

**MINUTES**  
**Regular City Council Meeting**  
**January 14, 2025 – 6:00 p.m.**

**Present:** Mayor Chris Davies, Mayor Pro Tem John Verity  
Council Members: Cody Hawkins, Shawn Bentley, Justin Poppelreiter, Lori Howell  
City Attorney: Susan Thomas  
City Manager: Matt McMahan  
City Secretary: Becky Pattillo  
Finance Director: Stacy Smith  
Building Official: Josh Kinnick  
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. 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.
- 4. Consent Agenda:**
  - a. Approval of Minutes**  
Regular City Council Meeting – December 10, 2024  
Special City Council Meeting – December 17, 2024
  - b. Take action on Right-of-Way Dedication Deed expanding portions of existing right-of-way on CR 2626 and CR 2617 adjacent to City-owned Airport Property to a total width of approximately thirty-five (35) feet:**
  - c. Resolution authorizing Contract for Election Services between the City of Caddo Mills and the Hunt County Election Administrator's Office:**
  - d. Resolution approving Agreement between the City of Caddo Mills and the Caddo Mills ISD for Joint Election to be held May 3, 2025:**

**e. Resolution authorizing City Manager to finalize land purchase agreement approved by City Council at the October 8, 2024, regular meeting:**

Mayor Pro Tem John Verity made a motion to move Agenda Item 4b to the Regular Agenda as Item 6a, for discussion. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

Council Member Cody Hawkins made the motion to approve the consent agenda after the removal of item b. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

**5. 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. Airport**
- i. City Manager**

**Regular Agenda:**

**6a. Take action on Right-of-Way Dedication Deed expanding portions of existing right-of-way on CR 2626 and CR 2617 adjacent to City-owned Airport Property to a total width of approximately thirty-five (35) feet:**

City Manager Matt McMahan explained that we were waiting on TxDOT and the FAA before completing the right-of-way to be sure that it was done right. He was asking that they allow the City Manager and legal staff to complete the project. He thought that it would be completed in the next week, but wanted to get it finished rather than coming back to Council at the next meeting.

Mayor Pro Tem John Verity made the motion to approve the right-of-way dedication deed allowing the City Manager and Legal Counsel to negotiate completion. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

**6. Discussion and Possible Action taken on Resolution authorizing participation in the Texas SmartBuy Membership Program:**

Police Chief Kimbre Collier stated that the police department got blood kits from the DPS, but that they were no longer going to sell them. They needed to be purchased from SmartBuy but they needed a resolution to authorize participation before anything could be purchased.

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

**7. Discussion and Possible Action taken on Resolution authorizing Interlocal Agreement between the City of Caddo Mills Police Department and the Hunt County District Attorney for the disposition of Forfeited Contraband seized under Chapter 59 of the Texas Code of Criminal Procedure:**

Police Chief Kimbre Collier stated that this was an agreement between the police department, the city and the DA's office. They take the funds from any property that is seized on behalf of the Caddo Mills Police Department and put it in an interest yielding account to hold until after the trial phase is complete.

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

**8. Discussion and Possible Action taken to appoint members to the Planning & Zoning Commission:**

Building Official Josh Kinnick stated that the Planning & Zoning Commission was recommending that Council appoint Amy Goodman as a voting member and Steve Layer as an alternate member to the P&Z.

Mayor Pro Tem John Verity made the motion to approve membership as requested by the P&Z. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

**9. Discussion and Possible Action taken to appoint members to the Caddo Mills Economic Development Corporation:**

**EDC Representative Guy Brown:** "Mayor and Council, on the dais there is a memorandum from John Hubbard...for two vacancies on the board...currently Laura Gallagher and Beth Dattamo...what they're recommending is to appoint the seven members as outlined in this chart... I did find a...there's a sample motion here...I did find a mistake on the motion...Ms. Helms and Mr. Parrish would be appointed until January of 2027...the rest would have staggered terms.

**Several talking - recording inaudible.**

**Mayor Pro Tem John Verity:** "So we're extending everybody and then adding Jennifer and Lane?"

**Mr. Brown:** "Yes, to two-year terms."

**City Manager Matt McMahan:** "Can you just make the motion based on the suggestions?"

**Mr. Brown:** "I think so, if you confer with your attorney."

**City Attorney Susan Thomas:** "Sure."

**Mr. McMahan:** "I think that would be simpler."

**Mr. Verity:** "So will we...I don't want to..."

**Council Member Justin Poppelreiter:** "It's on the board."

**Mr. Verity:** "Ok...the other part that...that's bolded...I know that the whole charter stuff with the two boards...are we keeping that...are we..."

