

City of Pilot Point, Texas

Minutes of the March 25, 2021

City Council Meeting

The City Council of the City of Pilot Point, Texas met on this date at 6:30pm for a Regular City Council Meeting. City Council members present were Mayor Shea Dane-Patterson, Mayor Pro Tem Matt McIlravy, Councilmembers Brian Ingram, Mario Cisneros, Mary Rawls, and Elizabeth Jones. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Capital Projects Manager Matt Kaminski, Finance Manager Lana Ensminger, EDC Director Denise Morris, and City Secretary Lenette Cox. Marie Johnson of Messer, Fort, & McDonald Law Firm was also in attendance

AGENDA

A. VIDEO CONFERENCE

1. **Please join my meeting from your computer, tablet or smartphone.**
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B. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson called the meeting to order at 6:31pm and conducted roll call.

Place 1 Mario Cisneros – Present via video conference

Place 2 Brian Ingram – Present

Place 3 Mary Rawls – Present

Place 4 Elizabeth Jones – Present

Place 5 Dean Cordell – Absent

Place 6 Matt McIlravy – Present

Mayor Shae 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

Police Chief Tim Conner led the invocation.

E. ITEMS OF COMMUNITY INTEREST

Mayor Dane Patterson stated the Youth Stock Fair is scheduled for next week, and the Easter Egg Hunt and Flower Festival will be taking place on Saturday, March 27, 2021. She also announced that she has seen the comments on social media regarding wanting new storm warning sirens installed and that Staff is researching the cost to present at a future Council meeting.

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.)

Jake Pavelka, CEO of Rhino Removal, introduced himself and stated that Rhino Removal is interested in submitting a proposal for the Waste and Recycle contract. They offer six perimeter cameras on their trucks, with continuous monitoring as well as microchipped trash carts to allow for scanning and video at each stop.

G. CONSENT AGENDA

- 1. Discuss, consider, and possible approval of the March 11, 2021 City Council Regular Meeting minutes.**
- 2. Discuss, consider, and possible action on appointing Karen Allison to the Library and Cultural Arts Board.**
- 3. Discuss, consider, and possible action on approving an Interlocal Cooperation Agreement for Shared Governance Communications and Dispatch Services System for the City of Pilot Point Fire and Police Departments.**
- 4. Discuss, consider, and possible action on approving Change Order #5 and #6 of the Fire Station Project.**
- 5. Discuss, consider, and possible action on the approval of pay application #11 of the Fire Station Project.**

Councilmember Rawls moved to approve the Consent Agenda. Councilmember Jones seconded the motion. The motion passed.

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

Absent: Councilmember Cordell

H. REGULAR AGENDA

- 1. Discuss, consider, and possible action on offering water usage rebates due to inclement weather in February.**

City Manager Lusk stated Council had asked Staff at the last Council meeting to review the current ordinance and possibly make an amendment to the Application for Adjustment to Water Bill Due to an Excusable Defect. He stated that the billing had been finalized from the February usage and there had been one million gallons more of usage compared to the month prior and 300,000 gallons more of usage compared to the same time period last year. Staff was recommending a flat rebate of \$8.92 to the 1,879 water accounts currently being billed. Finance Manager Ensminger stated the rebate would cover 2,000 gallons of usage per account. City Manager Lusk also stated that per the City Attorney, the current ordinance does not need to be changed and the Application for Adjustment to Water Bill Due to an Excusable Defect will cover any leaks or broken lines under the foundation but does not apply to defective plumbing or negligence and does not cover broken pipes or leaks within interior walls.

Mayor Dane-Patterson responded this seemed like a fair way to help citizens because it would be difficult for Staff to track who dripped water lines and who didn't. Councilmember Cisneros asked if there would be a separate rebate for sewage costs? City Manager Lusk stated the \$8.92 rebate would cover water and sewer combined.

Mayor Pro Tem McIlravy moved to apply a \$8.92 rebate to the 1,879 water accounts currently being billed. Councilmember Cisneros seconded the motion. The motion passed.
Ayes: Mayor Dane-Patterson, Mayor Pro Tem McIlravy, Councilmembers Cisneros, Ingram, Rawls, and Jones
Absent: Cordell

- 2. Discuss, consider, and possible action on all matters incident and related to the issuance and sale of City of Pilot Point, Texas, Combination Tax Revenue**

Certificates of Obligation, Series 2021, including the adoption of an ordinance authorizing the issuance of such certificates of obligation.

ORDINANCE 439-13-2021

Jason Hughes of Hilltop Securities stated that Council had approved at the January 28, 2021 meeting the notice of intent to issue bonds. The second step of the process was to approve the sale of the Certificates of Obligation, Series 2021. The Certificates of Obligation were privately placed with PointBank with a twenty-year fixed term at a 2.25% interest rate for the life of the Certificates of Obligation. The low interest rate is resulting in a final total debt service of approximately \$112,000 less than the projected debt service. The final amount will be \$3,100,000. If Council approves, the Certificates of Obligation would be scheduled to close on April 21, 2021.

Mayor Dane-Patterson moved to authorize the issuance of Certificates of Obligation.

Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

Absent: Cordell

3. Discuss consider and possible action on an ordinance amending Chapter 4 - Business Regulations, Article 4.02 - Food Establishments.

