



City of Cottonwood Shores

3915 Cottonwood Drive
Marble Falls, Texas 78654
Tel: 512/693-3830

REGULAR MEETING

September 8, 1994

7:00 p.m.

The meeting was called to order by Mayor Kathy Griffith at the Community Center, located at 4111 Cottonwood Drive, Cottonwood Shores, Texas. All members of the City Council were present and confirmed by a roll call.

John Bible and his attorney Dale Schell were present. The request was made to allow Mr. Bible to haul gravel out of his pit in exchange for the residents of the City to be allowed to dump brush in the pit. The question was raised about how many loads per week he would be hauling. He stated that he would be hauling about 5 loads a week and only between the hours of 8 and 5. Maybe two loads one day and so many loads the next day, but only five loads per week.

The Mayor stated that she was aware that there was an agreement between the past Council and him, but there was a problem with a key left at the pit.

Mr. Bible said he would use the pit for hauling and take care of the land and not have an open pit.

Janice Lenz stated that the land is being stripped and it looks awful. She is against having Mr. Bible haul gravel out of the pit. If you run a commercial business in a residential area you should request to have it re-zoned.

Commissioner Maughan stated that the City couldn't monitor what is being dumped because of manpower.

Bryan Hicks, City Attorney, asked Mr. Bible what he does with the granite gravel. Mr. Bible said he sells it to a man in Houston.

Mr. Bible said he expects to haul gravel out of the pit for a couple of years and then return it to residential condition.

Bryan Hicks suggested the City enter into an agreement with Mr. Bible for a limited amount of time and Mr. Bible could put money into an escrow account and when the agreement is complete, use the money to put the land back to its original use.

Use of the land for a gravel pit does violate the zoning ordinance.

Bryan Hicks made the suggestion to not have any more dumping because the City might be faced with environmental problems.

The Mayor asked Mr. Bible why he hasn't gone before the Council and asked for re-zoning. He stated he didn't know how to go about it. The Mayor said she felt he needed to go back to the beginning. First he needs to put in a request for re-zoning.

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Commissioner Maugham made a motion that if he wants to haul gravel out of the pit he needs to go through the proper steps to have it re-zoned for Commercial use. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

The Mayor read the Resolution authorizing the submission of an application to the Texas Department of Housing and Community Affairs. Commissioner Maugham made a motion to approve the Resolution. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

There was some discussion regarding the voting for the Board of Trustees of the Intergovernmental Risk Pool. The Council decided to vote for Greg Ingraham, Place 11; Mike McGregor, Place 12; Nora Chavez, Place 13; and Dick Brown, Place 14. Commissioner Maugham made a motion to approve the vote as cast. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

The Financial Report for the month of August, 1994 was discussed. Commissioner Maugham said she does not feel the items under Capital Expenditures in the Water Department were actually a Capital Expense. The amounts are less than \$100.00. She said she spoke to her financial guide and asked what constitutes a Capital Expenditure. As a general rule, the guidelines are, its anything that lasts over a year. However, it should also be depreciated. She wants to know what the items were that were put under a Capital Expense.

She wanted Ken to be present so he could answer her questions. She said she doubts the items can be depreciated. The City Secretary explained that the items were purchased from True Value Hardware and they would probably last more than a year. Commissioner Maugham asked how Ken was going to depreciate them. The City Secretary explained that the City does not file a tax return to depreciate items. Commissioner Maugham said she would still like to know what the items were and then made a motion to hold off on approval of the Financial Report until Ken can be present and explain about the items in question. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

There was some discussion about the Minutes that were submitted for approval. Commissioner Maugham said she felt that the statement by James Smith, about it being Texas law that an employer has to pay 75% of Health Insurance, was out of context. She said she didn't believe that was what Mr. Smith had said. The way it is typed is misleading. If he did say it is Texas law, she checked and it is not Texas law. She feels it need to be researched. Commissioner Maugham then made a motion to approve all Minutes, except for August 18, 1994, until a further explanation was received. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

Chet Altis asked the Mayor if the Audit is Public Record. She stated that it was a Public Record. He then proceeded to tell what happened when he came in to the office today. The City Secretary told the Council exactly what happened when Mr. Altis came in to the office and demanded the letter dated January 27, 1994. A letter from the auditor, that was included in the Audit. After hearing both explanations, the Mayor said that Mr. Altis cannot expect to walk in the office and get it immediately. We do have to show everything that is on Public Record. But it also states within a reasonable length of time. You cannot go in there and order Shirley to get it right then.

Leon Upshaw then asked Mr. Altis why he thought his time was more important than Tony Plumlee's. Mr. Altis said he had asked his permission for Shirley to get the letter. Leon said Mr. Plumlee was just being nice. There was more discussion about the City Secretary not providing the letter right then when Mr. Altis demanded it. The Mayor said where Shirley was busy with Mr. Plumlee it should have waited. Number one, we are paying Mr. Plumlee for sitting there. She then said it was enough on this discussion. Mr. Altis asked the Mayor if she had seen the letter. The Mayor said if it was in the Audit Report, then yes she has seen it.

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Sylvia Lewis asked if the City had received a call from Jack Schultz with the TNRCC. He told her the city was on a list of eligible cities to receive grants for safe drinking water. The Mayor said she was not aware of any phone call from a Mr. Schultz.

The Mayor read a letter of resignation from Jim Turpin. She stated she would accept the resignation.

Janice Lenz thanked the Council for their consideration regarding John Bible.

Commissioner Maugham made a motion to adjourn. Commissioner Gawlik seconded the motion.

The Meeting adjourned at 8:25 p.m.

Respectfully,

Shirley Pitts
Shirley Pitts, City Secretary

Kathy Griffith
Mayor



Regular Meeting

Attendance Record
City Commission Meeting

City of Cottonwood Shores

Date: September 8, 1994

Bob Shelby

John Bahr

Isaac Thompson

William Briggs

Robert Altier

Leon & Costanza Goshaw

April & Lynn

Mike Butler

James & Mike Perry



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REGULAR MEETING
OF THE CITY COUNCIL
September 8, 1994
7:00 P.M.

Community Center
4111 Cottonwood Drive
Cottonwood Shores, Texas

AGENDA

CONSENT AGENDA:

- (a) Approval of Financial Report for August, 1994.
- (b) Approval of Minutes: Budget Workshop, August 9, 1994
Budget Workshop, August 16, 1994
Regular Meeting, August 18, 1994

ITEMS FOR INDIVIDUAL CONSIDERATION:

- (c) Discussion and/or action on a request from John Bible allowing him to haul out of his gravel pit (consideration/permission given to City to use the cite as a dump in exchange for his use of the roads).
- (d) Discussion and/or action on a Resolution authorizing submission of a Texas Community Development Program application to the Texas Department of Housing and Community Affairs for the Community Development Fund for water system improvements.
- (e) Discussion and/or action to vote for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.
- (f) Citizen input.

I certify that the above notice was posted on the bulletin board located at 3915 Cottonwood Drive, Cottonwood Shores, Texas this 2nd day of September, 1994.

Respectfully,

Shirley Pitts

Shirley Pitts
City Secretary/ Clerk