

# City of Pilot Point, Texas

Minutes of the February 24, 2020

## 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, and Matt McIlravy. City Staff members present were Interim City Manager Terry Roberts, Police Chief Tim Conner, Capital Projects Manager Matt Kaminski, Financial Manager Lana Ensminger, Development Services Director John Taylor, Fire Chief Heath Hudson, Assistant Fire Chief Bryan Cox, City Engineer Brandon Wall, and Acting City Secretary JoAnn Wright.

### AGENDA

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

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

#### **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 pledges to the flags.

#### **C. INVOCATION**

City Councilmember Pearlie Mae Simpson led the invocation.

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

Mayor Dane-Patterson made the following announcements:

1. February 25, 2020 at noon the City will be having the Fire Station ground breaking.
2. March 1, 2020 at 2:30 pm the Opera House will have a performance of The Death & Life of Sneaky Fitch.
3. Pilot Point Library offers a reading club for adults
4. Pilot Point Library is providing tax prep assistance through April 14, 2020.
5. March 6, 2020 at 2:00 pm Pilot Point Community Library will host The Texas Revolution.
6. Spring break will be the second week of March.
7. There will be a City Council Meeting on March 9th.

#### **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 one spoke at the public forum.

#### **F. REGULAR AGENDA**

1. **Discuss, consider and possible action on 30-day report of progress of 522 E. Burks St.**

Alisha stated that they want to have someone to call ahead on time before they come out to work on the property, so she stopped Public Works Director Vandagriff from working on the property.

Cecelia Harris stated the foundation people could not get in to look at the property

because of the rain. Ms. Harris stated that she did not want the city to dig in the ditches because it is hazardous.

Mayor Dane-Patterson explained that the drainage has to be diverted in order to keep the property from setting in water when it rains. Mayor asked what do we need to do to fix this?

Ms. Harris stated that the city needs to start at the school.

Mayor Dane-Patterson stated that the city can go out cut a bevel through the side of the property and go back when it dries and fill in any ruts.

Ms. Harris said she did not think that it would fix the problem and it would start eroding the property.

Mayor Dane-Patterson asked if the city had gone to the school.

Interim City Manager Roberts stated he was not aware of it happening.

Councilmember Simpson stated that she did not think that this would change the water on the property.

Mayor Dane-Patterson asked if she could set up an appointment to get the city out to shoot a grade on the property.

Ms. Harris stated she wanted to talk about it and know who would be involved in the work.

Mayor Dane-Patterson stated it would be city staff, probably Public Works Director Vandagriff, Street Department Supervisor Jackson and other public works people. Mayor Dane-Patterson said we will reach out to Ms. Harris, Ms. Stafford and Ms. Simpson. and meet at city hall.

Mayor Dane-Patterson moved to report back in 30 days. Councilmember Mallravy seconded the motion. The motion passed unanimously.

**2. Discuss, consider and possible action on the purchase of heart monitors/chest compression arm.**

Fire Chief Hudson he had done some checking on this item. These monitors are supposed to transmit data to the hospital. The monitors that the department currently has do not. The recommendation from Staff is to go with the Foremost brand on their five-year plan.

Mayor stated the financial department must look at the fire department budget so the city can pay for the devices and bring it back to council when there are answers.

**3. Discuss, consider, and possible action on deductive Change Order #1 with Vessels Construction on the Burks St. Sewer main project modifying the amount of the Contract by \$ 24,002.55**

City Engineer Brandon Wall stated there were able to cut some of the cost on this project that was paid for with the 2017 bond money.

This project is the Walcott line going out to the lake and HWY 377 to the Grayson County line. This project was bid not knowing what would be found in the ground. It turned out to be good for the City and \$24,0002.55 was returned to the City to go back into the 2017 Bond Fund. The money in the 2017 Bond Fund can be spent on any wastewater project. There is a Lone Star lift station project that this money is slated for. The projects that were done leave \$600,000 in the bond. The City should be able to use this on any wastewater project. Part of the money for the Burks Street forced main came out of TIRZ.

Mayor Dane-Patterson stated that the money should go back into the fund where it came.

Mayor Dane-Patterson moved to approved change order and return \$24,002.22 back to the funds that they were paid from. Councilmember McIlravy seconded the motion. The

motion passed unanimously.

- 4. Discuss, consider, and possible action on deductive Change Order #1 with Excel Trenching on the Collection System improvements (lift stations) project modifying the amount of the Contract by \$ 101,811.16.**

City Engineer Wall stated this change is due to number four lift station not being done because the City is waiting on approval from the Lake Ray Roberts State Park for the easement to place the lift station.

Mayor Dane-Patterson moved to approve the change allocation. The \$101,811.16 will stay in the fund for the fourth lift station. Councilmember Porter seconded the motion. The motion passed unanimously.

- 5. Discuss, consider, and possible action on deductive Change Order #1 with Vessels Construction on the Collection System Improvements (sewer main) project modifying the amount of the Contract by \$ 124,993.47.**

City Engineer Wall stated that this reduction is due to where the site of digging was had a lot of good soil.

Mayor Dane-Patterson moved to approve this deduction of \$124,993.47 and hold the money for lift station at the lake park. Councilmember Simpson seconded the motion. The motion passed unanimously.

- 6. Discuss, consider and possible action on approval of final budget and project closeout of the Wastewater Collections System Improvements Project.**

City Engineer Wall stated that this is for approval of the overall budget of this project. This project was bid at \$2,980,170 and with all the change orders the amount actually came in at \$2,367,000, which is a difference of \$613,170. With this savings the City should have the enough money to complete the lake park lift station.

Mayor Dane-Patterson moved to approve staff to close any existing contracts on the projects that were discussed at this meeting. Councilmember McIlravy seconded the motion. The motion passed unanimously.

