

## City of Pilot Point, Texas

Minutes of the June 24, 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 Mario Cisneros, Mary Rawls, Elizabeth Jones, and Dean Cordell. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Development Services Director John Taylor, Finance Director Michele Sanchez, Capital Projects Manager Matt Kaminski, EDC Director Denise Morris, Main Street Director Wendy Haun, Library Director Wendy Turner, and City Secretary Lenette Cox. Brenda McDonald 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.**  
<https://global.gotomeeting.com/join/524165957>

**You can also dial in using your phone.**  
United States: +1 (646) 749-3122

**Access Code:** 524-165-957

#### B. ROLL CALL/CALL TO ORDER

Mayor Dane-Patterson called the meeting to order 6:30pm and conducted roll call.

Place 1 Mario Cisneros – Present  
Place 2 Vacant  
Place 3 Mary Rawls – Present  
Place 4 Elizabeth Jones – Present  
Place 5 Dean Cordell – Present  
Place 6 Matt McIlravy – Present  
Mayor Shea 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 City Offices will be closed July 5, 2021 and the Farmers Market is scheduled for June 26, 2021 from 8:00am-Noon.

#### 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.)*

## G. CONSENT AGENDA

1. Discuss, consider, and possible approval of the June 10, 2021 City Council Regular Meeting and June 16, 2021 City Council Special Meeting minutes.
2. Discuss, consider, and possible action of the acceptance of pay application #8 of the police station bond. Value of the pay application is \$196,716.50
3. Discuss, Consider, and Possible action of approving the pay application for Eagle Erosion Control Drainage project, a value of \$24,750.
4. Discuss, consider, and possible action authorizing closure of Charcut St. on Friday, July 9, 2021.

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

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

## H. REGULAR AGENDA

1. **Presentation of Certificate of Election and administer the Oath of Office to Everett Cummings for being duly elected as Council member Place No. 2.**

Mayor Dane-Patterson presented the Certificate of Election to Everett Cummings. Lenette Cox administered the Oath of Office and Councilmember Cummings took his place on the dais.

2. **Discuss, consider, and possible action on the appointment of a Mayor Pro Tem.**

Councilmember Rawls nominated Matt McIlravy. Councilmember Cisneros nominated Dean Cordell. A vote was taken to nominate Matt McIlravy as Mayor Pro Tem.

Ayes: Mayor Dane-Patterson, Mayor Pro Tem McIlravy, Councilmembers Cummings, Rawls, and Jones.

Nays: Councilmembers Cisneros and Cordell

Councilmember Rawls made a motion to appoint Matt McIlravy as Mayor Pro Tem. Councilmember Jones seconded the motion. The motion passed.

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

3. **Discuss, consider, and possible action on the appointment of one member to the Board of Managers of the Denco Area 9-1-1 District.**  
**RESOLUTION 2021-06-505**

Mayor Dane-Patterson moved to nominate Sue Tejml to the Board of Managers of the Denco Area 9-1-1 District. Councilmember Jones seconded the motion. The motion passed.

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

4. **Discuss, consider, and possible action making a recommendation on a zone change request to a plus or minus 3.25-acre tract from "C-2", Commercial to "I-1", light Industrial. The property is described as Lots 7 & 8 Block C of the Pilot Point Industrial Foundation Addition, generally located at address 936 & 944 E. Production St., Pilot Point, TX.**  
**ORDINANCE 448-13-2021**

Mayor Dane-Patterson stated the City Council would recess into Executive Session at 6:43pm to discuss this item as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551.071.

The City Council reconvened into Regular Session at 7:08pm. Mayor Dane-Patterson stated there is no action to be taken.

John Haughton, representing Chandler Cabinets, stated every past permit and documentation on these properties has shown the businesses to be cabinet shops. It is zoned commercial but is an industrial property inside the Industrial Park. The property is surrounded by other light industrial properties and the buildings are not designed for commercial use. He asked the City Council to consider granting the zoning change.

