

City of Pilot Point, Texas

Minutes of the January 28, 2021

City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:30pm for a Regular City Council Meeting. City Council members present were Mayor Shea Dane Patterson, Mayor Pro Tem Matt McIlravy, Councilmembers Mario Cisneros, Brian Ingram, Mary Rawls, Elizabeth Jones, and Dean Cordell. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Police Detective Preston Green, Development Services Director John Taylor, Finance Manager Lana Ensminger, Capital Projects Manager Matt Kaminski, and Acting City Secretary Lenette Cox. Brenda McDonald of Messer, Fort, & McDonald Law Firm and Kathryn Usrey of Usrey & Associates were also in attendance

AGENDA

A. VIDEO CONFERENCE

1. **Please join my meeting from your computer, tablet or smartphone.**
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B. ROLL CALL/CALL TO ORDER

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

Place 1 Mario Cisneros – Present

Place 2 Brian Ingram – Present via video conference

Place 3 Mary Rawls – Present

Place 4 Elizabeth Jones – Present

Place 5 Dean Cordell – Present

Place 6 Matt McIlravy – Present

Mayor Shea Dane Patterson - 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

Councilmember Matt McIlravy led the invocation.

E. ITEMS OF COMMUNITY INTEREST

Mayor Dane Patterson announced the deadline to file for a place on the May 1, 2021 General Election is February 12, 2020. Council Place 2 and Council Place 5 will be on the ballot this year.

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.)*

1. Presentation of the Scenic City Certificate by Sarah Tober, Executive Director of Scenic Texas.

Sarah Tober made the Scenic City Certificate presentation via videoconference and congratulated Pilot Point on their recertification.

2. Memorial Proclamation for John Arthur White

Mayor Dane Patterson read a Memorial Proclamation for former Councilmember John White who passed away on January 10, 2021.

G. CONSENT AGENDA

1. Discuss, consider, and possible approval of the January 14, 2021 City Council and Economic Development Corporation Joint Meeting and the January 23, 2021 City Council and Planning and Zoning Commission Training Workshop.

Mayor Pro Tem McIlravy moved to approve the consent agenda. Mayor Dane-Patterson seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

H. REGULAR AGENDA

1. Discuss, consider, and possible action on adopting an Ordinance for a 10 ft. utility easement and the abandonment of the 377 waterline easement on the 6 acre property.

Capital Projects Manager Kaminski stated this would be to abandon a four inch water line easement on the east side of the property and then be able to install a ten foot utility easement on the north side of the property for the Public Safety buildings being built next to the property. City Manager Lusk stated the family has agreed to this in exchange for a letter of support to TxDOT for the driveway placement on their properties future project. Councilmember Cisneros moved to adopt the Ordinance and allow for the TxDOT letter of support. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

Discuss, consider and possible action to set the public hearing date for review of the Land Use Assumptions and Impact Fee CIP.

Development Services Director Taylor suggested setting a date of March 11, 2021 for a public hearing on the Land Use Assumptions and Impact Fee CIP which would allow for the item to be placed on the May 27, 2021 meeting agenda for possible adoption.

Mayor Pro Tem McIlravy moved to set the public hearing date for March 11, 2021.

Councilmember Cordell seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

3. Discuss, Consider and Take Action on a Take Home Vehicle Policy.

City Manager Lusk presented the draft Take Home Vehicle Policy to Council. He explained there was already a Take Home Vehicle Policy in effect, but it was vague and needed to be amended. The current policy had a maximum distance limit of 15 miles which could be changed at the discretion of the City Administrators. The proposed policy would change the maximum distance allowed to 35 miles. This would also set forth the tax liability of \$1.50 each way per pay period as a requirement of the IRS to be paid by the employee.

Councilmember Cordell stated the policy needs to be cleaned up but thinks the mileage is too far. He suggested using the policy the Department of Public Safety uses which allows for 30 minutes. Mayor Dane-Patterson stated that is not a reliable way to base policy on because the time is dependent on the roads traveled and the time of day. She also stated the draft policy presented on Page 4, General Provision D had a blank space on the number of miles and needed to read 35 miles.

