

City of Pilot Point, Texas

Minutes of the June 10, 2021

City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 4:30pm for a Regular City Council Meeting. City Council members present were Mayor Shea Dane-Patterson, Mayor Pro Tem Matt McIlravy, Councilmembers Mario Cisneros, 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, Finance Director Michele Sanchez, Capital Projects Manager Matt Kaminski, Public Works Director Trent Vandagriff, and City Secretary Lenette Cox. Marie Johnson of Messer, Fort, & McDonald Law Firm was also in attendance

A. VIDEO CONFERENCE

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AGENDA

B. ROLL CALL/CALL TO ORDER

Mayor Shea Dane-Patterson called the meeting to order at 4:30pm and conducted roll call.

Place 1 Mario Cisneros – Present
Place 2 Brian 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

Mayor Pro Tem Matt McIlravy led the invocation.

E. ITEMS OF COMMUNITY INTEREST

Mayor Dane-Patterson announced the Reel Big Market was taking place on the Historic Downtown Square on Saturday June 12, 2021 and the Bassmaster Classic was being held at Lake Ray Roberts through Sunday, June 13, 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 May 27, 2021 City Council Regular Meeting minutes.
2. Discuss, consider, and possible action on the approval of payment to Wall Engineering, LLC, for engineering services for the Wastewater Treatment Plan Improvements.
3. Discuss, consider, and possible action on the approval of Pay Application #15 for the Fire Station Bond Project. Value of pay application is \$337,548.20.

Councilmember Cordell moved to approve the Consent Agenda. Mayor Pro Tem 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 action on an Ordinance of the City of Pilot Point, Texas canvassing returns and declaring the results of the Runoff General Election held on June 5, 2021, for the purpose of electing a Council member for Place 2; providing a repealer and severability clause; and providing an effective date.**

ORDINANCE 447-13-2021

Mayor Dane-Patterson stated this item was being removed from the agenda. There is an outstanding mail-in ballot and the official count cannot be done until after the Friday, 5:00pm deadline for it to be returned. The Canvass of the Runoff Election results will be done at a City Council Special Meeting scheduled for Wednesday, June 16, 2021 at 12:00pm.

2. **Presentation of Certificate of Election and administer the Oath of Office to Everett Cummings for being duly elected as Council member Place No. 2.**

Mayor Dane-Patterson stated this item would be moved to the June 24, 2021 City Council meeting.

3. **Discuss, consider, and possible action on the appointment of a Mayor Pro Tem.**

Mayor Dane-Patterson stated this item would be moved to the June 24, 2021 City Council meeting.

4. **Discuss, consider, and possible action on approval of Change Order #6 for the Police Station Project. Total change order costs equal \$17,682.50**

Capital Projects Manager Kaminski stated this change order was to add bullet resistant barriers to the Police Station Building. He stated the cost is available in the built-in contingency and does not change the bottom-line price of the project.

Mayor Dane-Patterson made a motion to approve Change Order #6. Councilmember Jones seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

5. **Discuss, consider and possible action on making a recommendation on the Yarbrough Farms Phase 2B Final Plat, a 10.91-acre tract located in the Joseph Jefferies Survey Abstract 661, Denton County Texas, creating 26 residential lots.**

Development Services Director Taylor stated this is a final plat for Yarbrough Farms Phase 2B and meets all the requirements and conforms to the SF-2 Planned Development standards and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Mayor Dane-Patterson made a motion to approve the final plat once all the documents have been executed. Councilmember Cisneros seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

6. Discuss, consider and possible action on making a recommendation on the Yarbrough Farms Phase 2C Final Plat, a 8.2-acre tract located in the Charles Smith Survey Abstract 1139, Denton County Texas, creating 15 residential lots.

Development Services Director Taylor stated this is a final plat for Yarbrough Farms Phase 2C and meets all the requirements and conforms to the SF-2 Planned Development standards and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Mayor Dane-Patterson made a motion to approve the final plat once all the documents have been executed. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

7. Discuss, consider and possible action on making a recommendation on the Yarbrough Farms Phase 1C Final Plat, a 10.06-acre tract located in the Charles Smith Survey Abstract 1139, Denton County Texas, creating 80 residential lots.

Development Services Director Taylor stated this is a final plat for Yarbrough Farms Phase 1C and meets all the requirements and conforms to the 1-C Planned Development standards and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Mayor Dane-Patterson made a motion to approve the final plat once all the documents have been executed. 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

8. Discuss, consider and possible action on making a recommendation on the Final Plat of Phase 2D, Yarbrough Farms Addition a 9.53-acre tract located in the Charles Smith Survey Abstract 1139, City of Pilot Point, Denton County Texas, creating 54 residential lots.

Development Services Director Taylor stated this is a final plat for Yarbrough Farms Phase 2D and meets all the requirements and conforms to the Planned Development standards for detached patio home lots and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Councilmember Cisneros made a motion to approve the final plat once all the documents have been executed. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

9. Discuss, consider and possible action on making a recommendation on the Yarbrough Farms Dorothy Blvd. Extension Final Plat, a 1.28-acre tract located in the Charles Smith Survey, Abstract 1139, City of Pilot Point, Denton County, TX.

