

City of Pilot Point, Texas

Minutes of the May 28, 2019

City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:33 p.m. for a Regular City Council meeting. City Council members present were Mayor Shea Dane-Patterson, Jim Porter, Whitney Delcourt, Andy Singleton, Dean Cordell, Ronald Petty, and Matt McIlravy. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Development Services Director John Taylor, City Attorney Andy Messer, and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson announced a quorum at 6:33 p.m. 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 Pledge to Flags.

C. INVOCATION

Invocation led by Ric Sadler, retired Police Chief and member of the Pilot Point Positive Club.

D. ITEMS OF COMMUNITY INTEREST

Movies in the Park will be held on May 31, 2019 at the Old City Park.

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.)*

1. American Legion recognition of Pilot Point Police Department Detective John Gardner
Detective John Gardner was presented a commendation of outstanding service from the American Legion.

2. Presentation of Police Department and Library Budget Overview

Librarian Turner gave a presentation regarding the library. The following was discussed:

- Mission Statement
- Staffing
- Programs
- Current Budget
- Budget Needs
- Budget Wants

Police Chief Conner gave a verbal presentation regarding the police department. The following was discussed:

- Mission Statement
- Staffing
- Current Budget
- Budget Needs
- School Resource Officers
- Training

- Budget Wants

Public Forum:

1) Sila Carr - Ms. Carr stated she is having problems with her neighbor. She stated she moved to Pilot Point in 2010 with their two kids. She has had several issues with her neighbor. She stated that her neighbor filed code complaints for minor issues. In addition, she stated that Mr. Stricklin, continues to curse at her and children. Since March 30, the neighbor has put up 8 ft. polls to build a wall between them. She stated that Mr. Stricklin would call the service dog over to his house and then start screaming at her and her children because the dog is on his property.

Mayor Dane-Patterson stated that this topic is not on the agenda. She stated that the police department can follow up on the complaint. Councilmember Petty requested this item be placed on the next agenda for an update.

2) Pete Hollar - Mr. Hollar stated that he and charter commission spent the whole summer going over the charter and it was taken very seriously. Mr. Hollar stated that all power in the City is vested in the City Council. City Council has the power to do everything. There is no CEO. The duties of the city manager are given by the city council. It is very clear in the charter and the ordinance that was passed that the spending limit for the city manager is \$5000.00. Any person breaks this rule is guilty of insubordination. If the council allows it, you are guilty of insubordination to the citizens.

3) Robert Wright - Mr. Wright stated that the city manager was fired in Chickasaw in 2017 and there is a lawsuit against Chickasaw. My question to the council is why was he hired under those circumstances. In addition, he stated that the city manager has a BA in Politic Science and a MA in Politic Economy. Mr. Wright stated that it is the city manager playing politics and that is not what we need from our city manager. In addition, he stated that the city manager hired a consultant from Frisco without the approval of the city council or EDC. Mr. Wright stated when he asked how it was going to match with the RUDAT Plan, neither one, city manager or consultant knew about the plan. Mr. Wright stated that his recommendation is to not renew the city manager contract. As for the low-income housing, the city manager pushed the horrible idea until the community pushed back. Mr. Wright stated he can only wonder why he pushed so hard, was there something personally in it for him. Mr. Wright stated his recommendation is to not renew the city manager contract.

Linda Bullwinkle - Ms. Bullwinkle read letter from the Lake Ray Roberts Club regarding the relationship between the mayor and city manager regarding leadership and things happening in Pilot Point. Ms. Bullwinkle spoke in support the city manager.

4) Champ Walker - Mr. Walker stated that it is embarrassing for the City Manager to request for his review to be held in open session to air his dirty laundry out in public for the city. The citizens must come to council meetings to make sure the city manager is doing his job. Mr. Walker states he is against the renewal of the city manager contract.

5) Howard Kimble - Mr. Kimble stated that the city manager ignored the rules of the charter, and that he understands that the city manager spent over \$100,000 of the city's raining day fund. Mr. Kimble stated that the city manager is a dictator for the citizens because he believes the citizens are too dumb to think for themselves.

