

# City of Pilot Point, Texas

Minutes of the April 8, 2021

## City Council/Economic Development Corporation Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:30pm for a Joint City Council and Economic Development Corporation Meeting. City Council members present were Mayor Shea Dane Patterson, Mayor Pro Tem Matt McIlravy, Councilmembers Mario Cisneros, Brian Ingram, Elizabeth Jones, and Dean Cordell. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Fire Chief Heath Hudson, Development Services Director John Taylor, EDC Director Denise Morris, Main Street Manager Wendy Haun, and City Secretary Lenette Cox. Brenda McDonald of Messer, Fort, & McDonald Law Firm was also in attendance

### **AGENDA**

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

1. **Please join my meeting from your computer, tablet or smartphone.**  
<https://global.gotomeeting.com/join/239940181>

**You can also dial in using your phone.**  
United States: +1 (872) 240-3311

**Access Code:** 239-940-181

#### **B. CITY COUNCIL 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  
Place 3 Mary Rawls – Absent  
Place 4 Elizabeth Jones – Present  
Place 5 Dean Cordell – Present  
Place 6 Matt McIlravy – Present  
Mayor Shae Dane-Patterson - Present

#### **C. ECONOMIC DEVELOPMENT CORPORATION ROLL CALL/CALL TO ORDER**

EDC Board President Glen Ray conducted roll call at 6:31pm.  
Glen Ray – Present  
Rowland Funk – Present  
Stephanie Sanchez – Present  
Terri Slay – Present

#### **D. 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*

#### **E. INVOCATION**

Mayor Pro Tem Matt McIlravy led the invocation.

#### **F. ITEMS OF COMMUNITY INTEREST**

Mayor Dane-Patterson announced the annual city-wide cleanup is scheduled for Saturday, April 17, 2021 and document shredding will be available.

## G. REGULAR AGENDA

1. **Public Hearing for consideration of the use of sales tax proceeds for a possible economic development grant to fund up to \$240,000.00 for construction and related eligible costs, related to a proposed Hotel Project located at real property P Gass Survey Abstract No. 496 Block A Called Lot 3 2.68 acres, Called second tract Virgil Berend Living Trust CC Doc # 2013-15461 Dr. located on Northside Drive, Pilot Point, TX 76258.**

1. **Hotel Project Presentation**

2. **Public Comment**

Mayor Dane-Patterson opened the public hearing at 6:33pm.

EDC Board Member Rowland Funk made a presentation to Council showing the major points of bringing a hotel deal to Pilot Point and the benefits to the City and community. Deanie Deal made the statement that she had grown up in a small town that did not want growth and thinks a hotel is what the town needs as it will create growth and the taxes will help with City costs.

Terri Slay of Slay Funeral Home stated he gets requests every week from people asking where the closest hotel is and tells them Denton or Frisco. Approving this project would be spending \$240,000 to get a \$10 million investment.

Attorney Brenda McDonald stated that EDC board members can speak as members, but not as public citizens.

EDC Board Member Stephanie Sanchez stated that as an accountant, she knows money is important, but the City needs outside investments and businesses to grow to increase the tax base and if the City of Pilot Point does not act on this hotel, another city will take the project. Councilmember Ingram asked what would be done to the land adjacent to the hotel project. Mr. Funk stated the land is zoned commercial and the owner could put anything they chose which fit within the commercial guidelines on the property.

Attorney McDonald stated by having an incentive agreement provision on the land, the Council would be allowed to have input on any future building of the property.

Councilmember Ingram stated he is not against growth but feels that over time drugs and prostitution will come along with the hotel and thinks it is irresponsible to put a hotel near homes and schools. Councilmember Cordell agreed.

Ms. Deal spoke and stated Waco has a Crime Free Hotel/Motel Program which could be looked at as a possible deterrent to crime.

Mayor Dane-Patterson stated in the ten years she has been on City Council this has been a topic of conversation. They have wanted a national chain with a good reputation. The EDC was able to take on the project and has done well. She noted that a neighboring city will take the hotel if the City does not.

