

**MINUTES OF THE REGULAR MEETING
CITY OF COTTONWOOD SHORES**

THURSDAY - OCTOBER 16, 1997

1. MAYOR DALE PICKENS CALLED THE REGULAR MEETING TO ORDER AND A ROLL CALL WAS CONDUCTED: COMMISSIONER FRANK PFEIFER AND COMMISSIONER PAUL HANCOCK WERE BOTH PRESENT. TIME: 7:10 P.M.

2. CONSENT AGENDA: COMMISSIONER PFEIFER MOVED TO PASS THE ITEMS ON THE CONSENT AGENDA AS PRESENTED. COMMISSIONER HANCOCK SECONDED THE MOTION WHICH PASSED ON MAJORITY VOTE.

3. DISCUSSION/ACTION AGENDA:

A. COMMISSIONER HANCOCK MOVED TO APPROVE ORDINANCE NO. 101697 AS PRESENTED WITH COMMISSIONER PFEIFER GIVING A SECOND. PASSED ON VOTE. THIS CURFEW ORDINANCE IS A RESULT OF MUCH RESEARCH OF SURROUNDING TOWNS AND WAS ALSO DELAYED UNTIL OCTOBER BECAUSE OF THE COST OF PUBLISHING, ETC. MAYOR PICKENS THANKED THE COMMITTEE FOR ITS HARD WORK AND STATED THAT AT THE NEXT MEETING HE WILL APPOINT A NEW CHAIRMAN SO THAT THE COMMITTEE CAN RESUME ITS WORK IN THE NEAR FUTURE. JUDGE UPSHAW ADDED TO THE CURFEW DISCUSSION THAT BOTH HE AND JUDGE JOANNE AUSTIN HAD READ THE ORDINANCE, WHICH ALSO HAS THE APPROVAL OF THE CITY ATTORNEY, BARNEY KNIGHT, AND THEY HEARTILY SUPPORT THIS ORDINANCE.

B. IN DISCUSSION OF THE SITUATION OF LIQUIDATED DAMAGES FROM HOOVER CONSTRUCTION, MAYOR PICKENS ADVISED THAT THE CITY ATTORNEY COUNSELED THE CITY TO CONTINUE TO SEEK DAMAGES. PRIMARY DAMAGE IS THAT THE CITY GRANT CLOSEOUT WAS LATE AND RESULTED IN BEING BARRED FROM APPLYING FOR FURTHER GRANTS FROM THIS STATE AGENCY FOR ONE YEAR. IN VIEW OF THE FACT THAT THE EASTERN PART OF THE CITY STILL NEEDS NEW WATER LINES, WHICH ALSO PRECLUDES MAJOR ROAD PAVING UNTIL THE WATER PROJECT IS COMPLETED, DAMAGES ARE SUBSTANTIAL AS THE AREA CANNOT BE UPGRADED THROUGH GRANTS FROM THIS AGENCY. THE MAYOR DID STIPULATE THAT THE CITY WILL ATTEMPT TO PURSUE A GRANT FROM SOME OTHER AGENCY IN 1998, HOWEVER THERE IS CONCERN THAT ANY STATE AGENCY WILL BE AWARE OF THE DELINQUENCY IN COMPLETION OF THE GRANT ASSOCIATED WITH HOOVER CONSTRUCTION.

C. THE CITY COUNCIL IS CONCERNED ABOUT THE RASH OF 3-4 WHEELERS, DIRT BIKES, GOLF CARTS, ATVS, ETC. WHICH ARE NOT "STREET LEGAL" BEING USED IN THE CITY. THE MAYOR FEELS THAT AN ORDINANCE IS NEEDED TO SUPPORT THE LAWS OF THE STATE OF TEXAS AND PROVIDE OUR LAW ENFORCEMENT OFFICERS WITH THE POWER TO ENFORCE THE LAWS. POLICE CHIEF WALTER ELLIS WILL ASSIST IN THIS EFFORT AS WELL AS THE ORDINANCE COMMITTEE. COMMISSIONER FRANK PFEIFER MOVED TO FORMALLY DEVELOP AN ORDINANCE AS SOON AS THE ORDINANCE COMMITTEE IS REACTIVATED. COMMISSIONER HANCOCK SECONDED THE MOTION WHICH PASSED ON VOTE.