Director Taylor stated that there have been mobile food units contact the City for the ability to set up, but there is not currently any ordinance to provide the rules of use or consistent regulations. This would be needed to ensure compliance with the health code, a safe and sanitary setting, and a quality image of Pilot Point. He presented an ordinance for Council to review. Mayor Dane-Patterson asked about the restriction requiring a business owner's permission to be on their property and the use of an ADA restroom within 500 ft. of the unit, she asked who the restroom is for? Director Taylor stated the restroom is for the worker inside the unit and that a letter from the business owner stating they had permission to use their property as well as their bathroom would be a requirement of the permit process. Councilmember Cisneros asked about the restriction that the unit must be set on asphalt or concrete? Director Taylor stated this is in compliance with the 377 Design Standards. The mobile food units that were currently on gravel could remain as they are, but any new mobile food units would be required to follow the guidelines.

Mayor Dane-Patterson asked about the restriction against a food truck being allowed to stop for more than 15 minutes? She stated there are businesses around town with more than 45 people on the same lunch timeframe and this would be too restrictive. She suggested a 90-minute deadline. City Manager Lusk stated they will also need to consider how they are getting the usage of City utilities. Director Taylor said Staff could make changes to the proposed Ordinance and present them to Council at a future date.

Mayor Pro Tem McIlravy moved to table the agenda item and for Staff to make the recommended changes to the Ordinance and bring it back to a future Council meeting. Councilmember Ingram seconded the motion. The motion passed.

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

Absent: Cordell

4. Discuss consider and possible action on an ordinance that amends Chapter 12 Traffic and Vehicles, Section 12.05.008 Downtown Square Parking Area. ORDINANCE 441-13-2021

Director Taylor stated this ordinance amendment was specific to the businesses which are located on the Historic Downtown Square. The current ordinance has parking space requirements for each business, but this would not apply to businesses on the Square which do not have on-site parking. He stated the Board of Adjustments had a case to amend the parking requirements for a business considering purchasing property on the Square, but they denied the request stating there needed to be an ordinance for all downtown businesses and not just be business specific. City Manager Lusk stated the current ordinance cuts down on the development opportunities on the Square. Director Taylor stated there are currently

98 parking spaces on the Square and a new parking lot is planned next to City Hall which will have an additional 54 parking spaces.

Mayor Pro Tem McIlravy moved to amend the Downtown Square Parking Area Ordinance. Councilmember Rawls seconded the motion. The motion passed.

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

Absent: Cordell

5. Discuss, consider, and possible action authorizing closure of Liberty St. between Business Hwy. 377 (Washington St.) and Tucker Alley on March 27, 2021 and April 3, 2021.

EDC Director Morris stated a business had requested the street be closed the past weekend for a Crawfish Boil and the event was such a success they were requesting to do the same event the next two Saturdays. Mayor Dane-Patterson stated she did not think the event was successful for citizens. She read an email complaint from a citizen which included photos that the band had not stopped by the 10:00pm deadline per the noise ordinance, that the barricades closing the street had not been picked up on Sunday, that there was trash all around the dumpsters which had not been removed, and there were cars which continued to park on the street after being told they could not park there. Director Morris stated there had been some issues with communication which have been resolved. Mayor Pro Tem McIlravy asked if the police had been called regarding any of the complaints? Chief Conner stated no.

Director Morris stated that the Main Street Director is currently working on a special event packet which was not ready to be presented to Council yet, but these issues would be mandated in the future.

Councilmember Jones suggested the business request a second dumpster. Mayor Dane-Patterson said there could be no music after 10:00pm per the noise ordinance. She also stated signs would need to be posted letting people know they could not park their cars on the street unless the barricades were blocking it and there may need to be an amendment to the ordinance stating the no parking rule. She stated these are new issues and we need to be considerate of the citizens while encouraging our businesses to open.

Mayor Dane-Patterson moved to authorize the closing of Liberty St. on March 27, 2021 and April 3, 2021. Councilmember Ingram seconded the motion. The motion passed.

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

Absent: Cordell

L. STAFF REPORT

1. FY21 January Finance Report
2. FY21 February Finance Report
3. February Municipal Court Report
4. February 2021 Library Report

Mayor Dane-Patterson stated she would like to find a way for the outstanding warrants and fines to be addressed. City Manager Lusk also stated that Roland Technology is scheduled to install the new firewall over the weekend.

J. 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. The Pilot Point City Council will now hold a Closed Executive Session meeting pursuant to the provision of Chapter 551 of the Texas Local Government Code in

accordance with the authority contained in the Chapter.

A. Section 551.072 of Texas Government Code to discuss or deliberate the purchase, exchange, lease or value of real property.

B. Section 551.087 of Texas Government Code to discuss economic development negotiation.

C. Section 551.074 of Texas Government Code to deliberate the appointment, employee, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

The City Council recessed into Executive Session at 7:55pm.

K. 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.:

The City Council reconvened into Regular Session at 10:50pm. Mayor Pro Tem McIlravy motioned to extend Britt Lusk's contract as City Manager for another year. Councilmember Ingram seconded the motion. The motion passed.

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

Absent: Councilmember Cordell

L. 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 Jones requested considering extending the hours on the noise ordinance on the Historic Downtown Square.

Councilmember Rawls stated she would like for City Council to reevaluate allowing fowl within City limits.

M. ADJOURN

Mayor Dane-Patterson stated the agenda had been exhausted and adjourned the meeting at 10:53pm.



Shea Dane-Patterson, Mayor

ATTEST:



Lenette Cox, City Secretary