

City of Pilot Point, Texas
Minutes of the January 29, 2019
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, Jim Porter, Whitney Delcourt, and Ronald Petty. City Staff members present were City Manager Alan Guard, Police Chief Tim Conner, Development Services Director John Taylor, EDC Executive Director Denise Morris, and City Secretary Alice Holloway.

AGENDA

A. ROLL CALL/CALL TO ORDER

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

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. Second public hearing on the proposed annexation of property legally described as Lot 4 and Lot 5 of the Smithers Addition, containing 26.5 acres, more or less, Denton County, Texas.

Mayor Dane-Patterson opened the second public hearing on the proposed annexation of property legally described as Lot 4 and Lot 5 of the Smithers Addition, containing 26.5 acres, more or less, Denton County, Texas at 6:33 p.m.

Mayor Dane-Patterson stated that each person is to come to the podium to speak, state their name and address, and that each person will be allowed three (3) minutes to speak. In addition, she asked that all cell phones be placed on silence.

Development Services Director Taylor stated that on December 10, 2018 the City Council adopted a resolution calling for two public hearings on the request for annexation of a 26.5 acre parcel to be incorporated into the city limits. In addition, he stated that the proposed use is to be Phase 2 of Hat Creek Subdivision.

Development Services Director Taylor stated that the annexation ordinance before the Council will complete the annexation process and incorporate the described property into the City Limits of Pilot Point. In addition, he stated that the owner is 375 Oak Ridge, LLC and is proposed to be single family residential as a part of the Hat Creek development.

No comments made from the public.

Mayor Dane-Patterson closed the public hearing at 6:40 p.m.

D. Discuss, consider, and possible action on an ordinance annexing the hereinafter described territory being all that certain land being Denton CAD Property ID Numbers 728581 and 728582, approximately 26.5 acres generally located on Jordan Moore Rd., known by address 9711 Jordan Moore Rd. and 9815 Jordan Moore Rd, also described as Lot 4 and 5, Block A of the Smithers Addition and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation including public hearings, notices and open meetings have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date.

Development Services Director Taylor stated that the notice of the public hearings ran in the newspaper and letters were sent to all utility providers giving notice of the meetings and their ability to appear at the public hearings to give comment. In addition, he stated that the public hearings have been held.

Mayor Dane Patterson moved to approve an ordinance annexing the hereinafter described territory being all that certain land being Denton CAD Property ID Numbers 728581 and 728582, approximately 26.5 acres generally located on Jordan Moore Rd., known by address 9711 Jordan Moore Rd. and 9815 Jordan Moore Rd, also described as Lot 4 and 5, Block A of the Smithers Addition and extending the boundary limits of said City so as to include the described property within the City Limits, and granting

to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation including public hearings, notices and open meetings have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date. Councilmember Petty seconded the motion. The motion passed unanimously.

E. Public Hearing on a zoning request to revise PD-003: Hat Creek Estates (Ordinance No. 360-12-2018), consisting of 28.47 acres; to include an additional 27.95 acres, in the development for a total of 56.42 acres in the Planned Development; and to revise the related development standards and concept plan.

Mayor Dane-Patterson opened the public hearing on a zoning request to revise PD-003: Hat Creek Estates (Ordinance No. 360-12-2018), consisting of 28.47 acres; to include an additional 27.95 acres, in the development for a total of 56.42 acres in the Planned Development; and to revise the related development standards and concept plan at 6:42 p.m.

Development Services Director Taylor stated that this case was reviewed by the Planning & Zoning Commission on January 7, 2019, during which time a public hearing was held. Mr. Taylor stated that the primary concerns expressed by the public and by the Commission revolved around lot size and the related side yard setback. In addition, he stated that that other concerns involved drainage and increased traffic.

Mr. Taylor stated that the case was recommended for denial by the Planning & Zoning Commission. In addition, he stated that due to the denial recommendation, for the City Council to approve the request, a supermajority vote will be required.

Mr. Taylor stated that state laws states the next step after the Planning & Zoning Commission makes a recommendation, it goes to the City Council to hear the case regardless of the recommendation by the Planning & Zoning Commission.

The following citizens commented during the public hearing:

- 1) Billy Ray Pedigo- Mr. Pedigo asked why we allow developers to come in and dictate our policies. In addition, he stated that the City should be stating what is required by the City and that we will not accept any less. Mr. Pedigo asked that the City Council protect the integrity of our town and that Pilot Point should be first and developers second.
- 2) Ray Rocket- Mr. Rocket stated that he has lived in Pilot Point for 28 years. Mr. Rocket stated that he has dreamed of housing developments with large lots, much larger than what is being proposed. In addition, he stated that the land is made for larger tracks and we can't afford to mess the development by the lake up, once it is done, it can't be changed.
- 3) Ted Green- Mr. Green stated that he would not have built his house if he knew the smaller lots was going to be next to him. In addition, he stated that the planned retention pond will never work as proposed.
- 4) Cheryl Allen- Ms. Allen stated that she has concerns regarding the proposed planned retention pond. In addition, she stated that her contractor built her a pond to help with drainage and it filled up in one day.
- 5) Clark Rosendall- Mr. Rosendall stated that he opposes the density and he has major concerns regarding the drainage.
- 6) Morris Morgan- Mr. Morgan stated that his family moved here to be part of Pilot Point. In addition, he stated that he has concerns regarding the drainage. Mr. Morgan stated that he hopes the City Council will consider not messing up the beauty of the drive to the lake.
- 7) Melanie Billmeier- Ms. Billmeier stated that she has concerns on the drainage, lot sizes, and future developments. In addition, she stated that the City should not be settling.

Councilmember Porter moved to continue the public hearing on February 11, 2019 at 6:30 p.m. Councilmember Delcourt seconded the motion. The motion passed unanimously.

F. Discuss, consider, and possible action making a recommendation on a zoning request to revise PD-003: Hat Creek Estates (Ordinance No. 360-12-2018), which includes plus or minus 28.47 acres; to include an additional plus or minus 27.95 acres, in the metes and bounds description for a total of plus or minus 56.42 acres included in the Planned Development; and to revise the development standards and concept plan.

See action under item G.

G. Discuss, consider and possible action on the Preliminary Plat of Hat Creek Estates. A 56.42 acre tract located in the Samuel Flint Survey, abstract number 418, Denton County Texas.

Councilmember Porter moved to send the zoning request and Preliminary Plat (item F & G) back to the Planning & Zoning Commission for clarification. Councilmember Petty seconded the motion. The motion passed unanimously.

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(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: Options for acquiring an approximately 35.000-acre tract generally located west of Pecan Creek and north of FM 455 for the wastewater treatment facility project; and
2. In accordance with the Texas Government Code, Section 5513072: Deliberate the purchase, exchange, lease, or value of real property.

Mayor Dane-Patterson read the purpose of the executive session and Council convened into Executive Session at 7:10 PM.

I. RECONVENE INTO REGULAR 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(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: Options for acquiring an approximately 35.000-acre tract generally located west of Pecan Creek and north of FM 455 for the wastewater treatment facility project; and
2. In accordance with the Texas Government Code, Section 5513072: Deliberate the purchase, exchange, lease, or value of real property.

Mayor Dane-Patterson announced the meeting is back in regular session at 7:50 p.m.

No action taken as result of Executive Session.


J. ADJOURN.

Mayor Dane-Patterson moved to adjourn. Councilmember Porter seconded the motion. The motion passed unanimously. The meeting adjourned at 7:51 pm.



Shea Dane-Patterson, Mayor

ATTEST:



Alice Holloway, City Secretary

Approved: February 11, 2019