F. CONSENT AGENDA

1. Discuss, consider, and possible action on an Interlocal Cooperation Agreement for shared Governance Communications and Dispatch Service System and authorize the Mayor to sign all necessary documents.
2. Discuss, consider, and possible action on a resolution approving an agreement between the City of Pilot Point and the Texas Department of Transportation authorizing the temporary closure of State right of way for the Glen Templeton concert scheduled for Sunday, June 30, 2019.

3. Discuss, consider, and possible action on a resolution approving an agreement between the City of Pilot Point and the Texas Department of Transportation authorizing the temporary closure of State right of way for the Bonnie and Clyde Days Festival scheduled for Saturday, October 12, 2019.
4. Discuss, consider and possible action on a resolution approving an agreement between the City of Pilot Point and the Mustang Special Utility District to transfer retail utility service areas.

Councilmember Porter moved to approve the Consent Agenda with date changed to July 5, 2019. Councilmember Delcourt seconded the motion. The motion passed unanimously.

G. 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. 1. In accordance with Texas Government Code, Section 551.071: 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 regarding: (i) Acquisition of approximately 8.16 acres just east of the railroad tracks and south of the City of Pilot Point Wastewater Treatment Plant (the Cargile Property) for the purpose of constructing an expansion of the wastewater treatment plant, (ii) Acquisition of 0.139 acres west side of US 377 and north of East Burks Street for a proposed permanent sanitary sewer easement; (iii) Roles of Mayor, City Manager and Councilmembers; (iv) Yarbrough Farms; and (v) City Manager contract.
2. In accordance with the Texas Government Code, Section 551.074: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

City Manager

Mayor Dane-Patterson stated that at this time, City Manager Guard has requested item 2 be held in open session.

Council Member Porter moved to not allow letters and emails to be read unless the person is present. Councilmember Petty seconded the motion. The motion passed.

City Manager Alan Guard stated that he understands this is a difficult time for the city. There are several issues by citizens.

City Manager Guard made a presentation in response to his May 13, 2019 Evaluation. Mr. Guard made the following statements:

He appreciated Mayor Hollar's comment "where did the money go".

- 887,000 committed prior to my arrival
- After my arrival - \$174,000 added after I arrived
- \$30,000 to fund a community survey and Council and staff retreats – my proposal, Council approved
- \$20,000 for new HVAC at Library – my proposal, Council approved
- \$15,000 for new computers – my proposal, Council approved
- \$65,000 for splash pad at Old City Park – Council requested and approved
- \$44,000 for water/sewer mapping – my proposal, Council approved
- 84% of the drop-in fund balance was committed before I arrived in town
- In reference to the Fence accusation, commercial development must put up a screening fence between residential property, masonry is the usual requirement, the ordinance, approved by Council February 2018 allows alternatives approved by the Development Services Director, owner requested to put up a vinyl fence and agreed to replace with masonry within five years. That is better than what is

required by the ordinance.

