

City of Pilot Point, Texas  
Minutes of the October 14, 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, Pearlie Simpson, Dean Cordell and Matt McIlravy. City Staff members present were Finance Manager Lana Ensminger, Development Services Director John Taylor, Police Chief Tim Conner, City Attorney Andy Messer, Attorney Melissa Cranford and Acting City Secretary JoAnn Wright.

**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 Pledge to Flags.

**C. INVOCATION**

Invocation led by Pastor Craig Tullis of the Pilot Point Church of Christ.

**D. ITEMS OF COMMUNITY INTEREST**

The following announcements were made:

- The Bonnie and Clyde Days Event had a good turnout.
- The Pilot Point Opera House is featuring Nutcrackers starting on October 16, 2019.
- Christmas on the Square is going to be on December 7, 2019.

**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.)*

No public spoke.

**F. REGULAR AGENDA**

1. **Discuss, consider and possible action on a waiver of building permit fees on 1300 N. Washington, PPSD Band Hall construction.**

Pilot Point Independent Superintendent Dan Gust thanked council for considering the waiving of fees. Councilmember Cordell moved to approve waiving all fees except for actual cost of \$2,614. 57.. Councilmember McIlravy seconded the motion. The motion

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

Open at 6:38 pm. Planning Development Director Taylor explained the purpose for the public hearing. There were no public comments. Closed 6:39 pm.

3. **Discuss, consider and possible action on an ordinance amending the Code of Ordinances, Appendix A, Fee Schedule, Article 6.000 Building Fees and Article 11.000 Development Fees.**

Planning Development Director Taylor presented some of the details of the proposed ordinance change.

Councilmember McIlravy moved to table for one month. Councilmember Simpson seconded the motion. The motion passed unanimously.

4. **Discuss, consider, and possible action on the Rodeo Crossing Phase 1 Final Plat which includes 5.2 acres for 48 residential townhouse lots. Property is located west of S. Washington and east of the railroad track.**

Planning Development Director Taylor presented some points on the final plat. Councilmember Singleton asked if the plat is approved before the Impact Fee Study is final, can the City go back and collect impact fees? Mr. Taylor answered no.

Councilmember Singleton moved to approve the Rodeo Crossing Phase 1 Final Plat which includes 5.2 acres for 48 residential townhouse lots located west of S. Washington and east of the railroad track. Councilmember Porter seconded the motion. The motion passed unanimously.

5. **Discuss, consider, and possible action on a Final Plat for Dorothy Court which includes 10.77 acres for 20 residential lots and one green space lot. Property is located north of Carol Street and east of College Street.**

Planning Development director Taylor presented information about this item.

Randal Tudor of Iron Horse Developers is representing the owner. This is the second Phase of Yarbrough Farms. The First phase was Ken's Court. The developer was originally was going to develop park lands in the division. Now the developer has decided not to put in the park. The developer would like to pay park fees for the development.

The staff is proposing a fee schedule to collect fees for the parks.

Mayor Dane-Patterson said the fees need to be taken care of before the final plat is filled.

Councilmember McIlravy moved to table until October 28, 2019. Councilmember Cordell seconded the motion. The motion passed unanimously.

6. **Discuss, consider and possible action on approval of change of bank account signature(s).**

Item 6 and item 7 are for the same purpose so council moved to item 7.

7. **Discuss, consider, and possible action on approving two new PointBank check signers for the City of Pilot Point.**

Mayor Dane-Patterson moved to name JoAnn Wright and Terry Roberts as check signers for the City of Pilot Point. Councilmember Delcourt seconded the motion. The motion passed unanimously.

8. **Discuss, consider and possible action on approval of IT control procedures.**

Councilmember Cordell moved to designate the city manager, city secretary and police chief for IT control procedures. Councilmember Porter 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:
  - a. Professional Fees
  - b. Yarbrough Farms development
  - c. SNAG development
  - d. City Manager employment
  - e. City Secretary employment
  - f. City finances, financial consultant, budget and budget amendments
  - g. Interim city manager hiring process and appointment
  - h. City Council cell phones

- i. Audits and auditor's contract
  - j. Attorney General letter ruling OR2019-26846
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

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 7:01 pm.

#### 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 announced the meeting is back in regular session at 10:45 pm.

Mayor Dane-Patterson announced the meeting is back in regular session at 10:45 pm. Councilmember Cordell moved to authorize the city attorneys' office to file a law suit to challenge the Attorney General letter ruling number 20926846 and to file a petition on the Cities behalf. Councilmember Simpson seconded the motion. The motion passed unanimously.

Councilmember McIlravy moved to approve the separation agreement for City Manager Alan Guard that was discuss was discussed at the last city council meeting and authorize the Mayor to sign the agreement. Councilmember Cordell seconded the motion. The motion passed unanimously.

Councilmember Porter moved to authorize out Human Resources person Kathryn Usrey to develop an agreement with Terry Roberts to become our Interim City Manager and authorize the Mayor to sign the agreement. Councilmember Simpson seconded the motion. The motion passed unanimously.

Councilmember Porter moved to pay the city attorney fees of a specific amount at this time. Councilmember McIlravy seconded the motion. The motion passed unanimously.

#### 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.*

There are no items to be added by council for future agenda items.

#### J. ADJOURN

Mayor Dane-Patterson moved to adjourn at 10:54 pm. Councilmember McIlravy seconded the motion. The motion passed unanimously.

  
Shea Dane-Patterson/ Mayor

ATTEST:

  
JoAnn Wright, Acting City Secretary

Approved October 28, 2019