

## City of Pilot Point, Texas

Minutes of the June 17, 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 Special City Council meeting. City Council members present were Mayor Shea Dane-Patterson, Andy Singleton, Whitney Delcourt, Jim Porter, Ronald Petty, Dean Cordell and Matt McIlravy. City Staff members present were City Manager Alan Guard, Main Street Director Lenette Cox, Development Services Director John Taylor, Fire Chief Heath Hudson, Police Chief Tim Conner, EDC Director Denise Morris, Finance Director Lana Ensminger, Public Works Director Trent Vandagriff and City Secretary Alice Holloway.

#### AGENDA

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

Mayor Dane-Patterson announced a quorum and called the meeting to order at 6:30 pm

##### **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**

Ray Dane former Mayor of Pilot Point and member of Calvary Baptist Church

##### **D. ITEMS OF COMMUNITY INTEREST**

Mayor Dane-Patterson made the following announcements.

- City Council Budget Workshop this Saturday, June 22, 2019 starting at 9 am.
- Movies in the Parks - Captain Marvel - Allen Groff Park on Friday, June 28th at dusk.
- Prayer on the Square will be on June 29, 2019 starting as 8:30 am.
- The Garage Door Theater / Opera House will be hosting "Frankenstein-the Musical" the weekend of June 21st and the weekend of June 28th.
- Music on Main will be presenting the Plano Community Band on Sunday, June 30th at 7 pm.

##### **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.)*

Ric Lofis stated he was for development in Pilot Point but is concerned about drainage and safety.

##### **F. WORKSHOP**

1. Discussion on a resolution providing a process for council participation in preparing a city council agenda.
2. Discussion on developing Rules of Procedures for the City Council.
3. Discussion on setting expectations regarding the City Purchasing Policy and the enforcement of City policies and ordinances.

Council decided to move Items 1 and 2 to a meeting in meeting in October. Item 3 will

be placed on the June 22, 2019 meeting for discussion.

## **G. REGULAR AGENDA**

### **1. Discuss, consider, and possible action on a Subdivision Construction Agreement for Lakeview Estates with its developer, M&B Construction.**

Planning Development Director Taylor explained the proposed agreement.

Property Owners Mike Fritz and Buster Chandler gave a report of the work they have done and what needs to be done right now.

Steven Cowling said he knows both of the owners and believes that they will take care of the drainage issues if they say they will.

Councilmember Singleton moved to allow the developer to fix the sewer line, prepare land fix the drainage problem and give the developer one week to bring a performance bond into the city or the construction will stop. Councilmember McIlravy seconded the motion. The motion Passed.

Ayes: Delcourt, McIlravy, Petty, Porter, Singleton

Nays: Cordell, Dane-Patterson

### **2. Discuss, consider, and possible action on the Petition filed with the City Secretary to Recall Mayor Shea Dane-Patterson.**

Mary Helen Jackson stated she has learned more about this city this week than since she has been here. She stated that she thinks our mayor is doing a good job. She stated that the mayor tries to build policies for our city. Ms. Jackson stated that the mayor and council work for the citizens of Pilot Point and should treat everybody fairly. She stated she thinks the council should think clearly about everything that is going on. She stated that the council needs to think about why they are doing this. She asked if they are doing it for the benefit of the town, for themselves, or because they like someone else? She stated 'when it comes time for election, who elects you'? She asked "does the city manager or does the mayor"? She stated that the citizens do.

Mary Helen Jackson stated that the council should take in consideration the citizens feelings, of what's going on around here. She stated that the council needs to take into consideration everybody.

Mary Helen Jackson stated that when she had problems before, she contacted one of the guys that has created a lot of the problem, she called on him for help and he never showed up. She stated since he has been gone, there has been a lot happening on her end of the street that wouldn't have happened if he was still here.

Mary Helen Jackson stated that she thinks the mayor has been very good. she called her needing help, the mayor stated she would see what she can do. She didn't make decisions on her own. She stated that she has seen people run out of town because they cannot afford the housing and the taxes that have been put upon the citizens. she stated that It's sad when the newcomers are being treated better than the ones that had lived here all their lives. In addition, she stated that progress is good, but not when it's going to hurt somebody else.

Mary Helen Jackson told the council that we need to work in harmony and we should all be treated fairly.

Pearly Mae Simpson stated she was on council for 16 years and knows what the council is going through. She told the council to think deeply in their heart and treat everybody the way you would want to be treated. She stated as for the Mayor, she thinks she's doing a great job.

Pearly Mae Simpson stated that the council has to come to a point where they can work together and told them to think about what you're doing to the citizens of Pilot Point. She stated that it hurts her to look at the paper and see what is going on in the city, and some from people that don't want to get involved. She stated that she stands before them tonight asking please, let's come together and work together. She asked the council to think about what they are doing and who they are hurting.

John Jackson stated he has lived here all his life and the city has not once stopped the drainage problem on Burks Street. He stated there have been drainage problems on Burks Street for years and Burks Street has not been completed and the more houses on

Yarbrough Farms that are built the more water that is coming down on Burks Street. Mr. Jackson stated that Instead of fighting against each other, they need to be getting along.

John Jackson stated that the mayor is doing a good job. He stated he knows what it's like to be accused of things that you didn't do- It hurts a person inside. Mr. Jackson reminded the council that 2000 years ago, there was a man that fake charges were brought against and he died for all of us. He stated he don't know what we are doing to our salvation, but we need to look at what is going on in America.

Dwayne Edwards stated to City Secretary Holloway; you're doing a great job. He said he shops here, pays taxes, and loves the people here. In addition, he stated as far as the mayor is concerned, his wife sends her love to you. Mr. Edwards stated that we believe in the mayor and her leadership and he is behind her and appreciates her.