- Email chain was shown between City Manager Guard, Mayor Dane-Patterson, and Councilmember Petty regarding Councilmember Petty's trash issue.
- The Purchasing Policy that was adopted in 20136 was reviewed, including the bid process.
- In reference to the Mayor's argument regarding signature authority of contracts and agreements, the policy states a contract up to \$5,000 shall be authorized by the city manager and contracts over \$5,000 requires approval by the city council. Mr. Guard stated he believes this is a typing error. Councilmember Petty stated that section A5 does not give the city manager authority to spend over 5,000 without council approval. Mayor Dane-Patterson stated that Mr. Guard is failing to read the ordinance adopted by the council. Mayor Dane-Patterson stated that the ordinance clearly states that the city manager can make purchases up to \$5,000. In addition, she states that the ordinance states twice that the city manager does not have the authority to spend over \$5000.00 without council approval. Mayor Dane-Patterson explained to City Manager Guard that if he failed to read the entire document, it is on him, and he failed to follow policy. Mr. Guard asked ex-finance supervisor Jan Messman to come up to the podium and she stated she believes this was a typo and believes it is \$50,000. Mr. Guard stated that if you look at state law, it is common since to him that \$50,000 is the spending limit. In addition, Mr. Guard stated that many staff members have told him that he has the authority to spend up to 50,000, this includes the city secretary. The city secretary herself has even brought me contracts.
- In reference to Mario Cisneros position and pay, the Capital Projects Manager is part of Administration and reports directly to the city manager. There is no Capital Projects Department. No council consent was needed. A raise was given to Mario Cisneros on July 16, 2018, midway through a pay period. It was done to match the new public works director.
- In reference to the Downtown Square Plan, it was previously stated that the city manager presented new plans without council knowledge. Mr. Guard stated that the council was informed about hiring Eikon during the FY 2018 budget workshops as related to the Capital Projects Advisory Committee. In addition, Mr. Guard stated that the Historic Preservation Commission meeting was a posted meeting and that it is his understanding that the city secretary posts all meetings and puts them on the calendar on the City website. In addition, he stated that he assumed council was made aware of all public meetings and if that is not the case, it can be corrected.
- In reference to SNAG Driveway Curtain Credits, this was part of Burks Street. It was being paved using a payment machine. Mr. Guard stated that it was discussed with SNAG and Ironhorse whether to slow down production and put in the driveway aprons or do a continuous pour with a full curb. Mr. Guard stated he made the decision to give SNAG \$4,800 credit.
- In reference to the city secretary and liquor permits, fees have been collected every year for liquor permits by Finance and the number of years each permit is good for varies so the amount collected each year varies. It has always been the city secretary's job to collect alcoholic permit fees. Finance has done a great job collecting and recently gave the duties back to the city secretary.
- In reference to permits and fees, Mr. Guard stated in the time frame noted by the Mayor, 843 permits issued and 1 needs investigating.

Councilmember Petty moved to not allow the same person to speak twice on the same topic. Councilmember Porter seconded the motion. The motion passed unanimously.

- 1) Mario Cisneros- Mr. Cisneros stated it is rude when people is not paying attention to the city manager when he is speaking. Mr. Cisneros stated that he was involved in the well, not involved, until he was asked to get involved. Mr. Cisneros asked the council to stay out of the way and let the employees do their job. Mr. Cisneros stated that City Manager is not going to make everyone happy, including citizens and/or staff. Councilmember Petty stated called point of order because the three-minute timer went off. Mr. Cisneros told Councilmember Petty that he knows what point of order is, and maybe the time is not up, it is not up to folks when it is up.

- 2) Justine Wollaston - Ms. Wollaston stated the city manager is very proactive and it is the mayor playing politics. Ms. Wollaston stated that she recommends the renewal of the contract.
- 3) Joe Brown- Mr. Brown stated he is from Pilot Point and loves Pilot Point. Mr. Brown stated to Mayor Dane-Patterson that she is doing an outstanding job and his heart goes out to her. Mr. Brown stated that he knows it is tough for her here being a woman and it is very shameful how people is treating her. Mr. Brown stated that the city manager states he loves Pilot Point, but the black community never sees his face. People just moving in are getting help, but not his family, who has been here for decades. In addition, he stated they are being treated like garbage. Mr. Brown stated that he has served his country and loves good Americans. Mr. Brown stated that you can say what you want, so many people saying they are Christians, but not acting like it. In addition, he stated he don't like how the mayor is being treated because she is a lady, they are using bully tactics on her. Mr. Brown stated that he asked Mario Cisneros in the past for assistance once, Mario Cisneros got out of the neighborhood fast. Last, Mr. Brown made the following statement- God bless you Mayor.

Andy Messer stated there is two items on the agenda in executive session. At the end of this time, he is addressing some time to discuss time with council for legal advice before any action is taken.

