

City of Pilot Point, Texas
Minutes of the September 23, 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, Andy Singleton, Jim Porter, Pearlie Simpson, Dean Cordell and Matt McClravy. City Staff members present were City Manager Alan Guard, Finance Manager Lana Ensminger, Development Services Director John Taylor, Police Chief Tim Conner, Fire Chief Heath Hudson, Asst Fire Chief Bryan Cox, Main Street Director Lenette Cox, Economic Development Corporation Director Denise Moore, Librarian Wendy Turner, City Attorney Andy Messer, and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson announced a quorum at 6:30 p.m. 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 led by John Theisen of Midway Baptist Church.

D. ITEMS OF COMMUNITY INTEREST

Mayor Dane-Patterson made the following announcements:

- St Thomas Aquinas Catholic Church will be having it's Fall Festival September 29, 2019 from 11:00 am to 3:00 pm. at the Catholic Church.
- Texas Night Out will be held October 1, 2019 on the City Square.
- Pilot Point High School Homecoming will be October 11, 2019.
- Bonnie and Clyde Days will be October 12, 2019.

E. PUBLIC FORUM, PRESENTATIONS AND RECOGNITION:

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.)*

Howard Kimble - Mr. Kimble commented on how good the flower bed looked in front of the Purple Door.

F. CONSENT AGENDA

1. Discuss, consider, and possible action on approval of the meeting minutes of August 19, 2019 and August 26, 2019.
2. Discuss, consider, and possible action approving a two-year contract between the City of Pilot Point and All-American Dogs of Pilot Point, TX for Animal Control Services.
3. Discuss, consider, and possible action to approve an Interlocal Cooperation Agreement for Property Tax Assessment and Collection between Denton County, Texas and the City of Pilot Point.
4. Discuss, consider, and possible action on an Interlocal Cooperation Agreement for Library Services between the City of Pilot Point and Denton County.

Councilmember Porter moved to approve the consent agenda. Councilmember Singleton seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA

1. **Discuss, consider, and possible action on current and past Wall Engineering projects, including status of each project and cost.**

Mayor Dane-Patterson asked for a breakdown of cost on Wall Engineering projects.

City Manager Guard listed the following items being paid for out of bond funds:

- Waste water treatment plant
- Sewer line going out toward the industrial park
- Sewer line down Walcott St
- Replacement water and sewer lines projects
- Design the street replacements

Water and Sewer Master Plan is paid for out of Water and Sewer Fund, and Designing soccer fields at Allan Groff Park was \$300.00 out of General Fund.

No action was taken on this item.

2. **Discuss, consider, and possible action on approving and adopting a budget for the Fiscal Year October 1, 2019 through September 30, 2020, providing that expenditures for said fiscal year shall be made in accordance with said budget; providing for the incorporation of premises; providing a savings clause; providing for cumulative repealer clause; providing for severability; providing for publication; providing for engrossment and enrollment; and providing an effective date.**

Councilmember Singleton moved to approve option c which will allow for a new police officer and 3 percent mid-annual raise in April for city employees. Councilmember Cordell seconded the motion. The motion passed unanimously.

3. **Discuss, consider, and possible action on an ordinance of the City Council of the City of Pilot Point, Texas, adopting the tax rate and levying ad valorem taxes for the Fiscal Year 2019-2020 to provide revenue for the payment of current expenditures; providing a severability clause; and providing for an effective date.**

Councilmember McIlravy moved to adopt option c of \$0.584133 per \$100 of property value. Councilmember Singleton seconded the motion. The motion passed unanimously.

4. **Discuss, consider, and possible action on an ordinance repealing City Ordinance Number 379-12-2018 and amending City Code Article 13.03 Division 4, amending water and sewer charges; providing for deposits for water and sewer customers; service connection fees, late penalty and service disconnection fees; miscellaneous fees, billing and adjustments; utility system tap fees; providing for repeal of conflicting ordinances; providing for severability; providing for engrossment and enrollment; providing for a penalty; providing an effect date and publication clause.**

Councilmember Singleton moved to approve ordinance repealing ordinance 379-12-2018 and amending City Code Article 13.03 Division 4. Councilmember McIlravy seconded the motion. The motion passed unanimously.

