

## City of Pilot Point, Texas

Minutes of the October 12, 2020

### City Council Meeting

Mayor Shea Dane-Patterson, Mayor Pro Tem Jim Porter, Councilmembers Andy Singleton, Brian Ingram, Pearlie Simpson, Dean Cordell and Matt McIlravy. City staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Fire Chief Heath Hudson, Development Services Director John Taylor, Finance Manager Lana Ensminger, Capital Projects Manager Matt Kaminski, Public Works Director Trent Vandagriff, EDC Director Denise Morris, Acting City Secretary Lenette Cox, City Attorneys Brenda McDonald and Marie Johnson.

### AGENDA

#### A. VIDEO CONFERENCE

1. Please join my meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/287371957>  
**You can also dial in using your phone.**  
United States: +1 (408) 650-3123  
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#### B. ROLL CALL/CALL TO ORDER

Mayor Shea Dane-Patterson called the meeting to order at 6:30pm and conducted roll call.

Place 1 Andy Singleton – Present  
Place 2 Brian Ingram – Present  
Place 3 Jim Porter – Present  
Mayor Shea Dane-Patterson – Present  
Place 4 Pearlie Simpson – Present  
Place 5 Dean Cordell – Present  
Place 6 Matt McIlravy – Present

#### C. 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*

#### D. INVOCATION

Sonny Gibbs of Midway Baptist Church led the invocation.

#### E. ITEMS OF COMMUNITY INTEREST

Mayor Shea Dane-Patterson announced that early voting was to begin on Tuesday, October 13<sup>th</sup> at the Pilot Point Community Center. Mayor Pro-Tem Porter advised everyone that there had been 134 cases of COVID in Pilot Point since March and there are currently 16 active cases. Mayor Dane-Patterson also reported that PPHS was conducting classes virtually until at least October 15<sup>th</sup> due to positive COVID cases at the campus. This is a fluid situation and may change.

#### F. 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.)*

Mike Fritz spoke about the sidewalk ordinance that was to be discussed later in the agenda. He informed Council that Denton has an escrow account that developers deposit into with a deadline. If the City needs to add sidewalks before that deadline, they use the escrow money. If sidewalks are not needed by the deadline, the money is returned to the developer. He also stated that it would be difficult to add sidewalks in the area being discussed later due to trees, bar ditches, and water meter placement.

Don Richards spoke about the sidewalk ordinance that was to be discussed later in the agenda. He stated that none of the other homes he'd built in the subdivision had required sidewalks. Now there were only two houses left to build and the cost of the sidewalks had not been budgeted and this could add thousands of dollars to the budget that was not anticipated.

## **G. CONSENT AGENDA**

1. Replacement of Authorized Bank Signatures on City of Pilot Point bank accounts with PointBank.  
**ASSIGNED RESOLUTION 2020-06-490**
2. Discuss, consider and possible action on extending the Audit Services of William Spore for the 2019-2020 Fiscal Year.
3. Discuss, consider and possible action on approving the minutes of the July 27th, August 10th, August 20th and September 28th City Council Meetings.
4. Discuss, consider, and possible action on Denton County Interlocal Cooperation Agreement for Library Services from October 1, 2020 to September 30, 2021.
5. Approve expenditures that were budgeted for:
  1. Zero Turn Mower - budgeted \$ 12,000.00/purchase price \$ 13,000.00
  2. Skid Steer - budgeted \$ 54,000.00/purchase price \$ 53,000.00
  3. Brush Hog Attachment - budgeted \$ 7,500.00/purchase price \$ 6,200.00

Councilmember McIlravy moved to approve the consent agenda. Mayor Pro Tem Porter seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

## **H. REGULAR AGENDA**

1. **Discuss, consider and possible action on directing Board of Adjustments to review and act on variances from the sidewalk requirement if true hardship is determined.**

Development Services Director Taylor recommended the Board of Adjustments be able review and act on variances from the sidewalk requirement since they currently review all other development requirements. Councilmember McIlravy moved to table this item until the next meeting so that Staff could gather more information. Councilmember Cordell seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

2. **Discuss, consider and approve City Manager the authority to enter into a contract with Roland Technology for IT services for the City of Pilot Point.**

City Manager Lusk recommended that Roland Technology be given the IT contract for the City of Pilot Point. An RFQ had been sent out and Roland Technology had initially come in at a higher cost but was able to provide the services needed. Upon further discussions with Roland Technology, they were able to lower their monthly cost to match what was budgeted in the approved FY21 budget. Councilmember Singleton moved to approve the City

Manager authority to enter into a contract with Roland Technology. Councilmember McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

