

City of Pilot Point, Texas

Minutes of the April 27, 2020

City Council Meeting

The City Council of the City of Pilot Point, Texas met via video conference 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, Whitney Delcourt, Jim Porter and Matt McIlravy. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Financial Manager Lana Ensminger, Development Services Director John Taylor, Fire Chief Heath Hudson, Main Street Director Lenette Cox, Economic Development Corporation Director Denise Morris, Code Enforcement Officer Sheree Brady, City Attorney Andy Messer and Acting City Secretary JoAnn Wright. Absent was Councilmember Simpson.

AGENDA

A. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson announced a quorum at 6:30 pm 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 pledges to the flags.

C. INVOCATION

Invocation was led by Councilmember and member of the Pilot Point United Methodist Church Dr. Jim Porter.

D. ITEMS OF COMMUNITY INTEREST

Mayor Dane-Patterson made the following announcements:

1. May 1st bulk trash will resume. The schedule will be the first and third Friday on each month. This schedule will be in effect until further notice.
2. May 1st Texas Governor Abbott is opening restaurants and churches to allowed up to 25% capacity and use social distancing rules. In two weeks, there is no spike in coronavirus cases there will be more opened.

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.)*

Mayor Dane-Patterson announced National Day of Prayer for May 7th.

Councilmember Porter announced the following options in place of public contact:

1. Denton County Nation Day of Prayer Team put together a video to be viewed on the website, www.dentoncountyndp.com on May 7th from 7 to 9 pm
2. National Task Force will be broadcasting on GodTV, Daystar, Moddy Broadcasting, and Facebook Live May 7th 7 to 9 pm.

G. CONSENT AGENDA

1. Discuss consider and possible action on accepting the minutes from the February 24th, March 16th, March 19th and March 25th City Council Meeting.

Councilmember Porter moved to approve the consent agenda. Councilmember

McIlravy seconded the motion. The motion passed unanimously.

H. REGULAR AGENDA

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

Mayor Dane-Patterson stated this is Jim Carter's position that just expired, and Mr. Carter has expressed a desire to fill the position for another term. There are no other applications for this position. Councilmember McIlravy moved to approve Jim Carter for the open place on Denco Board of Managers. Councilmember Delcourt seconded the motion. The motion passed unanimously.

2. **Hold a public hearing on a proposed ordinance amendment to Chapter 14: "Zoning" Section 14.02.154 "Sale of Alcoholic Beverages" of the code of ordinances of the City of Pilot Point, Texas. Amending Section 14.02.112 "Schedule of land uses" to amend the location of the allowed locations for sale of alcoholic beverages.**

Mayor Dane-Patterson read the cause and called the public hearing at 6:39 pm.

No one spoke.

Mayor Dane-Patterson closed the public hearing at 6:40 pm.

3. **Discuss, consider and possible action on a proposed ordinance amendment to Chapter 14: "Zoning" Section 14.02.154 "Sale of Alcoholic Beverages" of the code of ordinances of the City of Pilot Point, Texas. Amending Section 14.02.112 "Schedule of land uses" to amend the location of the allowed locations for sale of alcoholic beverages.**

Planning and Development Director Taylor stated that the reason for the ordinance is to remove the Special Use Permit requirement from all zoning except commercial one (C1).

Councilmember Delcourt moved to approve the ordinance requiring a special use permit in all zoned areas for the sale of alcoholic beverages. Councilmember Porter seconded the motion. The motion passed unanimously.

4. **Discuss consider and possible action on authorizing the City Manager to enter into a scope of services with Kimley Horn for a Roadway Impact Fee Study.**

Jeff Whitacre from Kimberly-Horn gave a presentation for a Roadway Impact Fee Study. Mr. Whitacre went over the following point:

1. Overview
2. Transportation Funding
3. Impact Fee Basics
4. Questions about Impact Fees
5. Keys to a Successful Project
6. Putting the Pieces Together
7. Similar Cities Comparison
8. Kimberly-Horn TX Experience

Mayor Dane-Patterson asked how quickly could this could be started.

