilmember John White and declaring a vacancy for place one. Councilmember Hilliard seconded the motion. The motion passed unanimously.

4. **Discuss, consider, and possible action on a procedure to fill the vacancy of City Council Place One.**

Mayor Dane-Patterson read Pilot Point City Charter Section 3.06 Vacancies, Forfeiture and Filling of Vacancies. Mayor Dane-Patterson stated that City Secretary Holloway has discussed different options with the City Attorney and one of the most effective and transparent ways of filling the seat is to have an application process. Once applications are turned in, the City Council would interview the candidates. The interviews and appointment will take place May 29, 2018. The City Council agreed with the process.

5. **Public hearing on a replat request for plus or minus 1.55 acres in the C. Smith Survey, Abstract 1139, City of Pilot Point, Denton County, Texas for the creation of eight (8) residential lots described as Texas and Pacific Railway Addition, Block 27, lots 1R, 2R & 7R through 12R. The property is bordered by W. Broad Street to the north, and Montague Street to the west.**

Mayor Dane-Patterson opened the public hearing at 7:17 pm on a replat request for plus or minus 1.55 acres in the C. Smith Survey, Abstract 1139, City of Pilot Point, Denton County, Texas for the creation of eight (8) residential lots described as Texas and Pacific Railway Addition, Block 27, lots 1R, 2R & 7R through 12R. The property is bordered by W. Broad Street to the north, and Montague Street to the west. Development Services Director Carpenter presented details about the replat request. Mayor Dane-Patterson asked if the Planning & Zoning Commission approved this replat. Development Services Director Carpenter stated the commission did approve the replat. Mayor Dane-Patterson closed the Public hearing at 7:19 pm.

6. **Discuss, consider, and possible action on the proposed replat request for plus or minus 1.55 acres in the C. Smith Survey, Abstract 1139, City of Pilot Point, Denton County, Texas for the creation of eight (8) residential lots described as Texas and Pacific Railway Addition, Block 27, lots 1R, 2R & 7R through 12R. The property is bordered by W. Broad Street to the north, and Montague Street to the west.**

Councilmember Cordell moved to approve the proposed replat request for plus or minus 1.55 acres in the C. Smith Survey, Abstract 1139, City of Pilot Point, Denton County, Texas for the creation of eight (8) residential lots described as Texas and Pacific Railway Addition, Block 27, lots 1R, 2R & 7R through 12R. Councilmember Hilliard seconded the motion. The motion passed unanimously.

7. **Public Hearing on the Mustang Ranch Preliminary Plat, also described as plus or minus 14.94 acres in the C. Smith Survey, Abstract No. 1139, in Denton County, Pilot Point, Texas for the creation of a 64-lot residential subdivision. The property is generally located on North Montague Street, bordered to the north by W. Gould Street, and to the south by F.M. 1192.**

Mayor Dane-Patterson opened the public hearing at 7:20 pm on the proposed replat request for plus or minus 1.55 acres in the C. Smith Survey, Abstract 1139, City of Pilot Point, Denton County, Texas for the creation of eight (8) residential lots described as Texas and Pacific Railway Addition, Block 27, lots 1R, 2R & 7R through 12R. Development Services Director Carpenter presented details about the replat request. Mayor Dane-Patterson asked if the Planning & Zoning Commission approved this replat. Development Services Director Carpenter stated the commission did approve the replat. Mayor Dane-Patterson closed the Public hearing at 7:22 pm.

8. **Discuss, consider, and possible action on a preliminary plat request for plus or minus 14.94 for the purpose of creating a 64-lot subdivision called Mustang Ranch in the City of Pilot Point, Denton County, Texas. The property is generally located south of Gould, west of Montague and north of 1192.**

Councilmember Carrasco moved to approve a preliminary plat request for plus or minus 14.94 for the purpose of creating a 64-lot subdivision called Mustang Ranch in the City of Pilot Point, Denton County, Texas. Councilmember Hilliard seconded the motion. The motion passed unanimously.

