

MINUTES
Regular City Council Meeting
April 9, 2024 – 6:00 p.m.

Present: Mayor Chris Davies, Mayor Pro Tem Cody Hawkins
Council Members: John Verity, Shawn Bentley, Lori Howell, Justin Poppelreiter
City Attorney: Susan Thomas
City Manager Matt McMahan
City Secretary Becky Pattillo
Finance Director Stacy Smith
Building Official Josh Kinnick
Public Works Director Paul Miller
Assistant to the City Manager Joel Richardson
Police Chief Kimbre Collier

Absent: None

1. Call to Order:

Mayor Chris Davies called the meeting to order at 6:00 p.m.

2. Invocation:

Building Official Josh Kinnick gave the invocation.

3. Approval of Minutes from the regular meeting of March 12, 2024, and the special meeting of March 28, 2024:

Mayor Pro Tem Cody Hawkins made the motion to approve the minutes of the March 12, regular meeting and the March 28, special meeting as read. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

4. Presentation to City Council by members of the Public. (To be conducted as close to 6:05 p.m. as possible with a three-minute limit per person. This period is reserved for citizens to discuss items that are not on the listed agenda. The response to Public Comments will be limited to: (1) A statement of fact or policy; (2) Direction to take up the issue with a City Staff Member; or (3) an offer to place the item on a future City Council agenda:

No one came forward.

5. REPORTS:

- a. Financials including Accounts Payable
- b. Court
- c. Public Works/Engineering
- d. Police
- e. Fire
- f. Building Services
- g. Economic Development Corporation

- h. Charter Commission**
- i. Airport**
- j. City Manager**

- 12. Discuss and Consider Adoption of a Resolution of the City Council of the City of Caddo Mills, Texas approving a Development Agreement between the City of Caddo Mills and HMH Caddo Mills Land, LP (History Maker Homes) and authorizing the City Manager to execute the agreement:**

*Mayor Davies announced that the next 3 items would be taken out of order because Ms. Petty had another commitment.

Mary Petty explained that the developer had initially requested a MUD petition but had suspended that request and went to an MMD, which is what the City would be agreeing to.

Mayor Pro Tem Cody Hawkins made the motion to approve the development agreement with HMH Caddo Mills Land, LP to improve the form of MMD consent resolution as presented in exhibit D to be ratified at the next Council Meeting and authorize the Mayor and City Manager to execute all necessary documents. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

- 13. PUBLIC HEARING – Conduct a Public Hearing on the creation of a reinvestment zone and its benefits to the City of Caddo Mills, which proposed reinvestment zone contains approximately 4,393.076 acres of land generally located south of State Highway 66, north of Interstate 30, with some parcels directly south of Interstate 30, east of County Road 2648, and west of FM 36 and being located within the corporate limits and extra territorial jurisdiction of the City of Caddo Mills, Texas:**

Mary Petty explained that this was presented to the Council last month and in accordance with Chapter 311 of the Texas Tax Code, they had certain requirements to meet. The City Manager and others had met with the County Commissioner and the Hospital District over this, but they would need to take action to create the reinvestment zone before they could have interlocal agreements with the other taxing entities.

Mayor Chris Davies opened the public hearing at 6:08 p.m. With no one coming forward to speak for or against the creation of the reinvestment zone, Mayor Davies closed the public hearing at 6:09 p.m.

No further action was taken.

- 14. Discuss and Consider adoption of an Ordinance of the City Council of the City of Caddo Mills, Texas, designating a geographic area within the City as a Tax Increment Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number One, City of Caddo Mills, Texas; describing the boundaries of the Zone; creating a Board of Directors for the**

Zone and appointing members of the Board; establishing a Tax Increment Fund (TIRZ Fund) for the Zone; containing findings related to the creation of the Zone; providing a date for the termination of the Zone; and providing that the Zone take effect immediately upon passage of the Ordinance:

Mary Petty explained that this was the ordinance to create the reinvestment zone and that at this time they would appoint themselves as the board of directors. When the other taxing entities join, they would appoint members on the board of directors to represent them.

Council Member John Verity made the motion to approve the Ordinance establishing the TIRZ. Mayor Pro Tem Cody Hawkins seconded the motion, resulting in a unanimous vote.