Mr. Whitacre stated right away.

Mayor Dane-Patterson asked how long it would take to complete.

Mr. Whitacre stated about three months.

Mayor Dane-Patterson stated that the cost of this study is \$43,000. \$21,500 would come out of the bond fund. The other \$21,500 will be in the 2020-2021 year budget.

Councilmember Porter moved to authorize the City Manager to enter into a scope of services with Kimberly-Horn for a Roadway Impact Fee Study. Councilmember McIlravy seconded the motion. The motion passed unanimously.

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. § 551.071(2): 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 re: Yarbrough Farms Development.

Mayor Dane-Patterson read the reason and announced the meeting into Executive Session at 7:03 pm.

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.:

Mayor Dane-Patterson reconvened back into regular session at 7:39 pm.

K. Regular Agenda (2)

1. Discuss, consider and possible action on the Final Plat of 27 single family detached patio home lots in the Cole Lane Phase 1B Yarbrough Farms Addition, a 4.322-acre tract located in the Charles Smith Survey Abstract 1139, Denton County Texas.

Councilmember McIlravy moved to deny the final plat based upon: 1. the final plat match the preliminary plat, particularly involving the use and placement of alleys under Subdivision Regulation/City ordinance 10.02.064(c)(2); and 2. the owner enter into a sub divider's agreement with the City agreeable by City staff and attorney, particularly involving parkland dedication, under Subdivision Regulation/City ordinance 10.02.152, 10.02.156, and 101.02.032 (b)". Councilmember Singleton seconded the motion. The motion passed unanimously.

2. Discuss, consider and possible action on the Final Plat of 38 single family detached patio home lots in the Ruthye Lane Phase 1B Yarbrough Farms Addition a 7.999-acre tract located in the Charles Smith Survey Abstract 1139, Denton County Texas.

Councilmember McIlravy moved to deny the final plat based upon: 1. the final plat match the preliminary plat, particularly involving the use and placement of alleys under Subdivision Regulation/City ordinance 10.02.064(c)(2); and 2. the owner enter into a sub divider's agreement with the City agreeable by City staff and attorney, particularly involving parkland dedication, under Subdivision Regulation/City ordinance 10.02.152, 10.02.156, and 101.02.032 (b)". Councilmember Porter seconded the motion. The motion passed unanimously.

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.

Adopt Governor's new rules.

522 E. Burks St

City Manager's presentation for due dates for agenda items.

Future events

M. STAFF REPORT

1. March 2020 Finance Reports

Mayor Dane-Patterson stated the finance report is very thorough.

2. March 2020 Municipal Court Report

Mayor Dane-Patterson wants to collect the court fees.

3. March Library Report

Mayor Dane-Patterson stated that the Library is taking advantage of this time of being closed to do deep cleaning.

4. March 2020 Main Street Report

Mayor Dane-Patterson stated that in the Governor's conference today that he is recommending that cities may still want to cancel events that are in the near future. Main Street Director Cox stated that now is the time that we would be going out for

sponsors. A lot of the cities are canceling all events this year. The farmers market for April and May have been canceled. The Bloomfield School House is canceled because it is in coordination with the school field trips. The museum does not have an exhibit at this time.

5. March 2020 Code Report

Mayor Dane-Patterson asked if the city had dunks.

Code Enforcement Officer Brady stated she has dunks to put out, but they are poisonous. So, she doesn't want to hand them out.

City Staff has been talking with Waste Connections and will start bulk pick up on Friday, May 1. Citizens can put bulk trash out three days in advance of the pickup date.

Fire Chief Hudson stated that there is now only one active case of COVID-19 in the city of Pilot Point. By the end of the week if nothing changes the city will be clear.


N. ADJOURN

Mayor Dane-Patterson moved to adjourn at 7:58 pm. Councilmember McIlravy seconded the motion. The motion passed unanimously.



Shea Dane-Patterson, Mayor

ATTEST:



JoAnn Wright, Acting City Secretary
Approved: May 11, 2020