**Council Member Lori Howell:** "That actually...doesn't apply to our board. We're not an advisory board so it doesn't...that verbiage doesn't apply to the EDC...am I correct on that Dr. Susan?"

**Mr. McMahan:** "As part of what verbiage?"

**Mayor Davies:** "What verbiage?"

**Ms. Howell:** "Are you talking about the home-rule charter?"

**Mayor:** "Mm-hmm"

**Mr. Verity:** "because it says that right here."

**Ms. Howell:** "Are you talking about...Cody and my positions"

**Mr. Brown:** "What you're talking about...I think the charter prohibits people on the City Council from serving on advisory boards...it's our opinion that the EDC is not an advisory board because it has broader powers...it has all the powers of a ...well, first of all, it's set up through the development corporation act which expressly allows up to four council members to serve on it...I didn't say it had broader powers than an advisory board."

**Mr. McMahan:** "Four council members would be a quorum."

**Mr. Brown:** "It is...and so I've worked in cities before where they've had to post two agendas."

**Mr. McMahan:** "that makes no sense...I mean, I think right now as far as legal it's worth sticking to what the home-rule said...and rather than saying you guys can't serve at all...you can be on it...you just can't be voting members...that's what we're going to stick with and I recommended six weeks ago that the lawyers get together

but your lawyers never have reached out to her yet...because per John...he knows it's a council decision anyway and so he doesn't want to talk to her...that's what we're hearing...I mean, I think for now, that's what we're going to stick with."

**Mr. Brown:** "Ok, so if you make two of your members ex-officio members...it is my understanding that four of the voting members have to be there in order to have a quorum."

**Mr. McMahan:** "And that's the reason why we let it go last night...just so we could vote and get some people...but yeah...we're...my recommendation to John and to Kevin and them was have them two talk...and let's go that route."

**Ms. Howell:** "What's interesting is this was addressed when we were kind of negotiating the home-rule charter..."

**Mr. McMahan:** "Absolutely."

**Ms. Howell:** "going through and (inaudible) stuff...and this was one of the things that we had said was going to become a big issue for a lot of boards...and we had asked for it to be changed...but we didn't get a final draft of it before it went out...so I had no way...it was a shock to me when we had this conversation..."

**Mr. McMahan:** "Dr. Susan read her notes and what we determined the Home Rule Committee said you will not be on it completely, at all and what we went back and forth that night with was to change it so that you can serve on a board."

**Mr. Verity:** "As an ex-officio...a non-voting member."

**Mr. McMahan:** "but you can't...yeah...a non-voting member"

**Ms. Howell:** "It just makes it so hard to reach quorum because there's inevitably someone...like one or two people that can't make it"

**Mr. McMahan:** "It's the same as the council...my recommendation again is to have your guy reach out and talk to Dr. Susan."

**City Attorney Susan Thomas:** "For the record, a current mayor or council...I'm reading from the charter... current mayor or council member shall not concurrently serve as a voting member on a board, commission, or committee which has advisory or deliberative character and whose members are appointed by or serve at the pleasure of the city council. You can pull those words apart however you want to...you can read commas...not read commas, you can do what you need to do...I don't think we need to make that determination here...in a meeting...y'all make your decisions on who you're going to appoint and how you're going to appoint them and if the attorney for the EDC...I am very open to having a conversation...if we reach a decision that that's the way that needs to read, or that the charter provision is

unenforceable...or that...whatever the outcome of that discussion is...which I'm completely open to...then we'll handle it from there."

**Mr. Poppelreiter:** "I think the spirit of the conversation we had was that...to me...in my opinion...it's a conflict of interest to have..."

**Mr. Verity:** "Checks and balances."

**Mr. Poppelreiter:** "Yeah...to have...if you are on a board that votes something and then you're also on a board that...so you have two layers of approval by the same people...not specifically any board or specifically any people...just in general because that's what we're making that for...to me it doesn't make any sense...just like in my job...it's a socks violation if I...like I buy something I can't also approve the rec for it because that's illegal and I could go to jail."