Mayor Dane-Patterson confirmed with Andy Messer that he researched the documents that was provided and that reviewed documentation backing up what Mayor Dane-Patterson provided, but could not be factual until city manager Guard replied to the allegations.

Mr. Messer stated that there are differences between purchasing and contracts. There is some confusion on what is happening. Asst. City Attorney Marie Johnson stated that it is in the policy any contract over \$5,000 must be approved by city council. Ms. Johnson stated that there are two different parts in the purchasing policy, and it is not being read correctly.

Following statements were made:

Councilmember Singleton- As a leader, you need to enable to trust your employees and not micromanage. If we don't trust the city manager, then he needs to be fired. Councilmember Singleton don't believe this is what's going on. In addition, he stated that he has trust in the city manager. This is not the time that to start over in the middle of all the projects going on.

Councilmember Delcourt- In response to a citizen's comment, she was on council when the city manager was hired. We went through a process and we hired him at the city attorney's advice. During the time, he was still putting his name out and with an upcoming interview with another city, we had a council meeting and we hired him. We wanted someone with a strong finance background, and he has what we were looking for. In addition, she stated once we have council rules in place, it will make things better. Ms. Delcourt stated that she lived here almost 13 years, the average city manager stays 2.5 years. There will be mistakes made unless everyone gets on the same page. Its budget season, we are building a wastewater treatment plant, just had a bond package, don't think it's a good time to change and she supports the city manager.

Councilmember Porter - read a letter he wrote earlier. The letter stated that this is an important meeting. Feel strongly that Alan Guard should continue his role. Mr. Porter stated that Alan has led our city forward, he has always been ahead of us and helped us accomplished many things. In addition, he stated that the city manager is soon to be president of rotary club, member of chamber of commerce, and with very few exceptions, he is supported by city staff. Mr. Porter stated that the citizens approved a 9.5 bond proposal with Alan's leadership and the CPAC committee. Mr. Porter stated that we are preparing for over 1000 homes with the guiding hand of our city manager. In addition, we have momentum for our city and don't want to lose it. Mr. Porter asked the other council members to help him extend our city managers contract for another year.

Councilmember Petty- Asked what the ethnic graphic for the community is. Guard stated he could not answer that off the top of his head. Councilmember Petty asked what the ethnic graphic of the workforce was, Mr. Guard stated it is very white and male. Councilmember Petty asked if he had hired any ethnic employees. Mr. Guard stated yes, just hired an ethnic permit tech and just hired the first female firefighter.

Councilmember Petty asked the city manager if he believes the 2013 purchasing policy over road the 2006 policy? City Manager Guard answered yes but believed there is an error. Councilmember Petty then asked if he believes the council has no power after leaving the dais, why is the council email and contact information on the website. Councilmember Petty stated that if a citizen has a concern and if he wants council to discuss it at a council meeting, it can take 2-3 weeks. City Manager Guard stated that he knows the council has ties in the community, but his recommendation is to have the citizen contact the main number.

Councilmember Cordell-In regard to the mural, I believe it will bring the city into a law city because the city manager authorized a third party to paint on a city building without city council approval. City Manager Guard stated that the library board voted to approve the mural and it was being funded by the friends of the library. The friends of the library were afraid that if it went to council, it would be changed. He stated he was just trying to help them.

City Attorney Andy Messer stated that it is city property and, in his view, a 3rd party cannot come in and paint on city property without council. Allowing a 3rd party to paint on city property can result in a lawsuit.

Councilmember Cordell stated that he previously told the city manager that he lost all confidence in him. Councilmember Cordell stated that if we asked for something, it should be given to us and not go to an investigation. If nothing is going on illegal, then give it to us. Mr. Cordell asked City Manager if he has ever yelled at employees in city hall. I have raised my voice, not attacked them personally or professionally. Councilmember Cordell stated to the city manager that the council drilled him during the interview process on how he felt about council talking to citizens and was told that you have no problems with it, but that is not the case. City Manager Guard stated yes; it is. Councilmember Cordell stated that if he asks his son a question, he states he can't talk about it and that he has been told not to say anything. Councilmember Cordell stated to the city manager that he wants it one way but not the other way. We must get on the same page.

