

**City of Pilot Point, Texas  
Minutes of the August 26, 2019  
City Council Meeting**

The City Council of the City of Pilot Point, Texas met 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 (Video Conference), Pearlie Simpson, and Matt McIlravy. City Staff members present were Finance Manager Lana Ensminger, Development Services Director John Taylor, Police Chief Tim Conner, and City Secretary Alice Holloway.

**AGENDA**

**A. ROLL CALL/CALL TO ORDER**

Mayor Dane-Patterson announced a quorum at 6:32 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 was led by Tim Conner, Chief of Police.

**D. ITEMS OF COMMUNITY INTEREST**

- 1) Opera House play is continuing this weekend
- 2) Grass roots community softball game is being put together and will be playing once a month
- 3) City Hall will be closed Monday, September 2, 2019 in observance of Labor Day.

**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. Presentation from City Manager regarding staff response to the 2018 audit recommendations/findings made by Brooks Watson & Co. PLLC.; discussion of same.

City Manager Guard gave a presentation on the 2018 audit recommendations/findings made by Brooks/Watson & Co. PLLC and staff response and plan of action to correct issues.

**F. REGULAR AGENDA**

1. **First public hearing on the proposed tax rate for the City of Pilot Point for tax year 2019 and announce the meeting date and time of adoption.**

Mayor Dane-Patterson called the public hearing at 6:52 pm.

There were no public comments.

Mayor Dane-Patterson closed the public hearing at 6:53 pm.

2. **Discussion on the proposed FY 2020 recommended Operating and Capital Improvement Budget.**

City Manager Guard asked City Council for feedback regarding the proposed FY 2020 recommended Operating and Capital Improvement Budget.

Mayor and City Council directed staff to add cities comparable to the size of Pilot Point. Staff was directed to add Tioga, Gunter, Collinsville, Crossroads, Krugerville.

Mayor Dane-Patterson asked City Manager Guard to provide a list of departmental projects to City Council to use as a check list and a list of projects from the City engineer, including cost (broken down) and updates.

Councilmember Porter joined the meeting by video conference at 7:18 pm.

3. **Public hearing on a request for a zoning change on the Rodeo Crossing Planned Development "PD-004" from a 62 Townhouse residential lot development to a Planned Development "PD" for an 83 Townhouse residential lot development and related development standards.**

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

Development Services Director Taylor made the following comments:

Mr. Craig McGee is requesting a zoning change on 8.078 acres from the existing Planned Development (PD) zoning for 62 Townhouses to Planned Development (PD) zoning for 83 townhouses. The increase of 21 units will change the overall density from 7.68 units per acre to 10.27 units per acre.

The reason for the requested change is due to an error in the original design related to the depth of the existing sewer. The sewer was thought to be 7' deep and, it was 3' deep. This created a need for a significant amount of fill dirt, dramatically increasing the development costs, which now needs to be offset with higher density to make the project feasible.

The Adopted Comprehensive Plan indicates this area as Low to Medium Residential Mixed-Use Neighborhoods. "This category is predominantly residential and shall allow for a mix of densities, lot sizes, housing types, styles, and patterns that can be accommodated or retrofitted in a conventional single-family neighborhood. The primary uses in this category include single family residences, such as duplexes, patio homes, and townhomes.

The only differences in the Development Standards approved with the original PD are the PD lot area and lot width. Lot area is changing from 2,000 sq. ft. to 1,875 sq. ft. While lot width is changing from 30 feet to 25 feet.

The proposed Townhouse development is between the Landings apartments to the west, which has an overall density of 18.19 units per acre and the railroad tracks to the east. To the south are existing mini warehouses. Considering the future land use map and the surrounding land uses this request is in conformance with the Comprehensive Plan.

Notices were sent out to all property owners within 200' of the parcel that contains this development and a legal notice was run in the newspaper notifying of the public hearing to be held on July 1st for Planning and Zoning Commission and July 22<sup>nd</sup> for the City Council. On July 1 the Planning and Zoning Commission held the public hearing and expressed general support of the development of Townhouses on this property but tabled the PD until August 5<sup>th</sup> to allow additional time for the applicant to present additional information including:

1. Typical floor plan showing garage size. Commission wanted a better understanding how an adequate 2 car garage fits on a 25' lot.
2. Pictures of a Townhouse development with 25' lots.
3. Revisions to the plan to show an area for common parking for guests to avoid parking on the street.
4. Draft HOA policies/deed restrictions that include no parking on the street, all the masonry and architectural standards that were in the previous PD but now controlled in the HOA.
5. Pictures that show a better understanding of how this development will look like from Washington, given that it will be the backside of the units.
6. A better understanding of the open space and how it will be developed to be usable open space for the residents.

The Final Plat for the development was also tabled since it could not be approved without the related zoning. There did not appear to be any plat related questions on the part of the commission.

On August 5th all these concerns were satisfactorily addressed by the applicant and the Planning and Zoning Commission unanimously approved the revised PD and its related Final Plat. (End of Taylor's comments)

Councilmember Simpson asked what the prices for the townhomes are. Mr. McGee stated that they will start at \$200,000 and up.

Councilmember McIlravy asked Mr. Taylor to confirm that there will be no parking on the street. Mr. Taylor confirmed that there will not be.

Mayor Dane-Patterson closed the public hearing at 7:26 pm.