5. **Discuss, consider and possible action on an Ordinance amending Chapter 13, "Utilities", of the Code of Ordinance of the City to amend Article 13.07, "Stormwater Drainage Utility System"; providing for repeal of conflicting ordinances; providing for severability; providing for engrossment and enrollment; providing for a penalty; providing an effect date and publication clause.**

Councilmember Porter moved to approve an ordinance amending Chapter 13, "Utilities", of the Code of Ordinance of the City to amend Article 13.07 Stormwater Drainage Utility System". Councilmember Singleton seconded the motion. The motion Passed unanimously.

6. **Discuss, consider, and possible action on authorizing PPYSA to move forward with surveying, leveling, and grass turfing on the 50 x 80-yard soccer field at no cost to the City.**

Councilmember McIlravy moved to authorize PPYSA to move forward with surveying, leveling and grass turfing on the 50 X 80-yard soccer field at no cost to the City. Councilmember Cordell seconded the motion. The motion passed unanimously.

- 7. First reading of a resolution that authorizes the PPEDC to enter into an Economic Development Agreement with REZ Enterprises, Inc for a matching fund grant not to exceed \$55,000.00 for façade improvements, promoting economic development within the City of Pilot Point, Texas.**

City Attorney Messer read the resolution caption.

No Action was taken on this item.

- 8. Second reading of a resolution that authorizes the PPEDC to enter into Economic Development agreement with REZ Enterprises, Inc**

City Attorney Messer read the resolution caption.

No Action was taken on this item.

- 9. Discuss, consider, and possible action on approval of an economic incentive agreement by and between the Pilot Point Economic Development Corporation and REZ Enterprises for a matching fund grant not to exceed \$55,000.00 for facade improvements, promoting economic development within the City of Pilot Point, Texas.**

Mayor Dane-Patterson moved to an economic incentive agreement by and between the Pilot Point Economic Development Corporation and REZ Enterprises for a matching fund grant not to exceed \$55,000 for facade improvement, promoting economic development within the City of Pilot Point, Texas with the correction of the wording in Article I of Definitions "Property" (Volume, Page). Councilmember Cordell seconded the motion. The motion passed unanimously.

- 10. Discuss, consider, and possible action on an order declaring a substandard structure located at 522 E. Burks Street owned by Melvin Harris, also described as Tract 157, C. Smith, Abstract No. 1139, 1.0 acres.**

Alicia Stafford - Ms. Stafford stated the family has reached out to several groups but it is difficult to get funding to rehab this building. The family has not been able to get into the structure to remove the personnel items. The foundation is affected by drainage.

Chelsea Stallings - Ms. Stallings stated she has exhausted all options for funding.

Willie Hudsbeth, President of the Denton Chapter of the NAACP. Mr. Hudsbeth stated that he has just been involved in the last five months. He stated that the building can be rehabbed, but it is going to be a real challenge.

Councilmember Singleton asked how many other schools on this nature have been restored?

Mr. Hudsbeth stated there are three.

Mayor Dane-Patterson asked who had the building after the restoration?

Mr. Hudsbeth stated that the school district owns it.

Councilmember Cordell ask if this is a drainage issue that was caused by the building of the Intermediate school, then is this something that needs to be taken up with the school district?

City Manager Guard stated that the city needs to have the Drainage Master Plan, which will be complete next year, before we can answer that question. There is probably a real easy solution. But until the city has the master plan we won't know if we are putting the water off on someone else.

Councilmember Simpson stated until the drainage is fixed, repairing the building is not going to work.

Cecelia Harris - Ms. Harris stated that the family has not been able to remove their belongings. The house is fenced up and the house is locked.

Councilmember Singleton stated that it would be good if the City could get it and restore it and set it beside the Bloomfield School House.

Tori Wells - Ms. Wells asked if the City has explained to the family the options for the building.

Councilmember McIlravy moved to table for 30 days and schedule a meeting with the family to discuss the family's options. Councilmember Porter seconded the motion. The motion tabled.

Ayes: Cordell, Dane-Patterson, McIlravy, Porter, Simpson, Singleton

Absent: Delcourt

11. Discuss, consider, and possible action on approving bids for the construction of the Pilot Point Police Department Buildings in the amount of \$1,260,631.00.

City Manager Guard stated that the council has the latest plans before them for the new police station. There is a summary in the front showing the changes that were made bringing the cost down from 1.5 million dollars to \$1,260,631. This is a little more expensive than the one brought to you at the last meeting because the state will not allow the city to do the lift. The city will have to put in an elevator.

