



City of Cottonwood Shores

3915 Cottonwood Drive
Marble Falls, Texas 78654
Tel: (210) 693-3830

Regular Meeting
January 18, 1996
7:00 p.m.

Mayor Maugham called the Regular Meeting to order at 7:00 p.m.. Commissioner Gawlik and Commissioner Pfeifer were present and confirmed by roll call.

(a) Commissioner Gawlik motioned that the December 21, 1995 Special City Meeting and the December 21, 1995 Regular City Meeting Minutes be approved as read. Commissioner Pfeifer seconded the motion. Motion was carried.

(b) Commissioner Pfeifer motioned to approve the December, 1995 Financial Report. Commissioner Gawlik seconded the motion. Motion was carried.

(c) Mayor Maugham informed the citizens that bids received for TCDP grant # 714209 exceeded the money available to the city for the water improvements. Commissioner Gawlik motioned to reject the prior bids received and to authorize Willis Environmental Engineers to readvertise for more bids. Commissioner Pfeifer seconded the motion. Motion was carried.

(d) Mayor Maugham read a letter from Jim Wilson pertaining to the problems with animals. Burt Burton stated that he receives calls from citizens about problems with animals at large and suggested that the city sponsor a "animal round-up" and he would donate an electric fence charger to keep the animals within the city fence until the three days are up and if no one has claimed the animal, put them to sleep and if claimed, a fine imposed. He then asked if anyone else had other ideas for solving the problem. Robert Dick Griffin stated that wasp or hornet spray works well to keep a dog from attacking. Commissioner Gawlik stated that all cities have this problem because of people dumping animals. Mayor Maugham stated that she had spoke with Lin Christ of the Humane Society and that funds had been collected to build the shelter but they needed the support of both Burnet and

Llano counties to provide income for the running of the shelter and that Judge Evans supported this. Commissioner Pfeifer motioned that this agenda item be tabled.

(e) Mayor Maugham spoke about the need to implement a maintenance program for the wastewater system. Enzymes needed to be used to help keep grease build in the lift stations and it was noted that the main lift station was still noisy but overall, the wastewater system was working as it should be. Commissioner Pfeifer made a motion to send a letter to all citizens on what they can do to help maintain the wastewater system. Commissioner Gawlik seconded the motion. Motion was carried.

(f) Mayor Maugham informed the Commissioners that the cities certified public accountant, Howard Benton, had sent an engagement letter quoting a cost of \$4,800.00 for a single audit bid because of the FmHa funds received and that Howard Benton would reduce the cost to \$3,300.00 due to the unexpected cost of this year audit requirements. Commissioner Pfeifer made a motion that the city check with two or three more certified public accountants for a competitive single audit bid. Commissioner Gawlik seconded the motion. Motion was carried.

(g) Diane Henley, representing Hill Country Theatre, spoke about having a Hill Country Theater Gala in April. It would be held on a Sunday evening with music and a caterer. They expect a large crowd of 300 to 350 persons and that a patrolman would be hired to help with traffic. Commissioner Pfeifer said that as long as they do not block any roads that he had no objection to this event and that the City Hall parking lot as well as the Civic Center parking lot could be used. Commissioner Gawlik agreed with Commissioner Pfeifer. Mayor Maugham asked that when they have a firm date to please notify the city.

(h) Commissioner Gawlik motioned that the Personnel Policy be adopted as amended. Commissioner Pfeifer seconded the motion. Motion was carried.

(i) Mayor Maugham read Jim Wilson's letter addressing the welding activity located at 659 Cypress Lane. Jim Smyrl addressed the Commissioners on the reaction from citizens on the motion that was made in the December 21, 1995 Regular City Meeting and that the council needed to reconsider the motion made or other citizens were going to open their own business from a residence such as a hot dog stand or a gas station and if we are going to approve any business venture in residential property, they have this right to do so. Mrs. Miller stated that they were active in putting up the fence and