Dewayne Edwards stated that the Mayor is doing a great job. He stated that If he had to do business, the way council does business, he would be dead. He stated that we all need to be communicating and if we don't communicate, we can't make things happen. He stated that council has a tough job and not everyone is going to have the same opinion. He stated that it should not always be my way and not your way. In addition, he stated that council needs to work together to get things done.

Tori Wells stated that she agrees with the other speakers about the issue of the petition. She stated that the last thing the city needs right now is a new mayor. She stated that the mayor has been here and knows what is going on. In addition, she stated that the mayor has dedicated her time and her energy and her love.

Tori Wells stated that It is embarrassing to Pilot Point for people to see what is going on and told the council to stop and focus on the things that need to be done. She stated there a lot of changes going on and enough is enough. She asked the council to lay it down tonight and get it behind us and work together.

Elisa Beasley stated that she used to live here in Pilot Point, and she served on this council with our mayor. She stated it is hard to read in the newspaper what is going on in Pilot Point and it's sad. She stated that it breaks her heart because she loves this town.

Elisa Beasley stated as citizens, your responsibilities are to elect council and to participate in what is happening in your community. She stated as city officials, your job is to lead what is happening in the city and assure that the city manager and city secretary carry out the instructions of this Dias. She reminded everyone this is a home rule city.

Elisa Beasley stated that when she sat on the dais, she can't count the times when the city manager compared us to this city or that city such as Allen, Prosper, Plano, and Celina and that is just not acceptable. She stated she recommends that council follows the lead of those that have been here before you such as Dean Cordell, Shea Dane-Patterson, Whitney Delcourt, and Jim Porter.

Elisa Beasley stated that it should raise a major red flag with citizens and the city council that the city manager is trying to go against the direction of the council. She stated that the City of Pilot Point should be grateful to this mayor and that she had towed the hard line in making sure that the right questions have been asked. In addition, she stated that in addressing this 5-thousand-dollar limit for the city manager, that was out of face of definite reason and very intentionally put there. She challenged the dias and the citizens to watch every single line item very carefully in the budget. She stated that our mayor has done nothing wrong.

Kay Dane stated the Mayor is her daughter. She stated that she now lives in Argyle and stated that Argyle is a very small town, much like Pilot Point. She stated It has experienced an exception in growth and they have been burned several times because they have not had their policies in place.

Kay Dane asked the council to listen to their attorney. When you hired your city manager, Shea introduced him to her and she was very excited because of his experience and thought he would be a good fit for the city. She stated that she knows her daughter and that she does her homework. She stated that being from Pilot Point, if you have been here for a while, people will call you and report their concerns. In

addition she stated that she knows her daughter and she is like a dog with a bone. She stated that the mayor will research and give you dates and an hour of an incident.

Kay Dane stated that she is ashamed of the people in Pilot Point for trying to kill the messenger.

Anna Riley stated she is a resident of Pilot Point. She stated she graduated in 1965 and her dad used to say if it's fixed, don't mess with it. It doesn't need any work on it. She stated that she admires the mayor and she has been a great person sitting in this position, along with all of the council.

Anna Riley stated that unity is what we as Pilot Point citizens need. She stated that we need to be strong in unity. She stated that the last time she stood in this room they were talking about Burks Street. She stated that we were told the Burks Street would be fixed from Prairie Street all the way down and It hurts when you see it come just to where the new people are coming in at and stated we know where the money is.

Mayor Dane-Patterson stated that the City Secretary was presented a petition to recall the mayor. What are the findings of the City Secretary?

City Secretary Holloway stated on June 10, 2019 a petition was filed with her office to recall Mayor Shea Dane-Patterson. She stated after reviewing the Texas Election Code and the City Charter, she immediately notified the city attorney's office to discuss her findings. She stated they both agree on the following:

City Charter Sec. 6.10 states that:

No recall petition shall be filed against any officer of the City within three (3) months after the officer's election, nor within three (3) months of an election for such officer's recall.

Mayor Dane-Patterson was sworn in as Mayor on May 13, 2019.

City Secretary Holloway stated that her recommendation to the City Council is to find the petition invalid and any other findings may be in violation of the city charter.

City Secretary asked that staff and council meet with the City Attorney in executive session for consultation prior to any council action.

Mayor Dane-Patterson asked the City Attorney Johnson if that was her recommendation.

City Attorney Johnson replied, yes.

## **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:

- (ii) Roles of Mayor, City Manager and Councilmembers;
- (ii) Yarbrough Farms;
- (iii) City Manager contract; and
- (iv) Petition to Recall Mayor Shea Dane-Patterson

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 8:11 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 reconvened into regular session at 9:17 p.m.  
Councilmember Petty moved to not except the petition to recall Mayor Shea Dane-Patterson according to State of Texas Election code and Pilot Point City Charter.  
Councilmember Cordell seconded the motion. The motion passed unanimously.

**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.*

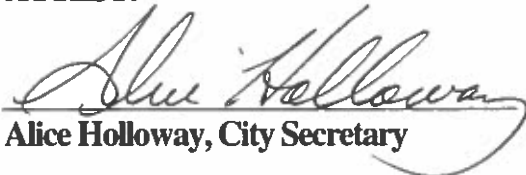
Councilmember Petty asked for update of the city emergency plan and when we are going to exercise it and revise it and talk about it.

**K. ADJOURN**

Mayor Dane-Patterson moved to adjourn at 9:19 p.m. Councilmember Porter seconded the motion. The motion passed unanimously.

  
Shea Dane-Patterson, Mayor

**ATTEST:**

  
Alice Holloway, City Secretary

**Approved July 22, 2019**