Howard Kimble stated he agrees with Councilmember Ingram and he picks up trash along that area in the mornings and there is a lot of school traffic.

Councilmember Cisneros stated The Colony was a small town and once a business came in, the entire city began to grow and it grew correctly.

Mayor Dane-Patterson stated it takes a business with large tax dollars to reinvest in a community, and individual houses alone cannot add to the tax base. She stated with the Texas Tulips Farm, Western Son Distillery, and the lake that visitors come to visit Pilot Point, but they do not have anywhere to stay once they are here.

Councilmember Ingram disagreed that one business will prompt growth, he stated the tollway will be here soon and there is no need to put a hotel next to schools and houses.

Mayor Dane-Patterson said she had attended a training in Coppell and their new convention center is surrounded by residential homes and you can enhance an area by planning correctly.

Councilmember Cordell asked if a hotel had been part of the RUDAT?

Mayor Dane-Patterson stated yes, bringing in a hotel to capture lake visitors was one of RUDAT's main suggestions.

Pearlie Simpson stated she is not against growth but feels a hotel will put a strain on city services and that additional security will be needed at the hotel. She advised Council to think about the people, not the money.

EDC Board Member Ray stated it had been a goal of the EDC for several years to have this project and by using their incentives, can have it done the way the City wants it to be done. The property is zoned for commercial use and a hotel could come in tomorrow without incentives and the City would have no control on what goes on the property.

Mrs. McDonald stated that legislature currently prohibits cities being allowed input on building materials, but with the City and EDC contributing to the project, they can have input.

Mayor Dane-Patterson closed the public hearing at 7:23pm.

2. **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 distribute an RFP for a hotel project.**

**RESOLUTION 2021-06-500**

Mayor Pro Tem McIlravy moved to approve Resolution 2021-06-500. Councilmember Cisneros seconded the motion. The motion passed.

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

Nays: Councilmember Ingram

Absent: Councilmember Rawls

## **H. ECONOMIC DEVELOPMENT ADJOURNMENT**

The EDC Board adjourned their meeting at 7:24pm.

## **I. 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. Proclamation recognizing April 2021 as Fair Housing Month

Mayor Dane-Patterson read a proclamation declaring April 2021 as Fair Housing Month.

Alicia Stafford stood and began to update Council on the status of 522 E. Burks St. and the drainage issues.

John Haughton stated on Agenda Item K4-Resolution 2021-06-499 he did not think the City should be bound by federal rules and regulations and the City is subjecting itself to rules it does not understand. He urged Council not to approve the Resolution.

Pearlie Simpson stated she did not understand why she did not qualify for an earlier rebate request through the NOW Program.

## **J. CONSENT AGENDA**

1. **Discuss, consider, and possible approval of the March 25, 2021 City Council Regular Meeting minutes.**

Mayor Pro Tem McIlravy moved to approve the Consent Agenda. Councilmember Ingram seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

## **K. REGULAR AGENDA**

1. **Discuss, consider, and possible action on the nomination of a candidate to represent the municipalities on the Denco Area 911 Board of Managers.**

Councilmember Cordell moved to nominate Sue Tejml to another term on the Denco Area 911 Board of Managers. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

2. **Discuss, consider, and possible action authorizing the Mayor to sign an agreement with GrantWorks to administer services for the 2020 Program Year Texas Community Development Block Grant (TxCDBG) Program Contract Number 7220212 - Community Development Fund as administered by the Texas Department of Agriculture - Office of Rural Affairs.**

City Manager Lusk stated this grant is for the sidewalks in the historic district and is the same type of grant used before on Anna St. This grant would also be administered by GrantWorks and there will be \$75,000 needed in matching funds which the City has budgeted for. Mayor Dane-Patterson asked if the money would come from the sidewalk bond or from the General Fund? City Manager Lusk stated the funds would come from the sidewalk bond money. Mayor Dane-Patterson noted there was a completion date scheduled for February 2023 and asked if there is a penalty for not completing the project on time? City Manager Lusk stated Capital Projects Manager Matt Kaminski would oversee the project and do all the inspections and the contractors would not be paid until the project was completed.