6. Consideration and Possible Action taken on Award of Bid for Road Construction Project per Engineer Recommendation:

City Engineer Eddy Daniel explained that Mike Rogers was the only bid that came in for the reconstruction of Second, Drake and Foster Streets, which didn't surprise them because this contractor had been working on the other street projects for the City. He recommended Mike Rogers for the road construction project.

Council Member Justin Poppelreiter made the motion to award the bid for road construction project to Mike Rogers. Council Member Shawn Bentley seconded the motion, resulting in a unanimous vote.

7. Consideration and Possible Action taken on Award of Bid for Purchase and Installation of Police Radios:

Police Chief Kimbre Collier explained that the total bid including installation was \$126,517.50. She stated that the Sheriff's Department had decided to go with a new system through L3, so at the end of the year we would no longer have access to dispatch center or radios if we didn't go with the new system. She continued that she was asking for 10 mobile units and 15 hand-held.

Mayor Pro Tem Cody Hawkins made the motion to approve the bid for purchase of police radios. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

8. Discussion and Possible Action taken on Approval of DR Horton – Trailstone Phase 6 per Engineer and Planning & Zoning Recommendation:

Building Official Josh Kinnick explained that the P&Z had passed this at the meeting yesterday and this was the next phase of the building process.

Council Member Justin Poppelreiter made the motion to approve DR Horton – Trailstone Phase 6. Council Member John Verity seconded the motion, resulting in a unanimous vote.

9. **Discuss and Consider Adoption of a Resolution of the City Council of the City of Caddo Mills, Texas, directing publication of notice of intention to issue combination tax and revenue certificates of obligation; and resolving other matters relating to the subject:**

Andrew Freeman, SAMCO, explained that this resolution would allow them to move forward with the issuance of the CO's, and publish the intention to issue, but not accept them until June.

Council Member John Verity made the motion to adopt the resolution for the publication for the certificates of obligation. Mayor Pro Tem Cody Hawkins seconded the motion, resulting in a unanimous vote.

10. **Discussion and Possible Action taken on Approval of request from Pettitt – ECD, LP, regarding a 12-month extension of the Preliminary Plat for the proposed development Preserve at Brushy Creek:**

City Manager Matt McMahan stated that they had a development agreement but due to unforeseen circumstances, there was a new developer. He was asking for a 12-month extension for the preliminary plat to work with the new developer.

Council Member Justin Poppelreiter made the motion to approve the 12-month extension. Council Member Shawn Bentley seconded the motion, resulting in a unanimous vote.

11. **Discussion and Possible Action taken on Ordinance adopting the 2021 International Residential Code with Amendments, 2021 International Building Code with Amendments, 2021 International Existing Building Code with Amendments, 2021 International Plumbing Code with Amendments, 2021 International Fuel Gas Code with Amendments, 2021 International Mechanical Code with Amendments, 2021 International Property Maintenance Code with Amendments, 2021 International Fire Code with Amendments, 2021 International Swimming Pool and Spa Code and Amendments, 2021 International Privat Sewage Disposal Code and the 2023 National Electric Code NFPA70 with Amendments:**

Building Official Josh Kinnick explained that the City was currently under the 2015 Codes and this would bring us more up to date.

Council Member John Verity made the motion to approve the ordinance adopting the building codes. Mayor Pro Tem Cody Hawkins seconded the motion, resulting in a unanimous vote.

15. **Executive Session: In accordance with Texas Government Code, Section 551.001, et. Seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:**

(a) Section 551.071 Consultation with Attorney on a manner in which the duty of the City Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act, regarding development agreements, developments, and zoning standards.

(b) Section 551.072 Real Property: Deliberate the purchase, exchange, lease, or value of real property.

(c) Section 551.087, Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Caddo Mills and with which the City is conducting economic development negotiations; and to deliberate the offer of a financial or other incentive to the business prospect:

16. Reconvene to Open Session: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider any action needed on matters discussed in Executive Session:

17. Adjourn:
The meeting was adjourned at 6:26 p.m.



Chris Davies, Mayor



Becky Pattillo, City Secretary

5-14-2024

Date