that they were moving junk vehicles away so they could continue with the fence and that they would be placing everything behind the fence and building as to not offend anyone and she thought this was resolved. Commissioner Pfeifer asked if they were not building anything at their residence and taking it somewhere else? Mrs. Miller stated they had not since the last meeting and have not done any welding. Commissioner Pfeifer stated that there were two gates loaded up and hauled out of here to which Mrs. Miller said "yes sir", that was before the last meeting. Commissioner Pfeifer stated that this was only one week ago and Mrs. Miller said no and Commissioner Pfeifer stated that it stopped at Bobs Drive In one week ago and was observed. Commissioner Pfeifer stated that he had received a phone call one week ago and that welding had occurred in the evening to which Mrs. Miller said we do not weld at night. Jim Smyrl stated that it is still against the city ordinance to run a commercial business even if it is just a staging place. Commercial Gawlik asked Mrs. Miller exactly who does her husband work for, what does he do versus the work he does at home? Mrs. Miller stated he is working for Frank King and he is also working on another job for Meadowlakes. Jim Turpin addressed the Mayor and stated that in September, 1994 he was code enforcement officer and he went to Mrs. Miller's residence and he did not have a good visit with her and he gave them five days in which to cease commercial operations of cutting steel, welding, ect... and over labor day which gave you over ten days and at that time was told by Mr. and Mrs. Miller that they were going to have a shop in Horseshoe Bay and would be moving your business in about a week to which he reported this to city hall and that action would be taken. Commissioner Pfeifer stated that a shield or fence ^{be put} up before any welding could be done and that no welding was to take place after dark and that Mrs. Millers statement was that they were going to clean up the other mess also and it has been 30 days and there have been other complaints and that they only thing that can be done is to go by the ordinance. Commissioner Gawlik stated that this has gone on long enough and that one person says one thing and another says another until nothing is known. Commissioner Pfeifer made the motion to prohibit the commercial activity occurring at 659 Cypress as stated in 4.03 of Ordinance 101791-1A. Jo Anne Austin stated that if we allow commercial activity in R-1, then what is to prevent someone else to put in a commercial venture in R-1 zoned areas and that is exactly what happened to another person in our community who wanted to have a commercial operation and why would we say yes to one and no to another and how can you compare "Cottage Industry" versus commercial activity? You do not have the traffic or complaints or noise involved with cottage industry versus commercial. Commissioner Gawlik had some concern over if commercial activity can be

proved to which Mayor Maugham stated that it had already been established that commercial activity was taking place at the Millers. Commissioner Gawlik seconded the motion. Motion was carried. Mayor Maugham stated that a motion had been made to cease commercial operations. Mayor Maugham also informed Mrs. Miller that she had 10 days in which to appeal this decision.

(j) Mike Butler of the CWS Volunteer Fire Department asked if there was any particulars? Mayor Maugham read the draft letter contract from the fire department to which they provide services to the cities citizens and that the city agrees to pay \$3,000.00. Mike Butler stated that this is similar to the contract with Burnet County and if this is not what the city wants, maybe a workshop could be scheduled or just state what the city wants. Commissioner Pfeifer asked who was out here in the fire department in the daytime? Mike Butler stated that there is no problem with response. Commissioner Gawlik wanted to know how many times CWS Volunteer Fire Department had been toned out in the past year? There was 13 calls. Commissioner Pfeifer wanted to know how many active fire fighters. Mike Butler stated there are 7 active. On the Board of Directors is Mike Butler as President, and Burt Burton and Tony Shultz. Commissioner Pfeifer stated that he had a problem with the draft and it needs to be beefed up. Mike Butler stated that there is hardly any differences between the contract with the county and the draft that has been presented to the Commissioners. Commissioner Gawlik stated that the original agreement for offering funds to the fire department was to help it secure the loan and this was for three years only and why was the fire department still needing funds? Commissioner Pfeifer stated that since it is a volunteer fire department and that since it is not owned by the city, the city is not bound to provide funding unless a contract is entered into. Mayor Maugham stated that since it does provide services to the city, then the city should provide funding. Mike Butler wanted to know specifics on how to draw up a contract that the city would agree to. Commissioner Pfeifer stated that it needs to be beefed up and that the city does not want to own the fire department. Someone asked what were the cities options were? Mayor Maugham stated that from a meeting last year an option of having Horseshoe Bay have a substation here would cost the city more money and that is why she voted to keep funding the CWS fire department this budget year. Mayor Maugham also stated that our past obligations to the CWS fire department have been fulfilled and now we are looking at if the city wants to enter into a contract with the fire department for services to us and if we do not want to do that, who are we going to go to? This contract relieves the city of liability and that we are not staffed to supervise the fire department or that the liability for insurance is

