

**MINUTES OF THE SPECIAL MEETING
CITY COUNCIL - CITY OF COTTONWOOD SHORES
3916 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS**

**TUESDAY, MARCH 30, 1999
4:30 P.M.**

1. MAYOR PICKENS CALLED THIS MEETING TO ORDER AT 4:40 P.M. AND ROLL CALL WAS CONDUCTED: COMMISSIONER FRANK PFEIFER AND COMMISSIONER RAY WHITIS BOTH BEING PRESENT, A QUORUM WAS IN ATTENDANCE.

2. THE COMMISSIONERS AND MAYOR DISCUSSED **ORDINANCE 033899 AND THE ACCOMPANYING LETTER AND CERTIFICATION FROM THE CITY SECRETARY.....INASMUCH AS THERE ARE NO OPPONENTS TO THE APPLICATIONS AS CANDIDATES FOR OPEN POSITIONS TO BE CONSIDERED AT THE GENERAL ELECTION SCHEDULED FOR MAY 1, 1999, COMMISSIONER FRANK PFEIFER MOVED TO ADOPT THE ORDINANCE CANCELLING SAID ELECTION AND DIRECTING THE CITY SECRETARY TO POST APPROPRIATE CANCELLATION NOTICE ON ELECTION DAY ACCORDING TO LAW.. COMMISSIONER RAY WHITIS SECONDED THIS MOTION WHICH CARRIED ON VOTE. OFFICERS WILL BE SWORN INTO SERVICE WITHIN THE TIME PERIOD PROVIDED BY LAW AFTER THE ELECTION DATE.**

3. SUPPLEMENTAL AGENDA ITEM A ADDRESSED THE REQUEST OF MS. DEBRA PERKINS OF 851 WESTWOOD DRIVE CONCERNING USE AS A TEMPORARY RESIDENCE FOR PARENTS OF A SECOND BUILDING ON HER PROPERTY - REQUIRING SEWER CONNECTION. THERE WAS A LENGTHY DISCUSSION AMONG THE COMMISSIONERS AND THE MAYOR REGARDING MULTIPLE DWELLINGS ON ONE LOT...GRANDFATHERING OF EXISTING CIRCUMSTANCES.....EXISTING "VIOLATIONS" APPARENTLY GRANDFATHERED (?)...FEAR OF EXCEPTIONS TURNING INTO RENTALSCOMMISSIONER PFEIFER STATED THAT THE CITY ADMINISTRATION SHOULD EITHER ABIDE BY THE EXISTING ORDINANCE OR CHANGE IT.. SUBSEQUENT TO THE DISCUSSION, THE MAYOR TABLED THE ITEM WITHOUT ACTION AS IT CONFLICTS WITH THE EXISTING ORDINANCES. THE OWNER WILL HAVE TO REPLAT HER PROPERTY WITH BURNET COUNTY TO SEPARATE THE DWELLINGS TO BE IN COMPLIANCE..

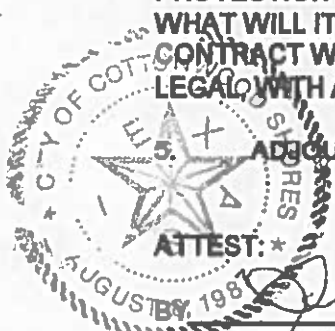
4. MAYOR PICKENS ADVISED THE COMMISSIONERS THAT HE HAD SPOKEN WITH THE SELLING AGENT ON THE PROPOSED ADMINISTRATIVE PROPERTY. IT SEEMS THE SELLER DOES NOT WANT THE OFFER AS SUGGESTED - HE WANTS TO SELL THE BUILDING AND ADJACENT LOT BUT NOT THE OTHER COTTONWOOD LOTS BACK UP TO THE RR 2147 FRONTAGE LOTS. IN DISCUSSION, IT WAS AGREED THAT THE CITY NEEDS AT LEAST THE BUILDING AND TWO ADJOINING LOTS TO PROVIDE FOR ADEQUATE STORAGE, PARKING, ETC. FOR THE FUTURE. THE OFFERED PRICE WILL HAVE TO BE ADJUSTED.

