

## City of Pilot Point, Texas

Minutes of the April 13, 2020

### City Council Meeting

The City Council of the City of Pilot Point, Texas met via video conference 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, Dean Cordell and Matt McIlravy. City Staff members present were City Manager Britt Lusk, Police Chief Tim Conner, Financial Manager Lana Ensminger, Development Services Director John Taylor, Fire Chief Heath Hudson, Main Street Director Lenette Cox, Economic Development Corporation Director Denise Morris, Human Resource Consultant Kathryn Usrey, City Attorney Andy Messer, City Attorney Melissa Cranford, City Attorney Julie Fort, Paralegal Cameron Sanchez and Acting City Secretary JoAnn Wright. Absent was Councilmember Simpson.

### AGENDA

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

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

#### **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*

Mayor Dane-Patterson led the pledges to the flags.

#### **D. INVOCATION**

Pilot Point Police Chief Conner led the invocation.

#### **E. ITEMS OF COMMUNITY INTEREST**

Mayor Dane-Patterson welcomed City Manager Britt Lusk to the City of Pilot Point and his first official City Council meeting.

Mayor Dane-Patterson thanked Interim City Manager Terry Roberts for his six months of service and leadership to the City of Pilot Point for bringing unity to the city during this time of transition.

#### **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.)*

No one spoke during the public forum.

#### **G. CONSENT AGENDA**

1. Replacement of Authorized Bank Signatures on City of Pilot Point bank accounts with PointBank..
2. Discuss, consider and possible action on approving minutes from February 10th meeting.

Councilmember Porter moved to approve the consent agenda. Councilmember McIlravy seconded the motion. The motion passed unanimously.

#### **H. REGULAR AGENDA**

1. Discuss, consider and possible action on an approving an ordinance for an executive order concerning COVID-19.

Mayor Dane-Patterson read the executive order. Councilmember McIlravy moved to approve the executive order. Councilmember Delcourt seconded the motion. The motion passed unanimously.

**2. Discuss, consider and possible action on May 2020 dates for City Council meetings.**

Councilmember McIlravy moved to only have one meeting during the month of May and to call a special meeting if a need arises. Councilmember Porter seconded the motion. The motion passed unanimously.

**3. Discuss, consider and possible action regarding a Resolution excluding emergency first responders from the definition of eligible employee under the Families First Coronavirus Response Act.**

Human Resources Consultant Usrey stated when the federal government adopted the 1 Family First Coronavirus Response Act (FFCRA), it provides two different kinds of leave.

1. is just two weeks of leave and there are a lot of reasons an employee would take it.
2. the other adds an additional reason for medical leave. The reason that they provided is to care for a child whose school or childcare is not in session anymore.

What staff is trying to do is take care of the employees by paying the two weeks of leave that the federal gov does not, but to also give authority back to our Fire Chief, Police Chief and Public Works Director to make sure we are staffed and our standards are met.

Mayor Dane-Patterson asked Police Chief Conner and Fire Chief Hudson their opinions. Both Police Chief Conner and Fire chief Hudson agreed with the need for this resolution.

Mayor Dane-Patterson moved to approve the resolution as presented. Councilmember Cordell seconded the motion. The motion passed unanimously.

**4. Discuss, consider and possible action on a proposed ordinance amendment to Chapter 14: "Zoning" Section 14.02.154 "Sale of Alcoholic Beverages" of the code of ordinances of the City of Pilot Point, Texas. Amending Section 14.02.112 "Schedule of land uses" to amend the location of the allowed locations for sale of alcoholic beverages.**

Planning and Development Director Taylor stated the reason for bringing this to council was to remove the Special Use Permit requirement from all business districts since the Cities Zoning Ordinance already covers what is allowed. This has already gone before the Planning and Zoning Commission and they recommend to remove this from all businesses except Commercial One (C1) zoned areas. Mayor Dane-Patterson moved to except the changes that the Planning and Zoning Commission is proposing and call a public hearing. Councilmember Porter seconded the motion. The motion passed unanimously.

**5. Discuss, consider and possible action on authorizing the City Manager to enter into a right of way/sidewalk lease agreement with the owners of Lowbrows for a portion of the Liberty Street right of way for the use for a fenced outdoor seating area.**

Mayor Dane-Patterson stated that the owner asks for this item to be pulled from this agenda due to his not being ready.

**I. 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. a. § 551.071(2): 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 re: Bryson Ranch, Four Seasons Ranch, Ltd.: and

b. § 551.074: Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: police department staffing levels, and fire department staffing levels.

2. Discuss and consider the creation of the Bryson Ranch Municipal Utility District
3. Discuss, consider and possible action on the First Amendment to the Development Agreement between the city of Pilot Point and Four Seasons Ranch, Ltd.

Mayor Dane-Patterson read the purpose of the Executive Session and council convened into Executive Session at 6:49 pm.

**J. 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.:

Mayor Dane-Patterson reconvened into regular session at 8:00 pm,

1. At this time our attorney has been given direction to work on a negation on with Bryson Ranch.

2. In the matter of the Fire department and police department staffing, there is current a position available in both departments. There are postings of both positions.

Mayor Dane-Patterson moved to extend the Four Seasons Development Agreement by Fifteen (15) years, bringing the expiration date to November 13, 2036. Councilmember McIlravy seconded the motion. The motion passed unanimously.

**K. 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 mentioned for future agendas

1. 522 E. Burks Street property for the first open meeting bases on the Governor's orders
2. Budget
3. Yarbrough Farms updates, with a subcommittee first

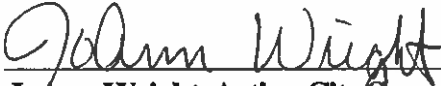
Council member Cordell and Delcourt commended Mayor Dane-Patterson for keeping the citizens informed on all the updates of the COVID\_19 updates.

**L. ADJOURN**

Councilmember Porter moved to adjourn at 8:46 pm. Councilmember McIlravy seconded the motion. The motion passed unanimously.

  
Shea Dane-Patterson, Mayor

**ATTEST:**

  
JoAnn Wright, Acting City Secretary  
Approved: May 11, 2020