Councilmember McIlravy- No comment

Mayor Dane-Patterson stated that since employees' names were mentioned by Mr. Guard, she would like to ask City Secretary Alice about the liquor license, how it got put on her desk and got taken off her desk. City Secretary Alice Holloway stated that the liqueur permitting was never on her desk. She stated she had been with the City of Pilot Point for 8 years and has only processed the TABC pre-qualification license. City Secretary Alice Holloway stated that employee JoAnn Wright can testify that when she worked the front office, they processed the license. In addition, she stated that Calvin Manual was present, and he can testify that once he got moved to permitting, his office handled them.

City Secretary Alice Holloway stated the whole process of the alcohol permitting getting moved to her office started one day when she was walking in the hallway and an employee got extremely loud and stated that the city had not collected any funds this year regarding alcohol permits. Ms. Holloway stated she went back to her office. Mr. Guard came in and she told him what happened. Mr. Guard stated that the employee had just been very busy. I explained that there is never a reason for anyone to be rude to another person regardless if busy or not. Ms. Holloway stated years ago; finance department requested to do all the invoicing for all departments. Ms. Holloway stated that permits cannot be issued without application and payments. She stated she is not saying anybody did a bad job, just stating that there was no communication between the departments. In

addition, she states that while speaking to several businesses in town regarding their permits, several stated that they came to city hall to get their alcohol permit, but was told to wait until they got their invoice. Ms. Holloway stated that finance never sent the invoices out. Ms. Holloway stated that during conversation with Mr. Guard, she told him that she would be happy to take over the process, but wants to do the whole process, A-Z, including invoicing, issuing permits, etc. She stated with this process; she will know that all steps are being taken care of. Mr. Guard agreed. She stated that the first thing her office did was an inventory of business, what's been paid in the past, and who needs a permit. She stated that her office as of today had collected all permits except for three. Ms. Holloway addressed the yelling comments. She stated she has reported to council several times about the yelling and feels like people are thinking she is lying. Ms. Holloway stated that she, Councilmember Porter, and another employee had a discussion on the last incident. During the conversation, the employee told Mr. Porter that it was extremely loud, she was at the front office and came back to her office to see who he was screaming at. She stated she was shocked that the whole city did not hear it because it was so loud. In addition, she stated she asked the employee if she was the only employee who gets yelled at by the city manager and the employee stated yes to her and Councilmember Porter. She stated that she asked Councilmember Porter to please make sure that the other council members don't think she is lying, and Mr. Porter stated that they don't believe that. Ms. Holloway stated that she was sorry to bring up a private conversation, and Mr. Porter confirmed that was a confidential conversation. Ms. Holloway stated that she hates to say this, but because of so many things happening, she has had to record conversations, have turned over everything to her attorney, and have filed a complaint with the EEOC because of the way he is being treated. Ms. Holloway stated that so many people know what the truth is but will not stand up. Ms. Holloway stated that after serving the city for 8 years, she only expects to be treated fairly. She stated that is all she has ever asked for. Ms. Holloway stated that she came to council two months ago expecting to resign to accept another job offer, more money, better benefits, but the council asked me to stay and increased her salary. She stated that she stayed because she loves Pilot Point. loves the citizens and have made Pilot Point her home. In addition, she stated that she goes to church here, lives here, her daughter graduated school here, and she has wonderful friends here. In addition, she stated that she doesn't care about the politics; she just wants to be able to do her job and do it peacefully. Mayor Dane-Patterson asked Councilmember Porter if the conversation happened and Mr. Porter stated yes.

Accounts Payable Clerk Judith Hernandez stated that she has never heard yelling at Alice during the conversation regarding Councilmember Cordell. She stated that she can tell the difference if he is yelling or being frustrated and he was not yelling.

