

# City of Pilot Point, Texas

Minutes of the February 11, 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, Development Services Director John Taylor, Public Works Director Trent Vandagriff, EDC Director Denise Morris, and City Secretary Lenette Cox. Brenda McDonald of Messer, Fort, & McDonald Law Firm was also in attendance.

### **AGENDA**

#### **A. VIDEO CONFERENCE**

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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 Bring Ingram – Absent

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**

Police Chief Tim Conner 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 Council Place 2 and Council Place 5 is Friday, Feb. 12, 2021.

#### **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.)*

## **G. CONSENT AGENDA**

- 1. Discuss, consider, and possible approval of the January 28, 2021 City Council Regular Meeting minutes.**
- 2. Discuss, consider, and possible action on ordering a General (Regular) Election to be held on May 1, 2021 for the purpose of electing City Council Place 2 and City Council Place 5; calling a Run-Off Election, if needed and providing an effective date; designating polling places with the City; establishing other procedures for the conduct of the election, including providing that the election is to be held as a joint election in conjunction with Denton County; providing for canvassing returns; preamble incorporation; conflicting provisions; governing law; severability; proper notice; open meeting and providing an effective date.**  
**ASSIGNED ORDINANCE: 430-13-2021**

Councilmember Dean Cordell made a motion to approve the consent agenda. Mayor Pro Tem Matt McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

## **H. REGULAR AGENDA**

- 1. Discuss, consider, and possible approval of an ordinance to call for a Special Election on May 1, 2021 to allow citizens to vote on dissolving the Type B funding for the Economic Development Corporation and creating a Municipal Development District.**

Brenda McDonald presented two options for the Special Election. One option was a single ballot measure which would dissolve Type B funding to the Economic Development Corporation and create a Municipal Development District, but there was a chance that if approved, the Comptroller would not honor it. The other option had two propositions, one of which would create a Municipal Development District and one which would dissolve the Economic Development Corporation. Ms. McDonald stated the language for the one ballot measure is clear in the tax code, and there is a risk with the two ballot measures option that citizens could vote to dissolve both the EDC and the MDD. Mayor Pro Tem McIlravy commented he thinks the single measure would be less confusing to voters.

Councilmembers Rawls and Jones agreed.

Mayor Pro Tem McIlravy made a motion to approve the Ordinance calling for a Special Election on May 1, 2021 with the single ballot measure. Councilmember Rawls seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

**ASSIGNED ORDINANCE: 434-13-2021**

- 2. Discuss, consider, and possible action on allowing Public Works to purchase new equipment.**

Public Works Director Vandagriff stated the FY21 approved budget had the mini-excavator, Vactron, and dump truck being replaced with used equipment for a total of \$120,000. He is asking to replace the Vactron and excavator with new items and reevaluate replacing the dump truck next year. Mayor Dane Patterson stated she prefers buying new with warranting instead of used equipment and commended Staff for finding ways to reduce expenses. Public Works Vandagriff commented this would save \$19,430.08 and allow Public Works to purchase a trailer to haul the excavator. This would leave over \$5,000 to remain in the budget unused as well as allow them to liquidate old equipment and put additional money into the budget.

Councilmember Ingram joined the meeting via video conference at 6:50pm.

Councilmember Cordell moved to allow Public Works to purchase a new Vactron and trailer as well as a new mini-excavator and trailer. Mayor Pro Tem McIlravy seconded the motion. The motion passed unanimously.

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

**3. Discuss, consider, and possible action on enforcing Ordinance 250-10-2015 requiring RV Parks to install and annually inspect an approved double check valve.**

Public Works Director Vandagriff stated there are currently three RV parks on the rural water system and by enforcing the ordinance, would require a black water connection for the sewer to prevent cross connection issues. One of the RV parks already has the double check valve in place, another RV park has ordered the equipment and will install it when it is delivered, and he has not spoken with the other RV park owner, but will send a letter notifying them of the ordinance and the requirements.

Mayor Pro Tem McIlravy moved to enforce Ordinance 250-10-2015 and require RV parks to install and annually inspect an approved double check valve. Councilmember Cisneros seconded the motion. The motion passed unanimously.

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

**4. Discuss, consider, and possible action on allowing Public Works the ability to move forward with the east side of the Historic Downtown Square infrastructure upgrade.**

City Manager Lusk stated the project had been approved in the FY21 budget and they were presenting the item to Council to approve spending the money to upgrade the infrastructure and correct the old system which ran through private properties and to put it into a public easement. Public Works Director Vandagriff stated the only easements needed would be from the owner of Martin General Store and possibly Mike Fritcher. Mayor Dane Patterson asked if we need to have the easements approved and brought back to Council? Ms. McDonald stated she will be sure the easements are signed but they do not need to go before Council again.