- 7. Discuss, consider and possible action on approving Budget Amendment # 3. (1) For the new Police vehicle, Unit 2001 to replace Unit 1901. (2) To repair damages to Unit 1701 from an accident in December 2019.**

Finance Manager Ensminger stated the City needs to do a budget amendment so the money received from the insurance company can be used to pay for repairs to a patrol vehicle.

Councilmember McIlravy moved to do amendment to the budget for the purpose of paying for repairs to a patrol vehicle. Councilmember Delcourt seconded the motion. The motion passed unanimously.

- 8. Discuss, consider and possible action on accepting Dorothy Court Infrastructure.**

Capital Projects Manager Kaminski stated this project is a lot like the last one that the city approved. This approval will bring 20 extra lots into the city and an already scheduled green space. Mayor Dane-Patterson moved to approval contingent on the city attorney approving the maintenance bond contract. Councilmember Porter seconded the motion. The motion passed unanimously.

- 9. Discuss, consider and possible action on an ordinance to amend Appendix A: Fee Schedule, in the city's code of ordinances for Civil Plan Review and Public Improvement Inspections.**

Development Services Director Taylor presented the cost involved in this ordinance to pay some of the cost up front of expenses the city would require due to plan reviews for Civic Plan Review and Public Improvement Inspections. This ordinance is proposing two different fees. One is proposing a \$2,500 deposit for the plan review. After talking to developers, staff said they would rather it be \$2,000 and staff is ok with that. The second fee is a 2% fee based on the cost of the infrastructure. Other cities that were checked ranged from 2% to 5%.

Councilmember McIlravy moved to approved the ordinance with fees of \$2000 plan

review deposit and 3% infrastructure fee. Councilmember Singleton seconded the motion. The motion passed unanimously.

**10. Discuss, consider and possible action on authorizing the City Manager to enter into a right of way use agreement with the owners of Lowbrows for a portion of the Liberty Street right of way for the construction of a commercial patio.**

Planning Development Director Taylor went over the property owners proposed plans. The Historic Review Board approved the plans and the proposed improvement. The owner is planning to change the TABC alcohol license to RM and adding a restaurant.

Mayor Dane-Patterson stated the following points:

1. A few years ago, we had a property owner next to the city machine shop. The City allowed the construction of a building in the City right of way, which made that street smaller. Then the owner wanted to sell the property. The city had to make adjustments in order for the property to be sold. The fire department had problems getting down the road.
2. If the City allows this, the parking problems will become a bigger issue. If allowed there should be no parking on that side of the road.
3. It is not going to look like a city sidewalk when it is allowed to be fenced in. What do we say to any other property owner that wants to do the same?
4. We are already looking at one special use permit. They're changing their use. Are we going to have to have another sup?
5. They are wanting to pave this easement and use it to make money. They need to rent it or pay some kind of a fee to use City property.

Planning Development Director Taylor stated they are going from a nonconforming use to another none confirming use and that would be ok. This is the Cities assets and the City could rent it.

Councilmember Simpson stated if we do it for one you will have to do it for all.

Mayor Dane-Patterson stated the decision needs to be right for the whole community. The stairs of this property are currently in the city easement. They have an ice machine in the right away. The Bull is sitting in the right a way.

Councilmember Singleton asked how much land outside of the property is the property owners and how much is the city right of way.

Council wants to see a survey to show the property line. Research some of other similar cities with historic downtowns like McKinney, Georgetown, Denton for comparisons. Councilmember Porter moved to table until next meeting. Councilmember McIlravy seconded the motion. The motion passed unanimously.

## **G. STAFF REPORT**

**1. January Code Enforcement Report**

Mayor Dane-Patterson asked for clarification on liens paid and what kind of liens the city has.

Acting City Secretary explained that the liens are made up of mowing, demolishing and paving labor. These are collected when the property is sold if the current owner does not pay.

**2. January Finance Report**

Mayor Dane-Patterson asked for staff to explain the following line items:

1. Alcohol sales
2. Atmos Energy fee
3. Misc. Income
4. Contract Services
5. Attorney Fees
6. Department 55

Finance Manager Ensminger the following in response:

1. The alcohol sales tax is collected from alcohol sales.
  2. Atmos Energy is a franchise fee that is collected once a year.
  3. Misc. income is anything that does not have a line item. Ms. Ensminger stated that she could run list for Council so they can the items.
  4. General fund expenditures are high due to the two contract payoffs and HR Consultant and Interim City Manager contract services.
  5. Some of the contract fees on the Attorney bill look like contract services from TIRZ. City Staff will check with Jason Hughes to see if some of this can be charged back to the special projects.
  6. Department 55 is debt services
3. January Municipal Court Report

Mayor Dane-Patterson asked if this was a new report?

Finance Manager Ensminger stated that she had staff add in a few items on the court report.

Mayor Dane-Patterson stated that she liked the court report and thanked staff for putting it together for Council.

4. January Library Report

Mayor Dane-Patterson asked questions of the staff

Mayor asked questions of staff about the finance report.

If Jason Hughes says we can, the City should charge back some departments.

#### **H. 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.*

The following items were listed for future agendas:


1. Burks Street property
2. Lowbrows property
3. Expenses for fire department heart monitors/chest compression arm.
4. Answer from finance department from items on this meeting.

#### **I. ADJOURN**

Mayor Dane-Patterson moved to adjourn at 8:41 p.m. Councilmember McIlravy seconded the motion. The motion passed unanimously.

  
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Shea Dane-Patterson, Mayor

**ATTEST:**

  
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JoAnn Wright, Acting City Secretary  
Approved April 27, 2020