Gary Garcin, a resident adjacent to the property, stated he is adamantly opposed to the zoning change. He would like the property to remain zoned for C-2 as it has been for over 4 decades because businesses change, but the residents will always be there.

Deborah Garcin, a resident adjacent to the property, stated the Planning and Zoning Commission made a unanimous recommendation to vote against the zoning change. They had stated noise from machinery, dust, odors, no wall buffers, drainage issues, and building code violations as their reason for denying the request. The homes near the property have been there since the 1980's and the neighbors would be impacted by the zoning change. She stated the zoning change would also go against the City's Comprehensive Plan and would be undoing everything the city was trying to accomplish and this sets precedence for future decisions as the city grows.

Lance VanZandt, representing the homeowner's on Berend Rd., stated the City's Comprehensive Plan has a buffer between the industrial and residential zones for a reason and rezoning the property would be inconsistent with the future land use plan. He stated that if the property were rezoned, the businesses allowed would include sexually oriented businesses, concrete casting, and gas and oil storage. The homeowners have lived there for years and should not be penalized.

Mayor Dane-Patterson asked property owner Buster Chandler if he would be willing to give a 20ft. easement to allow access to the sewer lines on the back of the property? Mr. Chandler stated yes.

Mayor Dane-Patterson asked property owner Buster Chandler if he would be willing to shorten the building so it would be 25 ft. off the property line in the back? Mr. Chandler stated yes.

Mayor Dane-Patterson made a motion to change the zoning to I-1 and amend the Comprehensive Plan to reflect the I-1 zoning. The motion failed for lack of a second.

Mayor Pro Tem McIlravy made a motion to deny the zoning change. Councilmember Jones seconded the motion. The motion passed.

Ayes: Mayor Pro Tem McIlravy, Councilmembers Cisneros, Cummings, Rawls, Jones, and Cordell

Nays: Mayor Dane-Patterson

##### **5. Discuss, consider, and possible action on Board and Commission appointments.**

Mayor Dane-Patterson made a motion to appoint Brett Kuhn, John Haughton, and Stephanie Fulmer to the Board of Adjustments. Mayor Pro Tem McIlravy seconded the motion. The motion passed unanimously.

Mayor Dane-Patterson made a motion to appoint Andrew Ambrosio, Glen Ray, and Justin Byars to the Economic Development Corporation. Councilmember Cordell seconded the motion. The motion passed unanimously.

Councilmember Cisneros made a motion to appoint Konrad Shields, Tatiana Ambrosio, and Pearl Applin to the Library and Cultural Arts Board. Councilmember Cordell seconded the motion. The motion passed unanimously.

Mayor Pro Tem McIlravy made a motion to appoint Charlotte Petermeier and Allison Martin to the Main Street Advisory Board. Councilmember Rawls seconded the motion. The motion passed unanimously.

Mayor Dane-Patterson made a motion to appoint Matt McIlravy to the Parks and Recreation Board which would also leave two vacancies on the Board. Councilmember Jones seconded the motion. The motion passed unanimously.

Councilmember Cisneros made a motion to appoint Steven Keith, Brian Heitzman, Mark Lanier, and Scott Cates to the Planning and Zoning Commission. Councilmember Cordell seconded the motion. The motion passed unanimously.

**I. STAFF REPORT**

1. May 2021 Code Enforcement Report
2. May FY2021 Financials
3. May Municipal Court Report
4. May 2021 Library and Cultural Arts Report

Mayor Dane-Patterson stated she would like to see something done to take care of the outstanding warrants.

**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 Cordell asked for the Fire and Police Departments to begin including a monthly report.

**K. ADJOURN**

Mayor Dane-Patterson moved to adjourn the meeting at 7:48pm. Councilmember Rawls seconded the motion. The motion passed.

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

  
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Shea Dane-Patterson, Mayor

**ATTEST:**

  
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Lenette Cox, City Secretary