

City of Pilot Point, Texas

Minutes of the July 22, 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, Everett Cummings, 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, Public Works Director Trent Vandagriff, Capital Projects Manager Matt Kaminski, Main Street Director Wendy Haun, EDC Director Denise Morris, and City Secretary Lenette Cox. Brenda McDonald of Messer, Fort, & McDonald Law Firm was also in attendance.

A. VIDEO CONFERENCE

1. **lease join my meeting from your computer, tablet or smartphone.**
<https://global.gotomeeting.com/join/807366061>

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

Access Code: 807-366-061

AGENDA

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 Everett Cummings - Present

Place 3 Mary Rawls – Absent

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*

INVOCATION

City Manager Britt Lusk led the invocation.

ITEMS OF COMMUNITY INTEREST

Mayor Dane-Patterson announced the following items:

- Saturday, July 31, 2021 - Main Street Farmers Market - 8:00am-Noon
- Friday, August 6, 2021 - St. Thomas Aquinas Summer Concert featuring Carly Carroll, Carlos Loza and a Mariachi Band - 7:00pm-10:00pm
- PPISD classes begin August 12, 2021
- Friday, August 13, 2021 - Union Pacific Big Boy Locomotive Tour stop at Liberty Street - 3:45pm-4:00pm
- Weekends of August 13th and August 20th – Arsenic and Old Lace is being performed at the Pilot Point Community Opera House

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 July 8, 2021 City Council Regular Meeting minutes and the July 9, 2021 City Council Special Meeting minutes.
2. Discuss, consider, and possible action authorizing closure of Charcut St. on Friday, August 6, 2021.
3. Discuss, consider, and possible action on approval to close Liberty Street between Washington Street and Hill Street on Friday, August 13, 2021 from 3:30pm-4:30pm for the Union Pacific Big Boy Locomotive Tour stop.
4. Discuss, consider, and possible action on the approval of Application #2 Change Order of the Fire Station shared drive project.

Councilmember Cordell moved to approve the Consent Agenda. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

H. REGULAR AGENDA

1. **Discuss, consider, and possible action authorizing the Main Street Director to book Mike and the Moonpies for the 2021 Bonnie and Clyde Days concert.**

Mayor Dane-Patterson moved to authorize the Main Street Director to book the band for the concert. Councilmember Jones seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

2. **Discuss, consider, and possible action on authorizing the Main Street Director to reserve the Kids Zone activities for the 2021 Bonnie and Clyde Days event.**

Mayor Pro Tem McIlravy moved to authorize the Main Street Director to reserve the Kids Zone activities. Councilmember Jones seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

3. **Discuss, consider, and possible action on authorizing the payment for audio services for Bonnie and Clyde Days.**

Mayor Dane-Patterson moved to authorize the payment for audio services. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

4. **Discussion regarding the proposed 923-acre Berend Rd. development.**

Ocie Vest, representing Rockhill Capital, gave a presentation of their preliminary plans for the 926-acre property on Berend Rd. and FM1385. He will bring a more detailed plan to Council in the future and will also discuss annexing the property into the City limits.

5. **Discuss, consider, and possible action on a recommendation on an ordinance amending Chapter 14 Zoning of the City of Pilot Point Code of Ordinances, Section 14.02112 Schedule of Land Uses and Section 14.02.002 Definitions.**
 - a. **Staff report and presentation.**
 - b. **Public Hearing.**
 - c. **Discuss, consider, and take any necessary action.**

ORDINANCE 449-13-2021

Mayor Dane-Patterson opened the Public Hearing at 7:04pm.

Mayor Dane-Patterson closed the Public Hearing at 7:04pm.