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CWS SPECIAL MEETING
MARCH 30, 1999

IT WAS AGREED THAT THE MAYOR WOULD TALK TO CITY ATTORNEY BARNEY KNIGHT AND COMMISSIONER RAY WHITIS WOULD GET IN TOUCH WITH GLENN WALLACE REGARDING THIS DEVELOPMENT...NEXT MOVE: GET BACK TO SELLERS.

THE LAST DISCUSSION CENTERED AROUND THE ADEQUACY OF FIRE PROTECTION FOR THE CITY. COMMISSIONER WHITIS' BASIC QUESTION IS WHAT WILL IT TAKE TO GET THE COTTONWOOD VFD ACCEPTABLE FOR CONTRACT WITH COTTONWOOD SHORES. THE MAYOR'S RESPONSE IS, BE LEGAL WITH ALL REQUIREMENTS MET.

ADJOURNMENT WAS CALLED AT 6:15 P.M. BY MAYOR PICKENS.



Sue Porter

SUE PORTER, CITY SECRETARY

Dale Pickens

DALE PICKENS, MAYOR

SPECIAL MEETING

**CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES
3915 COTTONWOOD DRIVE - CITY HALL
TUESDAY, MARCH 30, 1999 - 4:30 P.M.**

A G E N D A

- 1. CALL TO ORDER AND ROLL CALL.**
- 2. CONSIDER AND POSSIBLY TAKE ACTION ON ORDINANCE NO. 033099 SUBMITTED BY THE CITY SECRETARY REGARDING CANCELLATION OF THE GENERAL ELECTION SET FOR MAY 1, 1999.**
- 3. MAYOR'S COMMENTS.**
- 4. OPEN DISCUSSION.**
- 5. ADJOURNMENT.**

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS, ON THIS THE 20TH DAY OF MARCH, 1999, AT 4:30 P.M.

ATTEST:



DALE PICKENS, MAYOR



SUE PORTER, CITY SECRETARY

**{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. CONTACT 693-3830}**



SPECIAL MEETING

**CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES
3915 COTTONWOOD DRIVE - CITY HALL
TUESDAY, MARCH 30, 1999 - 4:30 P.M.**

S U P P L E M E N T A L A G E N D A

1A. CONSIDER AND POSSIBLY TAKE ACTION ON REQUEST OF MS. DEBRA PERKINS OF 851 WESTWOOD DRIVE CONCERNING USE AS A TEMPORARY RESIDENCE FOR PARENTS OF SECOND BUILDING ON HER PROPERTY - REQUIRING SEWER CONNECTION.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS, ON THIS THE 26th DAY OF MARCH, 1999, AT 4:30 P.M.

ATTEST:

BY:

SUE PORTER, CITY SECRETARY


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. CONTACT 693-3830}



**REQUEST TO BE PLACED ON AGENDA OF THE NEXT REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES**

DATE OF REQUEST: 3/26/99

DATE OF MEETING: 3-30 4:30 PM

NAME(S), ADDRESS Debra Perkins 851 Westwood Dr.
PHONE OF REQUESTER: 693-1185 A 10501901

SUBJECT TO BE
ADDRESSED: 2^{family} on 1 property

INFORMATIONAL
PRESENTATION: YES _____ NO X

REQUIRES ACTION
BY COUNCIL: YES X NO _____

SIGNED BY Debra Perkins DATE: 3/26/99

RECEIVED BY: Quinn Porter DATE: 3/26/99
NAME/TITLE OF CITY EMPLOYEE



City of Cottonwood Shores

Chartered 1987

3915 Cottonwood Drive
Marble Falls, Texas 78654
830/ 693-3830
Fax 830/ 693-6436

Dale Pickens - Mayor

Sue Porter - City Secretary

MARCH 24, 1999

MAYOR DALE PICKENS
CITY COMMISSIONERS
3915 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78654

