

City of Pilot Point, Texas

Minutes of the June 25, 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, Jim Porter, Andy Singleton, Whitney Delcourt, Dean Cordell and CJ Hilliard. City Staff members present were City Manager Alan Guard, Police Sargent Robert Powell, Development Services Director Kelly Carpenter, Finance Supervisor Lana Ensminger, Library Director Wendy Turner and Assistant City Secretary JoAnn Wright.

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 Father Tom Kennedy, of St Thomas Aquinas Catholic Church.

D. ITEMS OF COMMUNITY INTEREST

1. Father Kennedy announced his leaving the parish of Pilot Point to move back to Plano to help take care of his aging mother.

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.)*

NA

F. CONSENT AGENDA

1. Discuss, consider, and possible action on approval of the City Council minutes of April 16, 2018 and June 11, 2018.
2. Discuss, consider, and possible action on approval and authorize the Mayor to sign Interlocal Cooperation Agreements with Denton County for Fire Protection and Ambulance Services for the 2018 Fiscal Year.
3. Discuss, consider, and possible action on a resolution accepting the resignation of Elisa Carrasco and declaring vacancy for place four.

Councilmember Porter moved to accept the Consent Agenda. Councilmember Cordell seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. Public hearing on an ordinance of the City of Pilot Point amending the City of Pilot Point Code of Ordinances, Chapter 14 Zoning regarding telecommunication tower standards.

Mayor Dane-Patterson opened the public hearing at 6:35 pm. Development Services Director Carpenter stated the reason for this proposed ordinance is to address definitions, a schedule of land uses, location standards, and the criteria for requiring a special use permit. Mayor Dane-Patterson closed the public hearing at 6:38 pm.

- 2. Discuss, consider and possible action on an ordinance of the City of Pilot Point amending the City of Pilot Point Code of Ordinances, Chapter 14 Zoning regarding telecommunication tower standards; providing for a severability clause; providing a cumulative repealer clause; providing a savings clause; providing a penalty clause not to exceed two thousand dollars (\$2,000); and establishing an effective date.**

Councilmember Porter moved to approve an ordinance of the City of Pilot Point amending the City of Pilot Point Code of Ordinances, Chapter 14 Zoning regarding telecommunication tower standards; providing for a severability clause; providing a cumulative repealer clause; providing a savings clause; providing a penalty clause not to exceed two thousand dollars (\$2,000); and establishing an effective date. Councilmember Hilliard seconded the motion. The motion passed unanimously.

- 3. Public hearing on an ordinance amending Chapter 14 "Zoning" of the Code of Ordinances of the City of Pilot Point relating to the sale of alcoholic beverages, including the sale of beer, wine, and alcoholic beverages for on-premises consumption, on premises consumption in conjunction with a restaurant, the sale of alcoholic beverages for off-premises consumption, and the sale of beer and wine for off-premises consumption in various zoning districts, including without limitation, the C-1, C-2, I-1, and I-2 Zoning Districts, and other Districts determined appropriate, providing Use Regulations, including without limitation, any necessary adoption of or amendments to Specific Use Permit regulations, adoption of or amendments to administrative regulations, including distance measurements, and adoption of or amendments to permit regulations, and providing other appropriate regulations for the orderly regulation of land within the City of Pilot Point.**

Mayor Dane-Patterson opened the public hearing at 6:39 pm. Development Services Director Carpenter stated the reason for this proposed ordinance is to address definitions, a schedule of land uses, adding Supplemental Regulations for the proposed changes to the Zoning Code to provides for regulation of establishments who wish to sell alcoholic beverages. Mayor Dane-Patterson closed the public hearing at 6:44 pm.

- 4. Discuss, consider and possible action on an ordinance amending Chapter 14 "Zoning" of the Code of Ordinances of the City of Pilot Point relating to the sale of alcoholic beverages, including the sale of beer, wine, and alcoholic beverages for on-premises consumption, on premises consumption in conjunction with a restaurant, the sale of alcoholic beverages for off-premises consumption, and the sale of beer and wine for off-premises consumption in various zoning districts, including without limitation, the C-1, C-2, I-1, and I-2 Zoning Districts, and other Districts determined appropriate, providing Use Regulations, including without limitation, any necessary adoption of or amendments to Specific Use Permit regulations, adoption of or amendments to administrative regulations, including distance measurements, and adoption of or amendments to permit regulations, and providing other appropriate regulations for the orderly regulation of land within the City of Pilot Point.**