Mayor Pro Tem McIlravy moved to approve Ordinance 449-13-2021. Councilmember Cisneros seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

6. **Discuss, consider, and possible action on a recommendation on a Special Use Permit for a “Fitness Club or Gym with outdoor operations” in the C-1 zoning district. The property is located at 216 W. Liberty St. and is described as OT Pilot Point, Block 14, Lot 4 in the City of Pilot Point, Texas, Denton County, Texas.**
 - a. **Staff report and presentation.**
 - b. **Applicant presentation.**
 - c. **Public Hearing.**
 - d. **Discuss, consider, and take any necessary action.**

ORDINANCE 450-13-2021

Hallie Crawford and Jordan Harr stated they are the owners of the proposed gym and are available to answer any questions needed to get the gym open to the public as they are losing money the longer this process takes.

Mayor Dane-Patterson opened the Public Hearing at 7:17pm.

Amy Witherspoon representing the proposed Cross Fit Gym stated she has turned in the Certificate of Occupancy application and the permit application for the remodel and are ready to move forward once the zoning is approved.

Whitney Delcourt stated she is the realtor for the property and it is very limited on what the usage for the building can be. She would support the SUP zoning.

Mayor Dane-Patterson closed the Public Hearing at 7:21pm.

Councilmember Cisneros moved to approve the Special Use Permit with the conditions of:

1. All exercise equipment used and stored outside must be stored on the north side of the building with no visibility from the street and under cover from the rain, with the exception that flip tires can be visible from the street but must be under cover,
2. No activities will impede with the daily conduct of the local businesses near the facility nor with the traffic flow on any street or sidewalk,
3. Prior to Certificate of Occupancy, the business and building will be in conformance with all City of Pilot Point rules and regulations, and
4. All members safety will be the priority when programming outdoor activity.

Councilmember Cummings seconded the motion. The motion passed.

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

Absent: Councilmember Rawls

7. **Discuss, consider, and possible action to allow the City Manager to enter in to an Interlocal Agreement with Denton County for Property Tax Assessment and Collection.**

Mayor Pro Tem McIlravy moved to allow the City Manager to enter in to an Interlocal Agreement with Denton County for Property Tax Assessment and Collection.

Councilmember Cordell seconded the motion. The motion passed.

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

8. Discussion on the projected FY2021 Operating and Capital Improvement Budget and proposed FY2022 Operating and Capital Improvement Budget.

Finance Director Sanchez presented a draft budget presentation which does not include tax roll numbers. She will email a completed draft budget to Councilmembers on August 2, 2021.

9. Discuss, consider, and possible action on making an appointment to the Lake Ray Roberts Planning and Zoning Commission for Denton County.

Councilmember Cordell nominated Councilmember Cummings. Councilmember Cisneros volunteered himself. There was discussion as to whether Councilmember Cisneros would be allowed to be on the Commission since he is employed with Denton County.

Councilmember Cordell withdrew his nomination of Councilmember Cummings. Mayor Dane-Patterson made a motion to table the discussion until the next meeting and find out if Councilmember Cisneros is eligible to serve on the Commission. Mayor Pro Tem McIlravy seconded the motion. The motion passed.

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

10. Discuss, consider, and possible action on adopting bylaws for the Pilot Point Municipal Development District.

Mayor Dane-Patterson moved to adopt the bylaws for the newly formed Municipal Development District. Councilmember Jones seconded the motion. The motion passed.

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

11. Discuss, consider, and possible action on appointments to the Board of Directors to the Municipal Development District.

Mayor Dane-Patterson moved to appoint the current Economic Development Corporation board to be the Municipal Development District board with the same service terms.

Councilmember Cordell seconded the motion. The motion passed.

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

I. STAFF REPORT

1. June 2021 Code Enforcement Report
2. June 2021 Financial Report
3. June 2021 Library and Cultural Arts Report
4. June 2021 Municipal Court Report

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. 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 the Texas Open Meetings Act regarding: Mustang Ranch.

Mayor Dane-Patterson stated the City Council would recess 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 8:24pm. Mayor Dane-Patterson stated there is no action to be taken.

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.

M. ADJOURN

Mayor Dane-Patterson moved to adjourn the meeting at 8:24pm. Councilmember Cordell seconded the motion. The motion passed.

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

Absent: Councilmember Rawls



Shea Dane-Patterson, Mayor

ATTEST:



Lynette Cox, City Secretary