RE: GENERAL ELECTION - MAY 1, 1999

DEAR MAYOR PICKENS AND COMMISSIONERS PFEIFER AND WHITIS:

AS YOU ARE AWARE, THE LAST DAY FOR CANDIDATES TO FILE FOR INCLUSION ON THE BALLET FOR THE MAY 1, 1999 GENERAL ELECTION WAS 5 PM MARCH 17, 1999; THE LAST DAY FOR WRITE-IN CANDIDATES TO FILE DECLARATION WAS 5 PM MARCH 22, 1999.

PLEASE BE ADVISED THAT UNDER THE AUTHORITY OF SEC. 2.052 OF THE TEXAS ELECTION CODE, I HAVE ENCLOSED MY **CERTIFICATION** AND HEREBY REQUEST THAT THE GOVERNING BODY OF THE CITY OF COTTONWOOD SHORES CALL A PUBLIC MEETING TO DISCUSS AND POSSIBLY TAKE ACTION REGARDING AN ORDINANCE TO CANCEL SCHEDULED ELECTION AND ORDAINING A DECLARATION ELECTING THE UNOPPOSED CANDIDATES INDICATED ON MY CERTIFICATION TO OFFICE.

FURTHER, THERE BEING NO SPECIAL ELECTION, NO UNEXPIRED TERMS, NO PROPOSITION TO BE ADDRESSED, CANCELLATION IS IN ORDER ACCORDING TO LAW.

SINCERELY,

SUE PORTER
CITY SECRETARY
EARLY VOTING CLERK



City of Cottonwood Shores

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3915 Cottonwood Drive
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Dale Pickens -- Mayor

Sue Porter -- City Secretary

MARCH 24, 1999

MAYOR DALE PICKENS
CITY COMMISSIONERS
3915 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78654

RE: GENERAL ELECTION - MAY 1, 1999

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SINCERELY,

SUE PORTER
CITY SECRETARY
EARLY VOTING CLERK

CERTIFICATION
OF
CITY SECRETARY

I HEREBY CERTIFY THAT I AM THE CITY SECRETARY OF THE CITY OF COTTONWOOD SHORES AND THE AUTHORITY RESPONSIBLE FOR HAVING THE OFFICIAL BALLOT PREPARED FOR THE MAY 1, 1999 ELECTION. I FURTHER CERTIFY THAT THE FOLLOWING CANDIDATES ARE UNOPPOSED FOR ELECTION TO THE OFFICES INDICATED IN THE MAY 1, 1999 ELECTION.

POSITION	CANDIDATE
MAYOR	EVERETT DALE PICKENS
COMMISSIONER AT LARGE	FRANK J. PFEIFER
COMMISSIONER AT LARGE	MARJORIE NELL PHIPPS

CITY SECRETARY
CITY OF COTTONWOOD SHORES



SUE PORTER

DATE March 24, 1999

ORDINANCE 033099

AN ORDINANCE CANCELING THE MAY 1, 1989 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, THE CITY OF COTTONWOOD SHORES, TEXAS IS A GENERAL LAW MUNICIPALITY LOCATED IN BURNET COUNTY, CREATED IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE AND OPERATING PURSUANT TO THE ENABLING LEGISLATION OF THE STATE OF TEXAS; AND

WHEREAS, IN ACCORDANCE WITH LAW A GENERAL ELECTION HAS BEEN ORDERED FOR MAY 1, 1989 FOR THE PURPOSE OF ELECTING ONE MAYOR AND TWO COMMISSIONERS TO SERVE ON THE CITY COMMISSION IN THE CITY OF COTTONWOOD SHORES; AND