**3. Discuss, consider and approve City Manager the authority to enter into a contract for vehicle replacement and maintenance agreement with Enterprise Fleet Management for Public Safety and Public Works.**

Jennifer Bertram of Enterprise Fleet Management gave a presentation on their program and the differences between ownership vs. leasing of City vehicles. Councilmember Porter moved to approve the City Manager authority to enter into a contract with Enterprise Fleet Management. Councilmember McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

**4. Discuss, consider, and possible action on authorizing the City Manager to sign a letter of support of Open Infra fiber installation project in Pilot Point. Presentation by Carl Ahslund of Open Infra.**

Carl Ahslund gave a presentation introducing Open Infra to Council. This is a fiber installation project which has chosen Pilot Point as their rural pilot program. There will be no cost to the City, and customers will only have to pay for 12 months of service. They will begin construction in January in the High Point neighborhood and should be completed in 3-4 months. Councilmember McIlravy moved to authorize the City Manager to sign a letter of support for the project. Councilmember Singleton seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

**5. Discuss, consider and possible action on the zoning interpretation of an unlisted use being, "Smoke/tobacco/CBD stores".**

Development Services Director Taylor to approve the Planning and Zoning Commission's recommendation that Smoke, Tobacco, and CBD stores be zoned L1-Light Industrial since they are not currently listed in the Zoning Ordinance. Councilmember Singleton stated there is a difference between CBD used as medicinal or wellness vs. CBD used for recreation.

Councilmember Singleton moved to continue to follow the Planning and Zoning recommendation with the separation that CBD Only operations be differentiated.

Councilmember McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

**6. First reading of a resolution that authorizes PPECDC to enter into a Economic Development Agreement with Wireox, LLC.**

EDC Director Morris read the resolution authorizing PPECDC to enter in a Economic Development Agreement with Wireox, LLC.

**7. Second reading of a resolution that authorizes PPECDC to enter into a Economic Development Agreement with Wireox, LLC.**

EDC Director Morris read the resolution authorizing PPECDC to enter in a Economic Development Agreement with Wireox, LLC.

**8. Discuss, consider, and possible action on a Resolution of the City Council of the City of Pilot Point, Texas approving and authorizing a project of the Pilot Point Economic Development Corporation, to wit: a grant not to exceed \$30,000 to Wireox, LLC for construction of building improvements; complying with section 505.158 Texas Local Government code, providing for two separate readings; open meeting reading and adoption, and an effective date.**

**ASSIGNED RESOLUTION 2020-06-491**

Councilmember Cordell moved to approve a resolution allowing EDC to award a grant not to exceed \$30,000 to Wireox, LLC for construction of building improvements.

Councilmember Simpson seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

9. **Discuss, consider and possible action on a Resolution of the City Council of the City of Pilot Point, Texas, approving and authorizing the City Manager to execute an economic incentive agreement under Chapter 380 of the Texas Local Government Code between the City of Pilot Point and HNJ Property Holdings, LLC; providing for severability and an effective date, for business attraction, primary job growth and economic development within the City of Pilot Point, Texas.**

**ASSIGNED RESOLUTION 2020-06-492**

Mayor Dane-Patterson moved to approve a resolution authorizing the City Manager to execute a 380 Agreement between the City of Pilot Point and HNJ Property Holdings, LLC. Councilmember Singleton seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

10. **Discuss, consider and possible action on establishing and nominating a Finance Committee for the City. This committee will consist of two City Council members, City Manager and a Finance City staff employee.**

Mayor Pro Tem Porter moved to establish a Finance Committee for the City in an effort to be more transparent. Councilmember McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

Mayor Dane-Patterson nominated councilmembers Cordell and McIlravy to serve on the newly established Finance Committee. Mayor Pro Tem Porter seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

**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 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:
  - a. § 551.074: Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: City Attorney.
  - b. § 551.087: Discuss economic development negotiations.

The Council recessed into Executive Session at 8:25pm.

**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. a. Discuss, consider, and possible action on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Appoint City Attorney.
  - b. The Council reconvened at 10:19pm. Mayor Dane-Patterson stated there would be no action taken on the Executive Session items.

**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 Singleton asked that the new Wastewater Treatment Plant bids be on the next agenda.

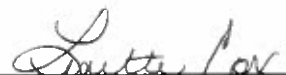
**L. ADJOURN**

Mayor Dane-Patterson moved to adjourn at 10:20pm. Councilmember McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem Porter, Councilmembers Ingram, McIlravy, Simpson, Singleton and Cordell

  
Shea Dane-Patterson, Mayor

**ATTEST:**

  
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Lenette Cox, Acting City Secretary