Ex-Deputy Development Services Director Calvin Manuel- Mr. Manuel stated that he was not planning on speaking at the meeting but feels it's important that he does. Mr. Manuel stated that he knows for a fact that an employee was called dumb by the city manager and that there are several employees treated differently and he was one of them. Mr. Manuel stated that during time with the City, he was told by the city manager that there was no place here for him, then he was told by the city manager to meet with a psychologist at city hall. He stated he was called an asshole during the meeting. Mr. Manuel stated that he went to Alice who was HR and Alan about several issues, but they never got resolved. Mr. Manuel stated that he learned to put his head down and keep working. Mr. Manuel stated that there are many other employees that feel the same way. Councilmember Petty asked if they were afraid of retaliation and he stated yes. Mr. Manuel stated that after he handled the whole permitting office on his own, he was told he was not qualified and after the new person was hired, was treated very differently. Mayor Dane-Patterson asked for clarification. Mr. Manuel stated he was interim development services director twice, and then was told he was not qualified for the director position. Mr. Guard stated that he never made that comment, and Mr. Manuel told Mr. Guard that he did. Mr. Manuel stated that all he can confirm regarding alcohol permits is that when John Dean was city manager, he moved alcohol permits from front office to permitting.

Mayor Dane-Patterson stated that she requested a report regarding all permitting. Mr. Guard handed her a report that showed 26 permits (not non-profit) that shows nonpaid permits that goes back to 2015. In addition, they showed 0 fees collected/balance. She

stated the big ones was Kens Court/Lamppost homes. She stated It showed on 2/2019 the permits were picked up and 0 fees paid. Mr. Manuel was asked why he left the city. He stated after everything going on, he was no longer comfortable at the City of Pilot Point and he left when a better opportunity came along. Mayor Dane-Patterson asked Mr. Manuel if permits were issued without being charged. Mr. Calvin stated he was directed by the city manager not to collect the fees and issue the permits to Mr. Tutor. Mr. Guard stated that they were not given the permits. Mr. Manuel stated that he was asked by the city manager to issue the permits and they were given the permits. Mr. Guard stated that Mr. Tutor did not realize he was given permits. Mayor Dane-Patterson stated that the report showed that the permits were issued, but the fees were not paid. City Manager Guard stated this is all a misunderstanding. In addition, he stated that John Taylor and Randy Tutor will confirm what was discussed.

Mayor Dane-Patterson stated that the City Attorney asked city secretary to get proof of all payments made of permit fees. City Secretary Holloway sent an email to finance department. The finance department then sent the city manager an email that the city secretary was requesting the information. She stated that the city manager then asked the city secretary who was asking for the information. She stated that the city attorney had her cut and paste an email that they developed for her to send to the city manager and copied them on it requesting bank statements. She stated she told Attorney Marie Johnson beforehand that if she asked for the statements, the city manager will say that he don't take direction from just one person on the council. She stated that at 4:56 pm, she got a response from the city manager that he sent the documents City Attorney Andy Messer.

Asst. City Attorney Marie Johnson stated that she understood that the City Secretary was having difficulty getting bank statements. Because of this, she had the mayor send a directive to the city manager requesting the statements. Unknown to her and to Alice, the bank statements was sent to Alice at 4:58pm. City Manager stated he did not withhold any information. Ms. Johnson stated that City Secretary Holloway had been running around doing all different things for many different people and did not see the email at 4:58 pm. City Manager Guard stated that he wanted to make sure that all the council received the same information. City Secretary Holloway stated that after researching the permitting reports, unable to locate permit files in the permitting department, she sent an email to finance asking for bank statements to match up with permitting report to help show what was paid. She stated that night, she seen the bank statements in an email from the city manager.