**Mr. Davies:** "that's the way the checks and balances of the whole system work."

**Mr. Poppelreiter:** "Right...that's what my thought...that's my opinion on the whole thing."

**Mr. Davies:** "That's what we voted that night. "

**Mr. McMahan:** "The board thought right off...the same as I thought when all this started...it just makes sense that it shouldn't even be legal but it's 100% legal...we all...I mean everybody...it just seems weird"

**Ms. Howell:** " Most other cities around us do this...what we're currently doing and it creates a cohesiveness and we're able to kind of explain things and...but I...I mean I agree with whatever council wants to do...I don't need to be on the EDC...I don't need to be on council...I just...you know I'm obviously I'm not getting paid to be here...but if they want us off...if that's going to create a better checks and balances for the city...then ok."

**Mr. McMahan:** "I think you could be on...I mean..."

**Mr. Verity:** " I wouldn't say don't be on..."

**Mr. McMahan:** "Realistically, you don't have to vote for people to know how you feel about something...so it's really...it's...I'm not going to say it's a joke...but if you're on it...I mean...they know your opinion."

**Ms. Howell:** "Right."

**Mr. McMahan:** "And so, it's...but that's just the way...right off the committee said no, we don't want them on it at all...I mean, that was the consensus and to remind you, y'all picked all these people...it wasn't...I didn't pick any of them...that's just the way

it was...I don't have a dog in the fight...I really don't care, but...it needs to get resolved so we can move forward and be done with it. Let's just be done with it."

**Ms. Howell:** "We need to vote on it and put it to bed because it's an issue."

**Ms. Thomas:** "To reiterate what Matt said and also go back to the charter commission...it was about the council and how they were making appointments. The EDC's are different animals...they aren't P&Z's...they aren't BOA's...they're different animals...they're different legal entities...they operate differently...but ultimately the statute is set up for council to make the appointments...and that is...this was more of a statement on how the council is going to behave...it wasn't a statement about what the EDC can and can't do or how the rules operate...it was what kind of statement do we want to make as a council...or as a city...that was the intent of it...it really wasn't about diving into the nuts and bolts of how the EDC was going to operate."

**Mr. Verity:** "I make a motion to appoint Jennifer Helms and Lane Parish to the EDC, with their effective dates and to table the discussion for lawyer conversation for the remainders."

**Council Member Shawn Bentley:** "Second."

**Mr. Davies:** "Any discussion?"

**Ms. Howell:** "I have some discussion...I think it needs to be handled...I don't know why we're tabling it...we hear how everyone feels...so we get the spirit of it...so we need to put it to bed."

**Mr. Davies:** "So the item on the agenda has nothing to do with what we're taking it to...it has to do with appointing these two people..."

**Ms. Howell:** "Isn't that also re-upping everyone else on the list too?"

**Mr. Davies:** "Discussion and possible action to appoint members to the Caddo Mills Economic Development Corporation."

**Ms. Howell:** "Ok...I thought he...I though Guy had read it different."

**Mr. Davies:** "He took it further...but the action item is just to appoint your two members."

**Ms. Howell:** "Ok...can we add it to the next agenda?"

**Mr. Davies:** "We can do that...but I still think that if Guy wants to have the EDC lawyer talk to Dr. Susan to clarify...I mean...I think you need to do that before we bring it back to hear...but I..."

**Mr. McMahan:** "We reached out to him two months ago and he never has responded."

**Ms. Howell:** "Yeah...and that's fine...but we need to add that to the agenda."

**Council Member Cody Hawkins:** "Why has he not responded...we've been beating this dead horse since November."

**Mr. Brown:** "For that I apologize...I'm not sure why he hasn't...I know John's working on it..."

**Mr. Hawkins:** "Ok..."

**Mr. Brown:** "He just thought that you all just needed to appoint a board...we do need to keep in mind though...it is my understanding that the EDC board needs seven voting members...so at some point you probably going to have to appoint another two members beyond the ex-officios."

**Ms. Howell:** "And that's the problem is no one wants to show up...we can't get people to serve...you know...good quality people to serve."

**Mr. Verity:** "So here's the situation...you have a business owner...and this goes back to the grants that we had been providing...you have a business owner that also sits on the EDC board and submits for a hundred thousand dollars and gets awarded and then we say yes...well, it's the same situation where the EDC comes to council and also has two of those sitting voting members for a vote in that specific scenario that is potentially beneficial...I don't care...but if y'all can remove yourself from a vote in that situation...where you are not benefiting from it as an EDC and council approving the EDC's position...then I don't care."