Councilmember Hilliard moved to approve an ordinance amending Chapter 14 "Zoning" of the Code of Ordinances of the City of Pilot Point relating to the sale of alcoholic beverages, including the sale of beer, wine, and alcoholic beverages for on-premises consumption, on premises consumption in conjunction with a restaurant, the sale of alcoholic beverages for off-premises consumption, and the sale of beer and wine for off-premises consumption in various zoning districts, including without limitation, the C-1, C-2, I-1, and I-2 Zoning Districts, and other Districts determined appropriate, providing Use Regulations, including without limitation, any necessary adoption of or amendments to Specific Use Permit regulations, adoption of or amendments to administrative regulations, including distance measurements, and adoption of or amendments to permit regulations, and providing other appropriate regulations for the orderly regulation of land within the City of Pilot Point. Councilmember Delcourt seconded the motion. The motion passed unanimously.

- 5. 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 2 to PD, Planned Development Single Family Residential.

Mayor Dane-Patterson opened the public hearing at 6:45 pm. Development Services Director Carpenter stated the purpose of this hearing is to request the approval of a Residential Planned Development and accompanying site plan for 113 acres of land located on US 377 North, approximately 1200 north of its intersection with Washington. The proposed planned development contains 380 residential lots, open space and streets. The Planning and Zoning Commission considered this request at its May 7 meeting. A joint meeting between the City Council and the Planning Commission occurred on May 14. At the Council meeting on May 14, the City Council tabled the request. Applicant listened to the community and revised its plans to be responsive to the community. The Planning and Zoning Commission proposed the following amendments to the Planned Development Ordinance:

1. Architectural shingles shall be used on all roofs.
2. Units to be 70% brick including units that side or front on street. Rear to be 50% brick.
3. The landscape buffer off the US 377 north ROW shall be 35 feet.
4. Rear yard six foot high masonry wall shall be provided at the property line for the lots backing onto US 377 north.

The developer stated the project will be done in three stages and take overall about five years to complete. Average cost of the house will be from \$250, 000 to \$400,000 per lot. All street will have sidewalks. There is a community center for the residents. One area is stubbed out going to City property for future growth. Mayor Dane-Patterson closed the public hearing at 6:58 pm.

6. **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 2 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.**

Councilmember Cordell made a motion to approve 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 2 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. Councilmember Singleton seconded the motion. The motion passed unanimously.

7. **Public hearing on an ordinance of the City of Pilot Point, Texas amending Chapter 14, Zoning, Section 14.02 Zoning Ordinance of the Code of Ordinances regarding appropriate zoning districts for meat processing plants.**

Mayor Dane-Patterson opened the public hearing at 7:01 pm. Development Services Director Carpenter stated the purpose of this hearing is to get public input on whether to keep allowing meat processing in C-1 Retail and C-2 Commercial zoning districts with special use permits. The state meat inspector said the grant to allow meat processing has been removed by the Texas Department of State Health Services. Council wants to know from the state if this removal was on the owner or the property. Mayor Dane-Patterson closed the hearing at 7:17 pm.

8. **Discuss, consider, and possible action on an ordinance of the City of Pilot Point, Texas amending Chapter 14, Zoning, Section 14.02 Zoning Ordinance of the Code of Ordinances regarding appropriate zoning districts for meat processing plants; providing for a severability clause; providing for a repealer clause; providing for a penalty clause not to exceed two thousand dollars (\$2,000); and providing for an effective date.**

Councilmember Delcourt moved to table this item until more information could be obtained from the Texas Department of State Health Services. Councilmember Cordell seconded the motion. The motion

passed unanimously.

- 9. Public hearing on a request to amend Chapter 10, the subdivision ordinance, to add a phrase to Section 10.02.134(b) that phrase being “except where per-front-foot basis is not appropriate or fair”.**

Mayor Dane-Patterson announced that Item number 9 has been removed from the agenda due to no further need.

- 10. Discuss consider, and possible action on an ordinance amending Chapter 10, the subdivision ordinance, to add a phrase to Section 10.02.134(b) that phrase being “except where per-front-foot basis is not appropriate or fair”; providing for a severability clause; providing for a repealer clause; and providing for an effective date.**

Mayor Dane-Patterson announced that Item number 9 has been removed from the agenda due to no further need.

