

MINUTES
Regular City Council Meeting
May 14, 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 6:18 p.m.

2. Invocation:

Building Official Josh Kinnick gave the invocation.

3. Approval of Minutes from the regular meeting of April 9, 2024:

Council Member Justin Poppelreiter made the motion to approve the minutes of the April 9, 2024, regular meeting as approved. Council Member John Verity seconded the motion, resulting in a unanimous vote.

4. Discussion and Possible Action taken on Resolution Canvassing the Returns and Declaring the Results of the May 4, 2024, City of Caddo Mills General Election:

City Secretary Becky Pattillo explained that this was a resolution to canvas the votes and declare the results of the election. There were a total of 74 ballots cast for the three available council seats. Shawn Bentley received 46 votes, Cody Hawkins received 46 votes, Jeremy Horn received 15 votes and John Verity received 35 votes.

Council Member Justin Poppelreiter made the motion to adopt a resolution to canvass the election and declare that Shawn Bentley, Cody Hawkins and John Verity are elected. Council Member Lori Howell seconded the motion, resulting in a unanimous vote.

5. Issue Certificate of Election and Administer Oath of Office to newly elected Council Members:

City Secretary Becky Pattillo gave the Oath of Office to reappointed Council Members Shawn Bentley, John Verity, and Cody Hawkins.

Mayor Chris Davies presented all three with Certificates of Election.

6. Appointment by the City Council of a Mayor Pro Tempore for May 2024 until May 2025:

Council Member Shawn Bentley made a motion to nominate John Verity. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

7. 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.

8. REPORTS:

- a. Financials including Accounts Payable
- b. Court
- c. Public Works/Engineering/Parks Update
- d. Police
- e. Fire
- f. Building Services
- g. Economic Development Corporation
- h. Charter Commission
- i. Airport
- j. City Manager

City Engineer Eddy Daniel - Water Conservation Plan – Voluntary – Odd/Even Watering days

Police Chief Kimbre Collier – Life Saving Award to Officer Garrett Swatsell

9. Presentation and Possible Action taken on Approval of the Draft Audit for the Fiscal Year ending September 30, 2023:

Leslie Winton, CPA, Wilf & Henderson, P.C. stated that the opinion letter that was attached to the Audit simply stated that their firm had looked over the financials of the City as of September 30, 2023, and it was an unmodified opinion, which is exactly what the City wanted it to say. She then gave a short presentation on the findings of the Audit.

Mayor Pro Tem John Verity made the motion to approve the draft audit ending September 30, 2023, as presented. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

10. Discussion and Possible Action taken on Ordinance amending Chapter 3, Article 2, Residential Code to include Residential Rental Inspection Regulations:

Building Official Josh Kinnick stated that there had been discussions about properties becoming rent houses and protecting the property values of the homeowners in Caddo Mills and he felt that the best decision would be to develop a Residential Occupancy Certificate of Occupancy program. This would allow the City to know who had rental properties and to be able to go in and inspect those properties. He continued there was a policy in place that every dwelling would be inspected every three years and he was getting away from it and going to the rental occupancy only.

Council Member Lori Howell stated that Caddo Mills was the only town she knew of that did inspections every time homes changed owners and she felt that it was redundant and that the new policy was a good idea.

Council Member Shawn Bentley stated that he agreed with the intent of the ordinance, but he had read the ordinance in detail and when it was in black and white, it was in black and white. He felt that people who were using rent houses as a business should be treated differently than people who inherited a house or two and he had some other concerns with the ordinance and requested another 30 days to look over the ordinance and come up with an ordinance that worked for everyone.

Mr. Kinnick stated that he knew that some of it may seem punitive, but they were trying to focus so that it wasn't overly punitive, except in certain situations. So if people refused to comply, that's when the aggressive statutes would be in place to deal with it.

Mr. Bentley stated that he understood that, but it did read in the ordinance that if anything that's the fault of the property, whether it was due to the owner's neglect or the tenant's abuse, the owner was responsible for the tenant's abuse. That was just one area. He continued that he had several concerns and would like to talk about them before approving the ordinance.