Mayor Dane-Patterson moved to authorize the agreement with GrantWorks to administer services for the 2020 TxCDBG Program grant funds. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

3. **Discuss, consider, and adopt a Resolution to designate authorized signatories for the 2020 Texas CDBG Program, Contract 7220212. RESOLUTION 2021-06-498**

Mayor Dane-Patterson stated the signatories for the 2020 Texas CDBG Program would be the Mayor, Mayor Pro Tem, City Manager, City Secretary, Development Services Director, and Capital Projects Manager.

Mayor Dane-Patterson moved to adopt Resolution 2021-06-498. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

4. **Discuss, consider, and approve a Resolution adopting required CDBG Civil Rights Policies. RESOLUTION 2021-06-499**

City Manager Lusk stated these are the same policies agreed to for the last grant and are part of the stipulations for receiving the funds.

Mayor Dane-Patterson moved to approve Resolution 2021-06-499. Councilmember Cordell seconded the motion. The motion passed.

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

Nays: Councilmember Ingram

Absent: Councilmember Rawls

5. **Discuss consider and possible action on an Ordinance amending Chapter 4 - Business Regulations, Article 4.02 - Food Establishments. ORDINANCE 440-13-2021**

Development Services Director Taylor reminded Council this Ordinance had been tabled from the previous month with a recommendation for the following changes which have been made:

1. Extend the time a mobile food unit can sit in one place to 90 minutes

2. Require concrete or asphalt for parking a food truck unless gravel already exists, then gravel is acceptable
3. Health inspections will be done quarterly to conform to the current schedule for existing food establishments.

Councilmember Jones asked if existing mobile food units would have to comply with this ordinance? Director Taylor stated the existing units were given a 6-month timeframe on their existing permits because they knew there would be an ordinance presented soon. City Attorney McDonald suggested giving an effective date as to when the new ordinance would be effective.

Mayor Pro Tem McIlravy moved to approve Ordinance 440-13-2021 with an effective date of June 1, 2021. Councilmember Cisneros seconded the motion. The motion passed.  
Ayes: Mayor Dane-Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Jones, and Cordell  
Absent: Councilmember Rawls

**6. Discuss, consider and possible action on approving a subdivision entrance monument sign for Yarbrough Farms in the ROW of Dorothy Blvd.**

Development Services Director Taylor stated the Homeowners Association of Yarbrough Farms would like to install a subdivision entrance monument sign and because the area is within the City's Right of Way, it needs to be approved by Council to move forward. He also stated they will still need a sign permit and to abide by the Sign Ordinance, and this agenda item is only regarding using the Right of Way.

Attorney McDonald stated if the City Council chooses to authorize the sign, there should be a license provision for responsibility for damage, if there is any damage caused, and a maintenance agreement. The license would allow the City to remove or repair the sign and charge the Homeowners Association for the cost of remediation.

Mayor Dane-Patterson agreed she would like to have the City Attorney draw up a license provision before agreeing to approve the placement of the entrance sign.

Mayor Dane-Patterson moved to table the item. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

**L. 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 551.071 – Consultation with Attorney to seek the advice of the City's attorney about pending or contemplated litigation; or a settlement offer; or 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: 522 Burks Street

The City Council recessed into Executive Session at 8:30pm.

**M. 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.

The City Council reconvened into Regular Session at 8:54pm. Mayor Dane Patterson stated there was no action to be taken.

**N. 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.*

**O. ADJOURN**

Mayor Dane-Patterson stated the agenda had been exhausted at 8:55pm and moved to adjourn the meeting. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

  
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Shea Dane-Patterson, Mayor

**ATTEST:**

  
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Lenette Cox, City Secretary