

**City of Pilot Point, Texas
Minutes of the October 7, 2019
City Council Special 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, Pearlie Simpson, Dean Cordell and Matt McIlravy. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Finance Manager Lana Ensminger, Fire Chief Heath Hudson, Asst Fire Chief Bryan Cox, Main Street Director Lenette Cox, Librarian Wendy Turner, Public Works Director Trent Vandagriff, Capital Projects Manager Matt Kiminski, Development Services Director John Taylor, City Attorney Andy Messer, Attorney Melissa Cranford, Ken Franch with Nelson Forensics and Assistant City Secretary JoAnn Wright.

AGENDA

A. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson announced a quorum at 6:30 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 Councilmember and Member of Pilot Point United Methodist Church, Dr. Jim Porter.

D. REGULAR AGENDA

1. **Discuss, consider, and possible action on consultant agreement with Kathryn Usrey & Associates for human resources services.**

Mayor Dane-Patterson stated some points of the contract:

- \$100.00 per hour on an as need bases.
- Employees will have contact with Kathryn Usrey for HR items. (Once every week)
- Will do evaluation of employee files to make sure they are up to date and in compliance with HIPA laws
- This is a six-month contract and can be terminated upon a 10-day notice by ether party.

Mayor Dane-Patterson moved to accept contract as written. Councilmember McIlravy seconded the motion. The motion passed unanimously.

E. 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 on the State Bar of Texas clearly conflicts with this chapter regarding:
 - a. Status update regarding the investigation conducted by Ken Franch, M.S., A/A, S.E., P.E., Nelson Forensics, LLC
 - b. Professional Fees
 - c. Rules of order for City Council meetings
 - d. Yarbrough Farms development
 - e. City Manager employment agreement
 - f. City Secretary EEOC complaint
 - g. City finances and budget
2. In accordance with the Texas Government Code, Section 551.074: Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of

public officer or employee:

- a. City Manager
- b. City Secretary

Before the executive session Fire Chief Heath Hudson approached the podium and asked to speak. Chief Hudson stated that he comes before the Mayor and Council members to present a petition signed by over 80 percent of the employees of the city. It is known within this area that there is a lack of trust issue within our city. But these city employees believe it is not with the city manager, Alan Guard. On that behalf, we the undersigned are concerned city employees that request our leaders to act now to extend City Manager Alan Guard's contract and not terminate him. Chief Hudson handed the petition to Mayor Dane-Patterson.

F. 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.

Councilmember Cordell moved to place City Manager Alan Guard on administrative leave for 72 hours to authorize the City Attorney's to draft a separation agreement. An amount of six months compensation in exchange for his resignation will be given. He will have a consideration time to look over the agreement and he will remain on paid administrative leave until after the 7-day revocation period of the agreement. Councilmember McIlravy seconded the motion. The motion passed unanimously. Mayor Dane-Patterson announced the meeting is back in regular session at 9:30 p.m

Councilmember Porter moved to pay professional fees to Clark Hill Strasburger and Nelson Forensics for their investigation work. Councilmember Delcourt seconded the motion. The motion passed unanimously.

Councilmember Cordell moved to appoint Police Chief Conner point of contact for emergencies until council can reconvene to consider candidates for interim City Manager. Councilmember McIlravy seconded the motion. The motion passed unanimously.

Councilmember Cordell moved to place City Secretary Alice Holloway on administrative leave starting with her next scheduled work day to allow our office to contact Ms. Holloway's attorney. Councilmember Porter seconded the motion. The motion passed unanimously.

G. 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.

Next scheduled council meeting will be 10/14/19. This will be a regular schedule meeting but we will also have candidates for Interim City Manager.


Councilmember Cordell added cell phone for council members.

H. ADJOURN

Council meeting adjourned at 9:35 pm. Mayor Dane-Patterson moved to Motion. Councilmember McIlravy seconded the motion. The motion passed unanimously.


Shea Dane-Patterson, Mayor

ATTEST:


JoAnn Wright, Acting City Secretary
Approved October 28, 2019