

**MINUTES**  
**Regular City Council Meeting**  
**July 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 June 11, 2024:**

Council Member Justin Poppelreiter made the motion to approve the minutes of the June 11, 2024, City Council meeting as read. Mayor Pro Tem John Verity 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/Parks Update
- d. Police
- e. Fire
- f. Building Services
- g. Economic Development Corporation
- h. Airport

## **i. City Manager**

### **6. Discussion and Possible Action taken on Home Rule Charter:**

City Attorney Susan Thomas stated that she had two proposed changes that she wanted to review and then they could discuss any changes that the Council may want to make. She added that the bond counsel and financial advisor were reviewing the financial provisions in Section 7. She added that she expected that there would be some edits to be made before the final document was ready for Council for their approval in August.

She continued that Section 3.08 stated that a current Mayor or Council Member could not serve as a member of a board, commission, or committee where the Council appointed them. She thought that it was important to allow City Council members to attend meetings of the boards as ex-officio non-voting members.

Mayor Pro Tem John Verity asked if it was standard practice to have three-year terms and term limits. Attorney Thomas stated that some cities have limits, and some do not. She added that just because the Charter stated that they would review it every ten years, did not mean that they could not review it sooner.

Council Member Lori Howell asked if they needed to have an election every time the charter was amended. The answer was yes.

Council Member Justin Poppelreiter stated that his concern would be the term limits and whether they felt that was a good move. He continued that there were arguments for both sides, but he felt that limiting the terms meant that there would be no one on the Council that had more than nine years of experience and if someone was doing a great job, they had no choice but to leave. Mr. Poppelreiter continued that if they wanted to get off the Council, they could choose not to run, but if they were doing a great job and wanted to stay, they should be allowed to or there was an opportunity for someone to run against them and the voter's vote them out of office.

Anne Davies spoke up and said that she had been a part of the Charter Committee and wanted to let them know why they thought term limits should be added. She continued that the committee had been given a lot of information to help with the decisions that they made as part of the Charter creation. The changes that they made were consistent with most of the home rule charters from other cities.

Mr. Poppelreiter stated that in the recent Caddo Mills election, there had only been one other person file to run for a place on the City Council, so for now, it wasn't a hyper competitive position. He felt that if they were to remove someone who wanted to serve because of time served, it would be a disservice to the community. He added that if down the road, there was a problem it could be added at that time.

Mayor Chris Davies asked what he felt that the term limits should be or if they should be eliminated. Mr. Poppelreiter stated that he did not think they should be there.

Council Member Cody Hawkins asked if there could be some sort of timetable added to Section 4.06, because it looked like if the Charter was adopted, we would have a full-time fire department. Even though the City is working towards that, he thought it needed to be re-worded for clarification.

After further discussion, Dr. Susan suggested that they allow time for her office to redraft that section and then have a special meeting in August to discuss the changes before they call for the election.

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

**7. Discussion and Possible Action taken on Cyber Liability and Data Breach Response Coverage Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool (TMLIRP):**

City Manager Matt McMahan stated that we had to have the interlocal agreement with TMLIRP before we could get cyber security coverage and he was recommending that we enter into the agreement.

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

**8. Discussion and Consideration of Request from the Caddo Mills Economic Development Corporation to enter into an Agreement with GT Parsons for a Parking Lot Grant:**

Council Member Cody Hawkins explained that this was for the State Farm parking lot to be redone. They had gotten two bids for concrete and they were going with GT Parsons and the EDC to help fund the project in an amount not to exceed \$25,000.

Council Member Justin Poppelreiter made the motion to approve the EDC recommendation as presented. Council Member Cody Hawkins seconded the motion resulting in a 4-0 vote, with Mayor Pro Tem John Verity abstaining.

**9. Discussion and Possible Action taken on adoption of Resolution of the City of Caddo Mills, Texas, designating an authorized official and submitting a Local Park Grant application to the Texas Parks and Wildlife Department:**

Assistant to the City Manager Joel Richardson explained that this was to seek a grant in the amount of \$750,000 for Phase 2 of the Hooten Park project and this was

required before an application to file for the grant could be filed. He continued that they needed the resolution declaring Matt as the authorized representative.

Mayor Pro Tem John Verity made the motion to authorize the grant application and designate the City Manager as the authorized representative. Council Member Shawn Bentley seconded the motion, resulting in a unanimous vote.

**10. Discussion and Action taken regarding a Resolution of the City of Caddo Mills, Texas, ratifying the extension of the deadline to enter into a Development Agreement with Fieldside Development, LLC, for the Caddo Mills Crossing Public Improvement District; and resolving other matters related thereto:**

Mary Petty, P3 Works, explained that they had seen a project in February for Caddo Mills Crossing, but they still needed to work through some of the details. There was also an Escrow Agreement that held a dissolution petition to meet a certain date. She continued that some of the delay was beyond the developer's control, but they were missing the deadline. Ms. Petty continued that they wanted to extend the date to October. She added that nothing was changing about the agreement, the resolution in front of them would extend the deadline within the agreement.

Mayor Pro Tem John Verity made the motion to approve the extension. Council Member Shawn Bentley seconded the motion, resulting in a unanimous vote.