4. THE MAYOR'S UPDATE ON CONCERNS OF THE CITY:

(1) SHOWING THE AUDIENCE THE SITE ON THE MAP, THE MAYOR ADVISED FURTHER DEVELOPMENTS REGARDING THE WATER INTAKE ON LBJ AS AFFECTED BY EXISTING AND PROPOSED MARINA CONSTRUCTION. THERE IS ONE MARINA CURRENTLY OPERATING AND A SECOND BEING CONSIDERED. ONE PROPERTY IS OWNED BY THE OPERATOR; THE OTHER IS BEING LEASED FROM LCRA. BOTH WISH TO SELL FUELS AT THE MARINAS. THERE IS SLIGHT CHANCE OF SOME CONTAMINATION, HEAVY TRAFFIC STIRS UP THE WATER. THE MAYOR HAS ATTENDED SEVERAL MEETINGS WITH THE PARTIES INVOLVED AND RECEIVED A PROPOSAL FROM THE PROPERTY OWNERS. THE PROPOSAL HAS BEEN "CONDITIONALLY APPROVED" BY TNRCC. THE OWNERS PROPOSE TO EXTEND THE INTAKE TO 1,500 FEET, AT THEIR EXPENSE. THE MAYOR PROMISED TO KEEP EVERYONE POSTED AS TIME GOES ON.

(2) UTILITY SUPERVISOR EDDIE PROCTOR ADVISED THAT AFTER REVIEW OF SEVERAL APPLICATIONS, THE CITY WILL HIRE A WATER OPERATOR AND TWO FULLTIME LABORERS, PLUS ONE PART-TIME LABORER. THE MAYOR TALKED ABOUT THE GREAT EXPECTATIONS (MONEY AND WEATHER PERMITTING) OF MORE ROAD WORK AND GENERAL COSMETIC CARE OF THE EASEMENTS AND RIGHT-OF-WAYS AND INTERSECTIONS...THE CITY IS ON A FOUR-WEEK HOLD FOR ROAD PATCHING MATERIAL AT THIS TIME BUT THERE IS MUCH WHICH CAN BE ACCOMPLISHED IN THE INTERIM. JUDGE UPSHAW OFFERED THE CREW'S PARTICIPATION IN ROAD WORK AT THE "DOUBLE OVERTIME" (ZERO,ZERO) WHEN THE CITY IS READY. THIS GROUP OF VOLUNTEERS IS TO BE APPLAUDED FOR THEIR DEVOTION TO COTTONWOOD SHORES.

(3) MAYOR PICKENS ADVISED THE GROUP THAT THERE IS A FOUR CHANNEL WEATHER RADIO AVAILABLE FOR PURCHASE LOCALLY WHICH HAS AN ALERT, RED LIGHT AND SIREN WHICH WILL ACTIVATE IN THE EVENT OF ANOTHER FLOOD. REPAIR WORK IS CONTINUING ON WIRTZ DAM AND THE FEMA CHECK FOR REBUILDING THE BOAT RAMP WILL SOON BE IN THE MAIL.

(4) POLICE CHIEF WALTER ELLIS TALKED ABOUT THE TWO RESERVE (UNPAID) OFFICERS ALREADY ON-BOARD WITH THE DEPARTMENT AND STATED HE IS LOOKING FOR TWO MORE OFFICERS. HE STATED THAT THE CURFEW ORDINANCE WILL BE A REAL HELP AND HE AND HIS OFFICERS SEEK ONLY TO ENFORCE THE LAWS OF TEXAS. COMPLAINTS NEED TO BE DIRECTED TO THE MAYOR. DALE PICKENS SPOKE UP, STATING THAT CHIEF ELLIS HAS THE FULL BACKING OF THE CITY ADMINISTRATION.