Mayor Dane-Patterson told Mr. Guard that he took an oath to follow policies and regulation whether he likes them or not, whether he believed there was a typo or not is not an excuse. She told the city manager whether he likes the subdivision ordinance or not, it should be followed. She stated that the city manager said earlier that he Mustang Creek Development they could move dirt. She stated in policy that construction cannot start until everything is approved. She stated the city manager violated policy. She stated that council cannot talk to staff, so if staff is not doing their job, it reflects on the city manager. She told the city manager he is responsible. Mayor Dane-Patterson asked the audients if utilities are part of construction. City Manager Guard stated she cannot ask them that question. Mayor Dane-Patterson stated that unities must be installed, or houses cannot be built. She stated that the ordinances state all utilities must be installed before permits can be issued and this policy has not been followed. She stated that the city manager is the stopping point between staff and city council. She stated there are a lot of things going on, including spending, but the city manager is not following policy, and have chosen to ignore them. Mayor Dane-Patterson stated she talked to the city manager at the beginning of his employment about the purchasing policy and there was also discussion about the policy when Elisa was on council.

Mayor Dane-Patterson stated that the city manager failed to listen to the attorney when he stated that council must approve murals on city buildings. She stated she then got a call from Western Son distillery regarding an issue was a neighboring business. She was told the city manager was called to help resolve the issue. She stated that they told her that the first thing the city manager said when he arrived was "can you donate money to our upcoming event". She stated that they told her that he then asked them to pay \$4,500.00 and they would be allowed to paint on the side of the building by the community center

and the funds were going to help remodel the building. She stated this conversation was after the city attorney told him he had to get council approval. Mayor Dane-Patterson stated that the city manager was putting the city in a position of being suit. City Manager Guard asked City Attorney Messer if that was true. City Attorney Messer answered yes.

H. 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.

Mayor Dane-Patterson opened the Executive Session item 2 in open session at the request of City Manager Alan Guard at 7:28 pm.

I. REGULAR AGENDA

1. **Discuss, consider, and possible action on a resolution approving the financing of one Brush Truck by Point Bank of Pilot Point, TX in the amount of \$150,000 at an interest rate of 3.85 % for the Fire Department.**

Mayor Dane-Patterson moved to table all items under Regular Agenda until the next meeting. Councilmember Petty seconded the motion. The motion tabled unanimously.

2. **Discuss, consider, and possible action on an agreement with Granulawn for a Fertilization Program for the Groff Memorial Park Baseball Fields, Common area, Soccer Fields, Back-up Soccer Field, and Old City Park.**
3. **Discuss, consider, and possible action on approving an irrigation system for the Old City Park.**
4. **Discuss, consider, and possible action on appointment to the Denton County Lake Ray Roberts Planning & Zoning Commission.**
5. **Discuss, consider, and possible action on board appointments.**
6. **Discussion on a resolution providing a process for council participation in preparing a city council agenda.**
7. **Discussion on developing Rules of Procedures for the City Council.**
8. **Discussion on the Winter Festival hosted by the Pilot Point Chamber of Commerce.**

J. STAFF REPORT

1. April Monthly Court Report
2. April Main Street Report
3. April Library Report
4. April City Secretary Report
5. April Finance Report

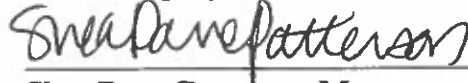
K. FUTURE AGENDA ITEMS/REQUESTS BY COUNCILMEMBERS TO BE ON NEXT AGENDA

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 Petty requested the Carr Complaint to be on the next agenda.

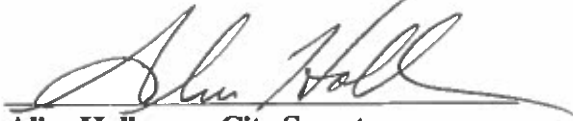
L. ADJOURN

Mayor Dane-Patterson made the motion to adjourn. Councilmember McClravy seconded the motion. The motion passed unanimously. The meeting adjourned at 11:30 p.m.



Shea Dane-Patterson, Mayor

ATTEST:



Alice Holloway, City Secretary

Approved July 8, 2019