Eikon representatives, Mike Tubiolo and Brad Isbell, went over the changes that were recommended to the plans for the building.

City Manager Guard stated the city does have the certificate of appropriateness. Mr. Guard recommended that the building be built with siding now and that the brick could be added at a future time.

Councilmember Cordell stated he would not vote to approve spending 1,2 million dollars on a building and then have to go back later and spend more money adding brick. Mr. Cordell also stated concerns about possible elevator problems.

Police Chief stated that the plan on the building meets the police department's needs. Mayor Dane-Patterson stated that she had a problem approving hardy board on the back of the building when the city has just recently turned down hardy board on town homes.

Mr. Tubiolo stated that it would add about another \$56,900 to add the brick into the construction cost.

Councilmember Porter moved to approve the plans for the police station with all brick. Councilmember McIlravy seconded the motion. The motion passed unanimously.

12. Discuss, consider, and possible action accepting a proposal from Pineapple Home Creations of Pilot Point, TX for repairs to the Bloomfield School building in the amount of \$24,191.75.

City Manager Guard stated there are three things that the Bloomfield School House needs for it to be safe:

1. support the roof better.
2. new roof.
3. build a foundation.

Mr. Guard stated that the Museum Advisory Board has heard this proposal and approved it. If approved, it may be possible to have it ready for use this fall.

Howard Kimble stated that the City should go ahead with this project.

Councilmember McIlravy moved to accept this proposal and waving the requirement for other bids. Councilmember Porter seconded the motion. The motion passed unanimously.

13. Discuss, reconsider, and possible action on an agreement with the Elim Group for Council-Manager training.

Mayor Dane-Patterson moved to try to re-schedule a date after the first of the year. Councilmember Porter seconded the motion. The motion passed unanimously.

H. STAFF REPORT

1. August Building Permit Report
2. August Municipal Court Report
3. August Library Report
4. August Main Street Report

5. August Finance Report

Mayor Dane-Patterson suggested that the city work on collecting the warrants.
Mayor Dane-Patterson also suggested for the library to coordinate with the city to have events added to the city Facebook.

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 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:
 1. Status update regarding the investigation conducted by Ken Franch, M.S., A|A, S.E., P.E., Nelson Forensics, LLC
 2. Professional Fees
 3. Rules of order for City Council meetings
 4. Human resources administrator or consultant, human resources department.
 5. Solid Waste Services Contract with Waste Connections
 6. Yarbrough Farms Participation Agreement
 7. City Manager evaluation process
2. In accordance with the Texas Government Code, Section 551.074: To deliberate regarding the evaluation and duties of a public officer or employee:
 - a. City Manager
3. In accordance with the Texas Government Code, Section 551.074: To deliberate regarding the evaluation of a public officer or employee:
 - a. City Attorney

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 8:18 p.m.

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.:

1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Mayor Dane-Patterson announced the meeting reconvene into regular session at 11:01 pm. Councilmember McIlravy moved to table in accordance with the Texas Government Code, Section 551.074: To deliberate regarding the evaluation of a public officer or employee: The City Attorney and action about the city attorney until after the first of the next year. Councilmember Porter seconded the motion. The motion passed unanimously.

Ayes: Cordell, Dane-Patterson, McIlravy, Porter, Simpson, Singleton

Absent: Delcourt

Mayor Dane-Patterson moved to have a special meeting on October 7th, 2019. Councilmember Simpson seconded the motion. The motion passed unanimously.
Ayes: Cordell, Dane-Patterson, McIlravy, Porter, Simpson, Singleton

Absent: Delcourt

Mayor Dane-Patterson announced the meeting is back in regular session at 11:01 p.m. Councilmember Singleton moved to retain Human Resource services with Usrey and Associates and report to city council. Councilmember Cordell seconded the motion. The motion passed unanimously.

K. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA

Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any Councilmember may, however, state an issue and a request that this issue be placed on a future agenda.

Councilmember Cordell asked to have cell phones for the city council added to a future agenda.

L. ADJOURN

Mayor Dane-Patterson moved to adjourn at 11:15 pm. Councilmember McIlravy seconded the motion. The motion passed unanimously.



Shea Dane-Patterson, Mayor

ATTEST:



JoAnn Wright, Acting City Secretary

Approved October 28, 2019