- 11. Discuss, consider, and possible action on an ordinance of the City Council of the City of Pilot Point, Texas, amending ordinance no. 334-11-2017 providing for City of Pilot Point budget amendment number five (5) in order to amend the 2017-2018 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.**

City Manager Guard stated the following reasons for the budget amendment:

1. To pay invoice from Alps Technology Solutions for electronic equipment. This is equipment updates in the Council Chambers. It is coming from PEG Funds that are restricted for just this purpose.
2. Vehicle loan payments for FY18 budget are being put in the correct fund for payment. Transfers are made from the General Fund to the Debt Service Fund.
3. Remove transfer to Water/Sewer from General Fund Account. This was never added as an expenditure for Water/Sewer.
4. Create a ‘PILOT’ (Payment in lieu of Taxes) for Water/Sewer Department pay to General Fund. In many cities, if water and sewer services are contracted for with an outside entity, the outside entity is required to pay property taxes on the assets of the system. Many cities charge the water/sewer fund a PILOT if the City operates the system. This covers the cost of City services such as Police & Fire. Staff recommends Pilot Point adopt this practice for this fiscal year and going forward. This is a GFOA Best Practice.
5. Create a W/S General & Administrative Charge expense in the Finance Department to transfer into General Fund. This covers administrative charges provided by the General Fund administrative departments such as City Manager’s Office and City Secretary. This equals about 3% of Utility Fund expenses. This is a common practice for a municipality and a GFOA Best Practice.

Councilmember Cordell moved to approve an ordinance of the City Council of the City of Pilot Point, Texas, amending ordinance no. 334-11-2017 providing for City of Pilot Point budget amendment number five (5) in order to amend the 2017-2018 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 as effective date. Councilmember Delcourt seconded the motion. The motion passed unanimously.

- 12. A resolution authorizing the City Manager to execute a municipal services agreement with Freddy and Deborah Vest for the purpose of offering municipal services for property legally described as Abstract Number 418 in the Samuel Flint Survey, Tract 38, containing 72.76 acres, more or less, Denton County, Texas to be annexed into the corporation limits of the City of Pilot Point, Texas; calling for two public hearings, and providing an effective date.**

Development Services Director Carpenter stated the reason for this proposed agreement is that property owner Freddie Vest came to the City asking to be annexed into the City limits.

Councilmember Hilliard moved to approve a resolution authorizing the City Manager to execute a municipal services agreement with Freddy and Deborah Vest for the purpose of offering municipal services for property legally described as Abstract Number 418 in the Samuel Flint Survey, Tract 38, containing 72.76 acres, more or less, Denton County, Texas to be annexed into the corporation limits of the City of Pilot Point, Texas; calling for two public hearings, and providing an effective date. Councilmember Delcourt seconded the motion. The motion passed unanimously.

13. Discussion, consideration and authorize staff to negotiate a contract for Solid Waste Collection with Waste Connections, Inc. of Whitesboro, Texas.

City Manager Guard stated the City ask for bids on the solid waste collection. Waste Connections, Inc. came in with the lowest bid. The services will remain the same. The residential prices will be lower. The roll-off cost is lower than the other two bids. There are asking for a three year contract with a two year renewal. They are also offering two \$2,000 scholarships. Councilmember Hilliard moved to authorize staff to negotiate a contract for Solid waste collection with Waste Connections, Inc. of Whitesboro, Texas. Councilmember Cordell seconded the motion. The motion passed unanimously.

14. Discussion of Possible Bond Propositions.

City Manager Guard stated wanted to use this time to discuss what Council wants to see on the ballot of the bond election in November. Mayor Dane-Patterson stated the CPAC Committee did a great job of putting together a list of what the City needs are. City Manager Guard stated the top five items on the list are as follows:

1. Public Buildings
2. Drainage Master Plan
3. Streets Total
4. Downtown Improvements
5. Recreation Center

All the items would appear on the ballot and let the community decide what they want. A Bond Advocacy Committee should be established to raise money, buy signs, put together educational material and promote the items on the bond. No action was taken on this item.

H. STAFF REPORTS

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

- May City Secretary Report
- May Financial Report
- May Police Reports
- May Library Report
- May Main Street Report
- May Public Works Report

I. ADJOURN.

Councilmember Porter moved to adjourn. Councilmember Hilliard seconded the motion. The meeting adjourned at 8:06 pm.



Shea Dane-Patterson, Mayor

ATTEST:



Alice Holloway, City Secretary

Approved: July 09, 2018