5. OPEN DISCUSSION.

(1) BUSINESS OWNER PENNY SHELL (VARIETY CONSIGNMENT) SPOKE OF GREAT CONCERN ABOUT THE ANIMAL SITUATION IN THE CITY. ALTHOUGH SHE DOES NOT PERSONALLY LIVE IN THE CITY SHE AND OTHER FRIENDS HAVE BEEN GIVING ANIMAL FOOD TO THE CITY PERIODICALLY AND ARE INTERESTED IN LEARNING WHAT THEY AS A GROUP CAN DO TO HELP WITH THE SITUATION OF HAVING TO DESTROY ANIMALS AFTER THREE DAYS AT THE CITY POUND. SHE IS LOOKING INTO STARTING A SHELTER AND WORKING WITH THE CITY IF POSSIBLE AND IS SEEKING MORE PEOPLE TO JOIN HER EFFORT. MAYOR PICKENS STATED THAT IF SHE IS SUCCESSFUL IN HER GOAL IT WOULD BE FANTASTIC AND THE CITY WOULD BE APPRECIATIVE OF THE CHANCE TO HELP THE SITUATION. IT IS VERY COSTLY TO KEEP ANIMALS OR DESTROY THEM AND IT ALSO TAKES A LOT OF STAFF TIME TO DO SO WHICH WE CAN'T AFFORD WITH SO MANY OTHER THINGS TO DO, BUT WE HAVE TO KEEP THE ANIMALS OFF THE STREET WHEN PEOPLE DON'T CARE FOR THEM.

6. THE MAYOR ADJOURNED THE MEETING AT 8:08 P.M.



DALE PICKENS, MAYOR





SUB PORTER, CITY SECRETARY

Edgar Packer
Marge Phipps
Eucled Phipps
Connie Upshaw
Leon Upshaw

10-16-97

Dave & Jo Anne Austin

Amy Schae

Ray McBride

Betty Evans

Walter Eh

Burl Harper - CHB

**REGULAR MEETING
OF THE CITY COUNCIL OF COTTONWOOD SHORES
4111 COTTONWOOD DRIVE
CIVIC CENTER BUILDING**

THURSDAY - OCTOBER 16, 1997 - 7:00 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL.
2. CONSENT AGENDA:
 - A. DISCUSSION/ACTION ON THE MINUTES OF THE FOLLOWING MEETINGS: (1) REGULAR MEETING, SEPTEMBER 18, 1997; (2) PUBLIC HEARING ON WATER PROJECT, SEPTEMBER 18, 1997; (3) SPECIAL MEETING VOTING ON TAX INCREASE, SEPTEMBER 19, 1997 AND (4) SPECIAL MEETING ON BUILDING ORDINANCE AND CALLING FOR VOTE ON 1% SALES AND USE TAX WITHIN THE CITY LIMITS, SEPTEMBER 25, 1997.
 - B. DISCUSSION/ACTION ON THE FINANCIAL STATEMENT FOR SEPTEMBER, 1997.
3. DISCUSSION/ACTION AGENDA:
 - A. ORDINANCE NO. 101697 REGARDING CURFEW.
 - B. HOOVER CONSTRUCTION WATER PROJECT ISSUE.
 - C. ORDINANCE REGARDING USE OF DIRT BIKES AND OTHER VEHICLES NOT "STREET LEGAL".
4. MAYOR'S UPDATE:
 - A. INTAKE MATTER.
5. OPEN DISCUSSION.
6. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS, ON THIS THE 13TH DAY OF OCTOBER, 1997 AT 5:00 P.M.



DALE PICKENS, MAYOR

(THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS FOR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THE MEETING. PLEASE CONTACT THE CITY SECRETARY)