9. **Public hearing on an ordinance of the City of Pilot Point, Texas amending Chapter 14, Zoning of the Code of Ordinances to change the zoning classification of 113.10 plus or minus acre parcel(s), generally located on North Highway 377, approximately 1, 200 feet North of the Intersection of North Highway 377 and North Washington Street, Pilot Point, Texas from SF-2, Single Family Residential and C-2, Commercial to PD, Planned Development Single Family Residential.**

Mayor Dane-Patterson opened the public hearing at 7:22 pm on an ordinance of the City of Pilot Point, Texas amending Chapter 14, Zoning of the Code of Ordinances to change the zoning classification of 113.10 plus or minus acre parcel(s), generally located on North Highway 377, approximately 1,200 feet north of the Intersection of North Highway 377 and North Washington Street, Pilot Point, Texas

from SF-2, Single Family Residential and C-2, Commercial to PD, Planned Development Single Family Residential.

Development Services Director Carpenter stated that some changes have been made to this proposed property. Development Services Director Carpenter went over the changes that were in the Council packet. Some of the changes or to go from 575 lots to 425 lots, open space goes from 4.6 % to 12.9%.

Paul McCracken, Senior Vice-President at Kimley Horn and Associates, Inc., stated that the whole project is actually between SF2 and SF3. One of the items that this plan addresses is access to the high school property without the need to have traffic on HWY 377. There is a buffered area that will have a club house, swimming pool, playground equipment, picnic tables, and parking. There are several detention areas. The homeowners association would maintain the green space. The sizes of the homes will be from 1800 to 2500 square feet, the prices would be between \$275,000 and \$400,000.

The following citizens commented on this item:

1. Howard Kimble, 1215 N St Charles Ave, stated he likes the improvements, but is concerned that the developers are pushing more to the minimums and wants to see more opened up. Mr. Kimble stated that he is afraid that if the City approves this plan, it will bring in more of the same. He wants the City to take their time on these projects. In addition, Mr. Kimble has concerns for the kids that will be playing in the street.
2. Elliot Townson, Vice President of KJE, 703 Mohawk, Tioga, Texas, stated that he is not representing anyone in this matter. Mr. Townson stated that as an engineer he believes that the proposed plan provided is a very custom product. They have made concessions as to the feedback from the City. Mr. Townson stated that he supports the proposal.
3. Greg Bradley, 1217 N St James Cir, stated he is for growth, but is worried about the infrastructure and traffic. Mr. Bradley does not want to see another community like Providence.
4. Paul Dennis, 600 Aspen Street, stated that he needs clarification on the size of the garages required in our City Ordinance.
5. Joyce Duesman, 11712 FM 455, stated she would like to remind everyone of the RUDAT report and all the work that went into it. Council needs to protect our town and the way it looks. The City needs to protect country living, horses, the lake and history. People don't move to Pilot Point for no lot size. Nowhere in this plan does it mention trails. The City needs to make sure the right kind of development goes into our city.
6. Barbie Maze, 326 E. Liberty St, stated she is concerned about the traffic plan. Small lots and with families, people will be parking in the streets. Fifteen foot backyards are not big enough for kids to play in. We need to improve our infrastructure before we allow new houses. We need to slow down and do what's best for the City.
7. Nathan Brown, 7411 Bright Place, stated he is not against the project, but wants to see the City raise the standards. Mr. Brown heard the word minimum standards many time. Take time and look the little things. Just be wise in the decisions.
8. Bess Strickland, 10220 Strittmatter Road, stated that we know that growth is coming and we want to control how it looks. We don't want to look like another Aubrey or Providence.
9. Mary Jackson, 711 E. Walcott Street, stated we want houses that have a front, side, and backyards where kids can play. People come here because we are what we are.
10. Kimberly Kelly, 412 W. Copenhavr Street, stated she is for the development, but would like to see it with bigger lots. It needs to contain trails and more thought about families.