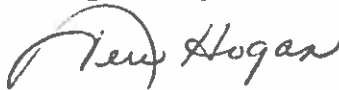
another factor. Mayor Maugham also stated that we had received excellent service from these folks. Jim Turpin stated that due to the fire department location helped him with the fire insurance policy that he has on his home. Dick Griffin stated that he had problems with the fire department and the depending on the enthusiasm of them to have fund raisers without the backing and funding of the city and community backing. It is a social club ^{IS OF SERIOUS CONCERN} and it needs to be bigger, meaner, faster, and better than they are now and thinks they need to be helped. It was asked who they receive their funding from. Mike Butler stated that \$5,400.00 comes from the county, that the P.O.A. used to donate \$1,000.00, the city has funded \$3,000.00. Commissioner Gawlik stated that \$13,000.00 has been the cities contribution to the fire department to this date. Jo Anne Austin stated that if you divide the funds received versus the amount of fire calls, it is very expensive. Mike Butler stated that fire fighting is very expensive. Leon Upshaw wanted to know what was the fire departments budget? Mike Butler couldn't answer this at this time. Mayor Maugham stated that the reason the city was trying to get the funding under a contract and was unclear as to what the Commissioners wanted in this contract. Mike Butler asked what was the city going to do in a month from now if the fire department couldn't function to provide services? Mike Butler stated that this year the building would be paid off and then the funding received would enable the fire department to operate under less strain. Dick Griffith stated that he still has a problem with the fire department because a question that was asked and still is not answered is what does it take to operate the fire department such as it takes this much to operate the trucks, this much to provide insurance, this much for gas and it takes XXX dollars per year to operate and he has been listening to this for three years and it appears they do not have a good grasp of what it takes. Mike Butler stated that if he writes a budget of what it will take to be compliant, would the city consider this. Commissioners stated to bring this to the office and they would look at it. Dick Griffin stated once again that the city needs some figures so they have a gut feeling for what the fire department needs to operate and that this should have already been done and that to not give the fire department the funding is suicide. Mike Butler asked what if the budget requires the city to fund more than \$3,000.00. Would the city be willing to do so. Commissioner Pfeifer ^{stated} stated to just get an operating budget together so they can look at it. Commissioner Pfeifer made a motion that Mike Butler bring a budget down to the City Hall and the city will look at this with regards to the contract. Commissioner Gawlik seconded the motion. Mike Butler asked that the item be placed on the next months city meeting agenda.

(k) Mayor Maugham wanted the swimming pool to be placed on the agenda so the item can be addressed. Mayor Maugham stated that the city needs to find a lifeguard. Commissioner Pfeifer motioned to table the agenda item until next months meeting.

(k) There was no open discussion.

Meeting was adjourned at 9:45 p.m..

Respectfully,



**Teri Hogan
City Secretary**



Mayor Patti Maugham

16 January, 1996
648 Pine Ln.
Cottonwood Shores

City Council of Cottonwood Shores

Greetings,

I regretfully address this body with two situations that causes me considerable discomfort.

I am well aware of the many problems you are forced to face and I am sure my problems are small, however, I would appreciate your consideration.

I have a commercial business operating very close to my home. It is located at 659 Cypress Ln.

To my recollection there is an ordinance prohibiting activity. This "business" has become a noise nuisance as well as an eyesore. It spread on to property belonging to others showing no regard for his neighbors or the community. This blatant disregard for all others must be addressed.

My second problem concerns "loose pets".

The dogs and cats that are not under "direct control", of it's owner is also a violation of our code. This problem has been in existence for many years. I feel that is in no way the fault of the animal but it's owner. Many animals have no tags and at times offer a threat to those of us who walk for exercise.

Please give us some course of action that we may take to solve these problems.

Respectfully,



Jim Wilson