4. **Discuss, consider, and possible action making a recommendation on amending Chapter 14, Zoning of the Code of Ordinances revising PD-004 (Ord. 361-12-2018) which includes 8.078 acres of Planned Development "PD" Zoning for 62 townhouse residential lots to Planned Development "PD" zoning for 83 Townhouse residential lots and related development standards. Property is located west of S. Washington Street and east of the railroad track. The property is also described as 8.078 acres in the Charles Smith Survey, Abstract #1139, Rodeo Crossing Pilot Point, TX.**

Councilmember Delcourt moved to approve an ordinance amending Chapter 14, Zoning of the Code of Ordinances revising PD-004. Councilmember McIlravy seconded the motion. The motion passed unanimously.

Ayes: Dane-Patterson, Delcourt, McIlravy, Porter, Simpson, Singleton

Absent: Cordell

5. **Discuss, consider, and possible action on an amended Final Plat for Rodeo Crossing which includes 8.078 acres for 83 Townhouse residential lots. Property is located west of S. Washington Street and east of the railroad track. The property is also described as 8.078 acres in the Charles Smith Survey, Abstract #1139, Rodeo Crossing Pilot Point, TX**

Development Services Director Taylor asked Mayor Dane-Patterson to pull this item from the agenda.

6. **Public Hearing on amending the Code of Ordinances, Appendix A, Fee Schedule, Article 6.000 Building Fees and Article 11.000 Development Fees.**

Mayor Dane-Patterson opened the public hearing at 7:31 pm.

Mayor Dane-Patterson and City Council directed staff to use the following cities for any study or comparisons:

- Tioga
- Gunter
- Krugerville
- Collinsville
- Crossroads
- Pottsboro
- Aubrey
- Whitesboro
- Oak Point
- Krum
- Celina
- Sanger
- Gainsville
- Prosper
- Little Elm

Councilmember McIlravy moved to table the public hearing until September 23, 2019.

Councilmember Simpson seconded the motion. The motion passed unanimously.

Ayes: Dane-Patterson, Delcourt, McIlravy, Porter, Simpson, Singleton

Absent: Cordell

7. **Discuss, consider, and possible action on approving updated leasing agreement with STW, Inc. on annual software lease agreement.**

City Manager Guard stated that this is an annual lease agreement with STW for financial software services. In addition, he stated that staff recommends the 5-year contract renewal.

Mayor Dane-Patterson moved to approve a leasing agreement with STW, Inc. on a 5-year software lease agreement. Councilmember Porter seconded the motion. The motion passed unanimously.

Ayes: Dane-Patterson, Delcourt, McIlravy, Porter, Simpson, Singleton

Absent: Cordell

8. **Discuss, consider, and possible action on approving updated leasing agreements with Xerox for the Police Department, Library and City Hall.**

City Secretary Holloway stated that the police department, library, and city hall have lease agreements with Xerox. She stated that the City has the option to update the three lease agreements, so the terms are not staggered, get better technology with new machines, and save an estimated \$1000.00 per year.

Mayor Dane-Patterson and City Council directed City Secretary Holloway to research why the City is using different vendors for copying machines.

No action taken on this item.

**9. Discuss, consider, and provide direction to staff on next steps for restoring Bloomfield School and the Ice House.**

City Manager Guard stated that staff has identified \$38,000 of bond funds from 2011 that can be used for the Bloomfield school. He stated that he has been working with Chris Aquinaldo on this project. He stated that some of the ideas that they are discussing are:

1. The city would provide the materials.
2. Get with any local builders for volunteers.
3. Invite volunteers throughout the city to help paint.
4. Start the project when the weather cools down.

City Attorney Messer suggested having waivers for volunteers working on the city owned buildings.

City Council would like to have a town hall meeting to discuss the Bloomfield School House and the Ice House.

**G. STAFF REPORT**

1. July City Secretary Report
2. July Engineers' report
3. July Main Street Report
4. July Municipal Court Report

**H. 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. 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:

1. Status update regarding the investigation conducted by Attorney Katie Anderson, Clark Hill Strasburger
2. Status update regarding the investigation conducted by Ken French, M.S., A|A, S.E., P.E., Nelson Forensics, LLC
3. Professional Fees
4. House bill 2840 and Senate bill 944
5. Rules of order for City Council meetings
6. Human resources administrator or consultant
7. Solid Waste Services Contract with Waste Connections

2. In accordance with the Texas Government Code, Section 551.074: To deliberate the duties of a public officer or employee:
  - a. City Manager
3. 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:
  - a. Human resources administrator

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 8:05 p.m.

**I. 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 announced the meeting is back in regular session at 10:43 p.m.

No action taken as result of Executive Session.

Absent: Cordell

**J. 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.*

The following items were requested to be on the next agenda:

Budget- list of big-ticket items  
Engineer invoices per project with cost broken down

**K. ADJOURN**

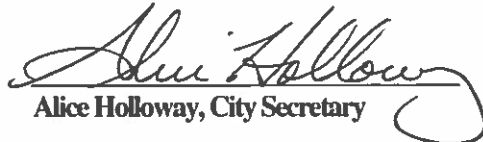
Mayor Dane-Patterson moved to adjourn at 10:44 pm. Councilmember McIlravy seconded the motion. The motion passed unanimously.

Ayes: Dane-Patterson, Delcourt, McIlravy, Porter, Simpson, Singleton

Absent: Cordell

  
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Shea Dane-Patterson, Mayor

ATTEST:

  
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Alice Holloway, City Secretary

Approved September 23, 2019