Mayor Pro Tem John Verity stated that he agreed with Mr. Bentley and it was similar to the businesses downtown. When the City gave out notices to the property owners, the City did anything get done. He felt that they should table it and revisit.

Council Member Shawn Bentley made the motion to table this item until the June meeting. Council Member Cody Hawkins seconded the motion, resulting in a unanimous vote.

11. Discussion and Possible Action taken on Resolution authorizing Interlocal Cooperation Contract for the Failure to Appear (FTA) program with the Texas Department of Public Safety:

Police Chief Kimbre Collier stated that when people don't come in when they are scheduled after receiving a citation, the court will issue a failure to appear (FTA), after which the Court Clerk can put a hold on their driver's license. This agreement would allow us to renew the agreement and continue participation.

Mayor Pro Tem John Verity made the motion to approve the Resolution. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

12. Discussion and Possible Action taken on Professional Service Agreement with Oak National Development Fox Landing (Altura Homes):

City Manager Matt McMahan stated that there was already an agreement with Altura Homes and it was being changed and the agreement was needed for it to start.

Mayor Pro Tem John Verity made the motion to approve the agreement. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

13. Discussion and Possible Action taken on a Contract with P3 Works, LLC, for a proposed Public Improvement District ("PID") and Tax Increment Reinvestment Zone ("TIRZ") for Fox Landing:

City Manager Matt McMahan stated that this went with the previous item and this agreement was needed for P3 Works.

Mayor Pro Tem John Verity made the motion to approve the contract with P3 Works. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

14. Discussion and Possible Action taken on final plat for Property ID 215738 Lot 1 Block 1, Pilot Travel Centers #367 Addition, commonly known as 2725 W I-30 being an approximate 9.6901 acres tract of land situated in the Morris Mary Survey, Abstract 649, Hunt County, Texas and 2725 W I-30 Lot 2 Block 1 Pilot Travel Centers #367 Addition being an approximate 1.8222 acres tract of land situated in the Morris Mary Survey, Abstract 649, Hunt County, Texas:

Building Office Josh Kinnick stated that this was the final plat concerning Southern Tire and the land that they had purchased from Pilot and they needed Council approval to move forward.

City Manager Matt McMahan added that Planning and Zoning had approved the plat at their meeting.

Mayor Pro Tem John Verity made the motion to approve the final plat. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

15. Discussion and Possible Action taken to ratify the approval of a Resolution consenting to the creation of Municipal Management District No. 2, approved

as part of a Development Agreement with HMH Caddo Mills Land, LP on April 9, 2024:

Mary Petty, P3 Works, stated that this was a ratification of some language that was in the development agreement and since an agreement was already approved, they had to have this document to agree to the MMD.

Mayor Pro Tem John Verity made the motion to approve and ratify the resolution. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

16. Discussion and Possible Action taken authorizing Contract with Public Management for the preparation and administration services for TP&W Grant per attached proposal:

Assistant to the City Manager Joel Richardson stated that this was to renew the contract with Public Management for the preparation and administration services for a Texas Parks and Wildlife grant.

Mayor Pro Tem John Verity made the motion to approve renewing the contract with Public Management. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

17. Discussion and Possible Action taken on Resolution approving an Interlocal Agreement with Hunt County for participation in a Tax Increment Reinvestment Zone Number One, as presented and approved by the Hunt County Commissioner's Court:

Mary Petty, P3 Works stated that her, Matt and Joel had been at the Hunt Council Commissioner's Court and they approved unanimously the interlocal agreement for participation in the TIRZ at 70%. She continued that they had a lot of discussion about why it was 70 and they had articulated that the intention was to develop infrastructure that benefitted the entire zone.

Mayor Pro Tem John Verity made the motion to approve the resolution for the TIRZ Number One. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

18. 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, re:

(i) Interlocal Agreements with Hunt County and with Hunt Memorial

Hospital District for participation in Tax Increment Reinvestment
Zone No. 1

(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:**
No action taken.

17. Adjourn:
The meeting was adjourned at 7:16 p.m.

Chris Davies, Mayor

Becky Pattillo, City Secretary

Date