**11. Discussion and Possible Action taken regarding a Resolution of the City Council of the City of Caddo Mills, Texas, approving a Development Agreement between the City of Caddo Mills and the Preserves at Brushy Creek and authorizing the City Manager to execute the agreement:**

Mary Petty, P3 Works, stated that there was an EOPC summary in their packets and they were proposing some adjustments. They had private costs that had been categorized as public costs and they did not want to own and maintain private costs, so they were asking that we approve the resolution as presented.

Elliott Jones, developer, came forward and told the Council that the staff had been wonderful to work with and how excited he was to be a part of the Caddo Mills community.

Mayor Pro Tem John Verity made the motion to approve the agreement as presented. Council Member Cody Hawkins seconded the motion, resulting in a unanimous vote.

**12. Discussion and Possible Action taken regarding a Resolution of the City Council of the City of Caddo Mills, Texas, accepting a petition to create the Preserve at Brushy Creek Public Improvement District and calling a public hearing; authorizing the issuance of notice by the City Secretary regarding the public hearing; and providing an effective date:**

Mary Petty, P3 Works, stated that this was tied to the previous item and the first step of the process required by Chapter 372 Texas Local Government Code to create a PID.

Council Member Cody Hawkins made the motion to approve the resolution. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

- 13. PUBLIC HEARING, Discussion and Possible Action taken regarding amending the Planned Development (PD) Ordinance for the Pit Stop, located at 5115 FM 1565 including (1) an amendment to Exhibit B, Development Standards, Section D.2.c to correct the number of allowed lots in the RV Park, changing Phase 1 Lot count from 148 to 150 and adding Phase 2 RV Lot count of 120 and (2) an amendment to Exhibit C, Concept Plan, to relocate Phase 1 Commercial Development and to move the Event Area, Tiny Homes and Golf Driving Range from Phase 1 to Phase 2:**

Mayor Chris Davies opened the public hearing at 6:41 p.m.

Building Official Josh Kinnick stated that they were still waiting on all of the documents needed for this project, so he was asking that they conclude the public hearing and table this item until next month.

With no one coming forward to speak for or against this project, Mayor Davies closed the public hearing at 6:42 p.m.

Council Member Cody Hawkins made the motion to table this item. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

- 14. Discussion and Possible Action taken on the adoption of Ordinance approving a Water Conservation Plan and Drought Contingency Plan for the City of Caddo Mills:**

City Engineer Eddy Daniels stated that they had prepared an updated water conservation plan that was required of the Texas Water Development Board.

Council Member Justin Poppelreiter made the motion to approve the water conservation plan as presented. Mayor Pro Tem John Verity seconded the motion, resulting in a unanimous vote.

- 15. PUBLIC HEARING, Discussion and Possible Action taken regarding the City of Caddo Mills Zoning Ordinance/Caddo Mills Municipal Airport Zoning Ordinance:**

Mayor Chris Davies opened the public hearing at 6:44 p.m.

Building Official Josh Kinnick stated that they had heard the presentation by Ryan over the zoning ordinance at the workshop prior to the meeting and wondered if they had any questions over what they had seen. He then explained to the audience

that they were not doing anything that would affect any of the property that was already there or the way that it was zoned.

Council Member Lori Howell asked if it showed that it was zoned for single family residential if that meant that it was for one, two, and three. Mr. Kinnick responded that it meant one or two or three and each zone would have its own lot size requirement. Ms. Howell stated that tiny homes were becoming a thing and wondered if that would affect anything. Mr. Kinnick stated that the requirement was nothing less than 650 square feet. She then asked if there was a possibility of someone putting two tiny homes on the same septic. City Manager Matt McMahan stated that the TCEQ would not allow it.

Mayor Davies closed the public hearing at 6:48 p.m. Mayor Davies stated that the Airport Zoning ordinance would be heard next month.

Council Member Cody Hawkins made the motion to approve the zoning ordinance as presented. Mayor Pro Tem John Verity seconded the motion, resulting in a unanimous vote.

**16. 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:
- (d) Section 551.074, Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (City Manager):

Mayor Davies adjourned the meeting into executive session at 6:49 p.m.

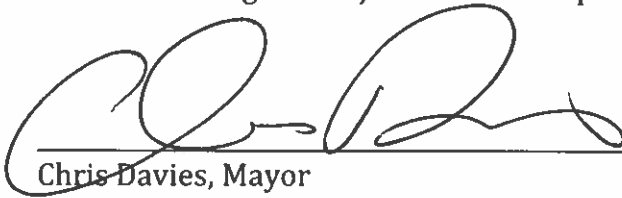
- 17. Reconvene to Open Session: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider any action needed on matters discussed in Executive Session:**

The meeting was reconvened at 7:25 p.m.

Mayor Pro Tem John Verity made a motion to extend City Manager Matt McMahan's contract as discussed. Council Member Justin Poppelreiter seconded the motion, resulting in a unanimous vote.

- 18. Adjourn:**

The meeting was adjourned at 7:26 p.m.



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Chris Davies, Mayor



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Becky Pattillo, City Secretary

8-13-2024

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Date