Development Services Director Taylor stated this is an extension final plat for Yarbrough Farms Dorothy Blvd. and is for right of way only. The plat meets all the requirements and conforms to the Planned Development standards and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Mayor Dane-Patterson made a motion to approve the final plat once all the documents have been executed. Councilmember Cisneros seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

10. Discuss, consider and possible action on making a recommendation on the Windrose Phase 1 Final Plat, a 58.336-acre tract located in the Joseph Jefferies Survey Abstract 525 and Peter Gass Survey Abstract 459 City of Pilot Point Cook and Grayson County Texas, creating 182 residential lots.

Development Services Director Taylor stated this was originally the 113 Planned Development. It meets all the requirements and conforms to the SF-2 Planned Development standards and the regulation of the Subdivision Rules and Regulations and has been approved by the Planning and Zoning Commission.

Councilmember Cisneros made a motion to approve the final plat once all the documents have been executed. Councilmember McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

11. Discuss, consider and possible action on making a recommendation on the zoning interpretation of an unlisted use being "CrossFit Indoor/Outdoor Gym".

Development Services Director Taylor stated this item is not a zoning change, but to make a recommendation as to the where a CrossFit Indoor/Outdoor Gym should be zoned. The city has been approached by someone that wants to open a CrossFit studio within the downtown area, but indoor/outdoor gyms are not listed in the C-1 zoning list. He stated the Planning and Zoning Commission had unanimously recommended it be listed as a C-1 with a specific use permit or as a C-2, I-1 without a specific use permit. Staff would need to go back to draft an ordinance to place the gym in the correct zoning.

Jordan Harr stated he is seeking approval for the gym to be listed as C-1 with a specific use permit. The gym would be hosting regional and area competitions which would bring people to town to support the downtown area. He will work with the city to make sure they are compliant with the codes.

Shannon Stafford stated the gym would bring people to the Square with more activities, shopping and dining. She also stated there has been a gym in the location before.

Whitney Delcourt stated she is the realtor representing the building and there are not many uses for what that building could be. She stated this is a win-win for the owners, community, and the Downtown Square. RUDAT had recommended businesses which would get people out and about on the Square.

Casey McKinley stated he would like to speak about vape shops. Mayor Dane-Patterson informed him this was not on the agenda and could not be discussed. City Manager Lusk asked Mr. McKinley to schedule a meeting with him and they could discuss it.

Mayor Dane-Patterson stated by recommending a C-1 with specific use allows leeway on where businesses can go and allows more control over what the Downtown Square looks like.

Hallie Crawford stated she is the primary owner of the gym and there are currently three gyms in Aubrey and a lot of Pilot Point citizens go there and there is a need for a gym in the city. She stated she wants to keep the integrity of the downtown and what Pilot Point stands for.

Mayor Dane-Patterson moved to recommend the CrossFit Indoor/Outdoor Gyms be placed in the C-1 zoning with a special use permit. Councilmember McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

12. Hold a public hearing on a zone change request to a plus or minus 3.25-acre tract from "C-2" Commercial to "I-1", Light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St., Pilot Point, TX.

Mayor Dane-Patterson stated the time is 5:30pm and the Public Hearing was posted for 6:30pm.

Mayor Dane-Patterson made a motion to recess until 6:30pm. Councilmember Cordell seconded the motion. The motion passed.

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

Council reconvened at 6:30pm and Mayor Dane-Patterson opened the public hearing.

Development Services Director stated two properties currently have buildings on them which have been used as cabinet shops which are light industrial but the properties are zoned C-2. The buildings are currently vacant but are for sale and a zoning change would be required for the buildings to continue to be used as cabinet shops. The Planning and Zoning Commission denied the zoning change

Barbara Ettredge stated she does not oppose the zoning change since cabinet shops have been on the property in the past but she is concerned about water draining. If screening or a wall is required, it will need to be done correctly.

John Haughton stated he is representing Chandler Cabinets, who is currently selling the property. It is an industrial park, but there is also warehouse industrial. He stated a cabinet shop would be a consistent use of the property. If the property is required to be commercial, its usefulness is downgraded. He stated the property has been operating at I-1 for years and the screening and walls could be addressed.

Deborah Garcin stated she had submitted a petition opposing the zoning change which 80% of the property owners next to the properties had signed. She stated the property has been zoned commercial for 40 years and the Planning and Zoning Commission voted 6-0 to deny the zoning request. If the property is changed to I-1 it will cause issues for the residents. Sexually oriented businesses are allowed as part of the I-1 zoning and this will lower property values.

Buster Chandler stated the cost of the buildings was extreme and he would not have built them if he had known they could not be cabinet shops. He was issued building permits and Certificates of Occupancy and all the paperwork showed it was to be used as a cabinet shop. He stated if the city wanted to issue requirements, they would comply by addressing the draining issues.

Mayor Dane-Patterson closed the public hearing at 6:49pm.

- 13. Discuss, consider, and possible action making a recommendation on a zone change request to a plus or minus 3.25-acre tract from "C-2", Commercial to "I-1", light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St., Pilot Point, TX.
ORDINANCE 448-13-2021**

Mayor Dane-Patterson stated she would like to do more research and find documentation from previous years. She would like to look at permits and what was approved and the documentation and maps regarding them.

Mayor Dane-Patterson moved to table the item until the June 24, 2021 meeting.

Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Ingram

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

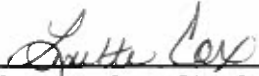
Mayor Dane-Patterson moved to adjourn the meeting at 7:00pm. Councilmember Rawls seconded the motion. The motion passed.

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



Shea Dane-Patterson, Mayor

ATTEST:



Lenette Cox, City Secretary