Human Resources Consultant Usrey stated this policy is a benefit offered to employees. She stated the timed response could be changed, but it will still amount to 30-35 minutes. Councilmember Jones proposed using the program on a two-year trial basis. She stated she thinks the police cars need to stay in town as a detractor for bad behavior. Mayor Patterson stated the employee guidelines and handbooks are reviewed yearly and this would be included. Mayor Pro Tem McIlravy stated that the new Enterprise Leasing Agreement will allow for GPS and gas mileage tracking. These items could be monitored and readily available for supervisors to monitor their departments. Councilmember Ingram asked how much lower are our salaries? Police Chief Conner stated they are the lowest paid department in Denton County and the Take Home Vehicle Policy is a benefit. Councilmember Ingram stated the policy is much cheaper than hiring and training new police officer and if this helps prevent turnover, it benefits the City. Mayor Dane-Patterson stated that we cannot offer the salaries that other area cities are offering, but we are able to provide this benefit and prevent turnover.

Mayor Pro Tem McIlravy moved to approve the amended Take Home Vehicle Policy. Councilmember Ingram seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

4. Consider all matters incident and related to the issuance and sale of City of Pilot Point, Texas, General Obligation Bonds, Series 2021, including the adoption of an ordinance authorizing the issuance of such bonds.

City Manager Lusk stated this would be the second set of bonds to be sold from the 2018 Bond Election. The amount approved during the bond for the Public Safety Facilities was \$4,500,000 and there was \$2,025,000 previously issued. The amount being issued now would be \$2,475,000 which is the remainder of the bond. This would be done through PointBank and average \$110,000 per year. George Williford, Regional Managing Director of Hilltop Securities stated there is a big advantage to working with PointBank. They have a proposed interest rate of 1.85% fixed which is a savings of \$295,000 less debt than originally shown. This would allow maintaining the current tax rate with no increase. Mayor Dane-Patterson moved to adopt the ordinance to issue the General Obligation Bonds. Councilmember Cordell seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

ASSIGNED ORDINANCE: 429-13-2021

5. Consider all matters incident and related to approving and authorizing publication and posting of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.

City Manager Lusk stated this item is for a Resolution to issue Certificates of Obligation which would allow for interim financing for continued planning, design, and engineering of the new Waste Water Treatment Plant. State law mandates a public notice must be posted and published at least 45 days prior to Council voting on the Resolution. The Resolution would go before Council at the March 25, 2021 Regular meeting.

Mayor Dane-Patterson moved to approve and authorize the publication and posting of Notice of Intention to Issue Certificates of Obligation not to exceed \$3.1 million. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

ASSIGNED RESOLUTION: 2021-06-495

I. STAFF REPORT

- 1. Pilot Point Fire Department 2020 Year End Review**
- 2. December 2020 Code Enforcement Report**
- 3. December 2020 Library Report**

4. FY21 December Finance Report

Mayor Dane-Patterson asked how the City is doing financially. Finance Manager Ensminger said sales tax is up \$25,000 over last year. City Manager Lusk said that all cities are seeing the increases. Mayor Dane Patterson stated there had been discussion at one time regarding cabinet shops paying taxes on what they buy and not what they sell which means taxes are collected from where the lumber is being shipped from. Is there a way to have the tax revenue instead brought to Pilot Point? City Attorney McDonald stated there is a way to do an agreement to allow the taxes to be brought to the city where the items are distributed.

J. 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. Section 551.074: Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: City Secretary.**

The City Council recessed into Executive Session at 7:07pm.

K. 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. Section 551.074: Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: City Secretary.**

The City Council reconvened into Regular Session at 7:46pm. Mayor Pro Tem McIlravy made a motion to appoint Lenette Cox as City Secretary with the salary discussed during Executive Session. Councilmember Rawls seconded the motion. The motion passed. Ayes: Mayor Dane Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, Jones, and Cordell

L. 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.

Mayor Dane-Patterson asked if a letter had been sent to the property owners of 522 E. Burks with the guidelines laid out at the January 14, 2021 Council meeting? City Manager Lusk confirmed that Development Services Director had sent a letter.

Councilmember Cordell asked for the Police and Fire Departments volunteer policy be discussed at a future meeting.

Councilmember Cisneros asked to discuss and review the type of wood allowed to be used in the fencing ordinance at a future meeting

M. ADJOURN

Mayor Dane Patterson stated the agenda had been exhausted and adjourned the meeting at 7:49pm.


Shea Dane-Patterson, Mayor

ATTEST:

Lenette Cox

Lenette Cox, City Secretary