**Ms. Howell:** "I understand..."

**Mr. Hawkins:** "What would my benefit be...it's not my money?"

**Mr. Verity:** "I get that...I definitely get that..."

**Mr. Hawkins:** "Cody Hawkins hadn't made a nickel or given a nickel...so...I mean"

**Mr. Poppelreiter:** "But it doesn't...there's no...basically if something is passed in EDC...there's not...the whole point of it coming to council is that council approves it...but if half of council is on the EDC then there is no..."

**Mr. Davies:** "Checks and balances..."

**Mr. Poppelreiter:** "it's a straight through system..."



**Mr. Davies:** "Right."

**Mr. Poppelreiter:** "And that's the point...I have...I understand not being able to find people...but...I'm frickin' CMYSA we can't find anybody ever for anything...so...volunteer..."

**Ms. Howell:** "I offered to recuse ourselves from votes...but like you said there's got to be a minimum amount of voting members so if ...if we're on it and we can't be voters...that means we don't need to be on it...because the setting seats need to be able to have voting power...so..."

**Mr. Poppelreiter:** "I'm not arguing any of that...I'm just saying..."

**Mr. Davies:** "So if..."

**Mr. Poppelreiter:** "For me the whole personal discussion of it has nothing...no bearing for me...as far as my opinion"

**Mr. Verity:** "It's about the whole checks and balances...I don't care who is or what is..."

**Mr. Poppelreiter:** "For me it's about what's on the charter...what's on the paper...what makes sense long term..."

**Mr. McMahan:** "You have to have five of the seven...at least four of the seven there...I know...we use to have this at council meetings all the time..."

**Mr. Davies:** "Again, we're varying from the item on the agenda...let's approve these two people and move from there...all in favor?"

The vote in favor of appointing Lane Parrish and Jennifer Helms to the EDC board was unanimously approved.

**10. Discussion and Possible Action taken on Retaining Circle RC to conduct assessment of Caddo Mills Arena Property at 270 Covenant Ranch Road:**

Assistant to the City Manager Joel Richardson stated that they had met this man at the TML meeting but that he had put in a proposal to do a project assessment on the rodeo arena. The man would come down for three days and do a full proposal on what they would need to do to make the arena productive. The bid was not to exceed \$6,500.

Mayor Pro Tem John Verity made the motion to approve retaining Circle RC to conduct the assessment of the arena property. Council Member Shawn Bentley seconded the motion, resulting in a unanimous vote.

**11. Discussion and Possible Action taken on Resolution approving First Amendment to the Development Agreement with HMH Caddo Mills Land, LP (History Maker Homes):**

City Attorney Susan Thomas reminded Council that they had approved a development agreement with History Maker Homes last year, which would have a regional sewer plant built into it. It would be a long process, and they were coordinating with another development to help provide for the construction of that plant. She added that to help get them started, they had agreed to do a development agreement amendment in order to provide 100 new connections for the city that would go away when the new plant was completed.

City Manager Matt McMahan added that approval was suppose to come from the TCEQ by the end of the month to start the project as far as the design.

Mayor Pro Tem John Verity made the motion to approve the first amendment to the development agreement with History Maker Homes. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

**12. Discussion and Possible Action taken on Resolution approving First Amendment to the Development Agreement with Double R Land Company, LLC and D.R. Horton - Texas Ltd. (Trailstone - D.R. Horton Phase 9 and 10):**  
No action taken.

**13. Discussion and Possible Action taken on Resolution consenting to the addition of land to Caddo Mills Municipal District No. 1 of Hunt County:**  
No action taken.

**14. Discussion and Possible Action taken on Resolution consenting to the assignment of Development Agreement from Pathway Land Development, LLC to Century Land Holdings of Texas, LLC, a Colorado limited liability company (Preserve at Brushy Creek):**

City Attorney Susan Thomas stated that Council had approved an agreement with JTM Acquisitions, which was assigned to Pathway and the assignment needed to be approved by the city. She added that it was an agreement between Pathway and Century and they needed Council approval to be able to assign it.

Mayor Pro Tem John Verity made the motion to approve the assignment. Council Member Justin Poppelreiter 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:

- (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:

The Council adjourned into Executive Session at 6:26 p.m.

**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:**

The meeting was reconvened at 6:45 p.m., with Mayor Chris Davies announcing that there was one action item.

Mayor Pro Tem John Verity made the motion to allow the City Manager to enter into property negotiations as discussed in Executive Session. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

**17. Adjourn:**

The meeting was adjourned at 6:46 p.m.



Chris Davies, Mayor



Becky Pattillo, City Secretary

2-11-2025

Date