With no other comments, Mayor Dane-Patterson closed the public hearing at 8:31 pm.

10. **Discuss, consider, and possible action on an ordinance of the City of Pilot Point, Texas amending Chapter 14, Zoning of the Code of Ordinances to change the zoning classification of 113.10 plus or minus acre parcel(s), generally located on North Highway 377, approximately 1, 200 feet North of the intersection of North Highway 377 and North Washington Street, Pilot Point, Texas from SF-2, Single Family Residential, and C-2, Commercial, to PD, Planned Development Single Family Residential; amending the original zoning map to reflect such changes; providing a savings clause; providing a severability clause; providing a penalty; providing for engrossment and enrollment; and providing an effective date.**

Mayor Dane-Patterson moved to table this item until Planning & Zoning reviews the changes. Councilmember Porter seconded the motion. The motion passed unanimously.

11. Discuss, consider, and possible action to authorize the City Attorney to take appropriate action, including filing suit, for the right to enter and to perform a survey and related activities on a portion of the property situated in the Charles Smith Survey Abstract 139, the Henry Tierwester Survey Abstract 1242, the Peter Gass Survey Abstract 496, and the A.K. Wiley Survey Abstract 1321, Denton County, Texas, being a part of the Mrs. M. Montgomery Estate, with Denton Central Appraisal District ID # A1242A-000-0002-0000, and generally located west of Pecan Creek and north of FM 455.

See Executive Session notes.

## H. STAFF REPORTS

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

- April City Secretary Report
- April Police Reports
- April Library Report
- April Main Street Report
- April Public Works Report
- April Fire Reports

There were no comments regarding staff reports.

## 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:

A. **Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter and/or consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071.**

1. Acquisition of a portion of the property situated in the Charles Smith Survey Abstract 139, the Henry Tierwester Survey Abstract 1242, the Peter Gass Survey Abstract 496, and the A.K. Wiley Survey Abstract 1321, Denton County, Texas, being a part of the Mrs. M. Montgomery Estate, with Denton Central Appraisal District ID # A1242A-000-0002-0000, and generally located west of Pecan Creek and north of FM 455

Mayor Dane-Patterson read the purpose of the Executive Session and the City Council convened into Executive Session at 8:35 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:

A. **Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter and/or consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071.**

1. Acquisition of a portion of the property situated in the Charles Smith Survey Abstract 139, the Henry Tierwester Survey Abstract 1242, the Peter Gass Survey Abstract 496, and the A.K. Wiley Survey Abstract 1321, Denton County, Texas, being a part of the Mrs. M. Montgomery Estate, with Denton Central Appraisal District ID # A1242A-000-0002-0000, and generally located west of Pecan Creek and north of FM 455

Mayor Dane-Patterson convened into regular Council Meeting at 8:52 pm.

Councilmember Porter moved to authorize the City Attorney to take appropriate action, including filing suit, for the right to enter and to perform a survey and related activities on a portion of the property situated I the Charles Smith Survey Abstract 139, the Henry Tierwester Survey Abstract 1242 =, the Peter Gass Survey Abstract 496, and the A.K. Wiley Survey Abstract 1321, Denton County, Texas, being a part of the Mrs. M. Montgomery Estate, with Denton Central Appraisal District ID # A1242A-000-0002-0000, and generally located west of Pecan Creek and north of FM 455. Councilmember Carrasco seconded the motion. The motion passed unanimously.

**K. ADJOURN.**

Mayor Dane-Patterson moved to adjourn. Councilmember Cordell seconded the motion. The motion passed unanimously. The meeting adjourned at 8:53 pm.

  
\_\_\_\_\_

Shea Dane-Patterson, Mayor

**ATTEST:**

  
\_\_\_\_\_

Alice Holloway, City Secretary  
Approved: June 11, 2018