Councilmember Cisneros moved to allow Public Works to move forward with the east side of the Historic Downtown Square infrastructure upgrade. Councilmember Cordell seconded the motion. The motion passed unanimously.

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

**5. Discuss, consider and possible action on making a recommendation on the Doublegate Farms Preliminary Plat, a 11.764-acre tract located in the M. Bates Survey, Abstract 97, Denton County Texas, creating 9 residential lots.**

Development Services Director Taylor stated the property owners have an interlocal agreement which includes the City approving plats within the ETJ. The Planning and Zoning Commission has reviewed and approved the preliminary plat as presented.

Mayor Pro Tem McIlravy moved to approve the preliminary plat as presented.

Councilmember Cisneros seconded the motion. The motion passed unanimously.

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

**6. Hold public hearing on an ordinance amendment to revise the accessory building ordinance related to shipping containers in residential districts**

Mayor Dane Patterson opened the public hearing at 7:01pm.

Development Services Director Taylor reminded Council they had approved shipping containers allowed in residential areas if they meet the guidelines of:

1. Are screened from view of any right-of-way or adjacent property,
2. Are painted to match the primary structure,
3. Are maintained to be free from rust,
4. Meet all accessory structure standards,
5. Secured to the ground,
6. May not be stacked.

Mayor Dane Patterson asked if raising bees and harvesting their honey would be allowed? Ms. McDonald replied they would qualify as agricultural because the bees are located on site.

Mayor Dane Patterson closed the public hearing at 7:10pm.

- 7. Discuss, consider and possible action on an ordinance amendment to revise the accessory building ordinance related to shipping containers in residential districts.**

**ASSIGNED ORDINANCE: 431-13-2021**

Mayor Dane-Patterson moved to approve revising the accessory building ordinance related to shipping containers in residential districts. Councilmember Ingram seconded the motion. The motion passed unanimously.

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

- 8. Hold a Public Hearing on making a recommendation on revising the Zoning Ordinance regulating “Smoke/Tobacco/CBD stores”.**

Mayor Dane Patterson opened the public hearing at 7:11pm.

Development Services Director Taylor explained this would allow Smoke/Tobacco/CBD shops to open with a Specific Use Permit in the I-1 and I-2 industrial districts but not in the C-1 or C-2 commercial districts. Any Smoke/Tobacco/CBD stores that are legally existing on the effective date of the ordinance may continue to operate as legal nonconforming uses. However, any change of the nonconforming use may require compliance with the ordinance.

Mayor Dane Patterson closed the public hearing at 7:21pm.

- 9. Discuss, consider and possible action on making a recommendation on revising the Zoning Ordinance regulating “Smoke/Tobacco/CBD stores”.**

**ASSIGNED ORDINANCE: 433-13-2021**

Ms. McDonald stated this would be an approval of changes to the Zoning Ordinance and not a recommendation of revision.

Mayor Dane-Patterson moved to approve changes to the Zoning Ordinance regulating Smoke/Tobacco/CBD stores. Councilmember Cisneros seconded the motion. The motion passed unanimously.

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

- 10. Consider all matters incident and related to declaring expectation to reimburse expenditures with proceeds of future debt, including the adoption of a resolution pertaining thereto.**

**ASSIGNED RESOLUTION: 2021-06-496**

City Manager Lusk stated this resolution is regarding the Certificates of Obligation Bonds that were approved at the last meeting. This would allow money to be moved from the current budget to start necessary work early and then be able to reimburse ourselves.

Councilmember McIlravy moved to adopt the Resolution. Councilmember Rawls seconded the motion. The motion passed unanimously.

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

- 11. Discuss, consider, and possible action on authorizing the City Manager to execute the assignment and sublease of Jordan Park.**

City Manager Lusk stated that after a long process, we are finally getting movement from Texas Parks & Wildlife Department for the City of Pilot Point to take on Jordan Park and sublease with Lone Star Lodge thus making Jordan Park a City park rather than a State Park. Ross Garrett, owner of Lone Star Lodge stated this has been a 6 ½ year process and this is the best option and will be a great economic boon for the City.

Mayor Dane Patterson agreed with this being a great step for the City and she is excited to see progress and begin moving forward.

Councilmember Cordell moved to authorize the City Manager to execute the assignment and sublease of Jordan Park. Mayor Dane-Patterson seconded the motion. The motion passed unanimously.

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

**I. 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.*

**J. ADJOURN**

Mayor Dane Patterson stated the agenda had been exhausted and adjourned the meeting at 7:31pm.

  
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Shea Dane-Patterson, Mayor

**ATTEST:**

  
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Lenette Cox, City Secretary