WHEREAS, NO PROPOSITION IS TO APPEAR ON THE BALLOT IN THAT ELECTION; AND

WHEREAS, THE CITY SECRETARY HAS CERTIFIED IN WRITING THAT EACH CANDIDATE ON THE BALLOT IS UNOPPOSED FOR ELECTION TO OFFICE; AND

WHEREAS, THE FILING DEADLINES FOR PLACEMENT ON THE BALLOT AND DECLARATION OF WRITE-IN CANDIDACY HAVE PASSED; AND

WHEREAS, IN THESE CIRCUMSTANCES SUBCHAPTER C OF CHAPTER 2 OF THE ELECTION CODE AUTHORIZES A GOVERNING BODY TO DECLARE EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE AND CANCEL THE ELECTION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:

SECTION 1.

THE FOLLOWING CANDIDATES, WHO ARE UNOPPOSED IN THE MAY 1, 1999 GENERAL ELECTION, ARE HEREBY DECLARED ELECTED TO OFFICE, AND SHALL BE ISSUED A CERTIFICATE OF ELECTION:

CANDIDATE	OFFICE
EVERETT DALE PICKENS	MAYOR
FRANK J. PFEIFER	COMMISSIONER AT LARGE
MARJORIE NELL PHIPPS	COMMISSIONER AT LARGE

SECTION 2.

THE CITY SECRETARY IS DIRECTED TO POST A COPY OF THIS ORDINANCE AT EACH DESIGNATED POLLING PLACE ON MAY 1, 1999.

SECTION 3.

THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PROVISIONS OF ORDINANCES OF THE CITY OF COTTONWOOD SHORES, TEXAS, EXCEPT WHERE THE PROVISIONS OF THIS ORDINANCE ARE IN DIRECT CONFLICT WITH THE PROVISIONS OF SUCH ORDINANCES, IN WHICH EVENT THE CONFLICTING PROVISIONS OF SUCH ORDINANCES ARE HEREBY REPEALED

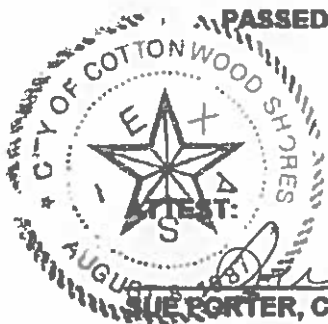
SECTION 4.

IT IS HEREBY DECLARED TO BE THE INTENTION OF THE CITY COMMISSION THAT THE PHRASES, CLAUSES, SENTENCES, PARAGRAPHS AND SECTIONS OF THIS ORDINANCE ARE SEVERABLE, AND IF ANY PHRASE, CLAUSE, SENTENCE, PARAGRAPH OR SECTION OF THIS ORDINANCE SHALL BE DECLARED UNCONSTITUTIONAL BY THE VALID JUDGMENT OR DECREE OF ANY COURT OF COMPETENT JURISDICTION, SUCH UNCONSTITUTIONALITY SHALL NOT AFFECT ANY OF THE REMAINING PHRASES, CLAUSES, SENTENCES, PARAGRAPHS AND SECTIONS OF THIS ORDINANCE, SINCE THE SAME WOULD HAVE BEEN ENACTED BY THE CITY COMMISSION WITHOUT THE INCORPORATION IN THIS ORDINANCE OF ANY SUCH UNCONSTITUTIONAL PHRASE, CLAUSE, SENTENCE, PARAGRAPH OR SECTION.

SECTION 5.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, AND IT IS SO ORDAINED.

PASSED AND APPROVED ON THIS 30 DAY OF MARCH, 1999.



Sue Porter
SUE PORTER, CITY SECRETARY

Dale Pickens
DALE PICKENS, MAYOR

**CERTIFICATION
OF
CITY SECRETARY**

I HEREBY CERTIFY THAT I AM THE CITY SECRETARY OF THE CITY OF COTTONWOOD SHORES AND THE AUTHORITY RESPONSIBLE FOR HAVING THE OFFICIAL BALLOT PREPARED FOR THE MAY 1, 1999 ELECTION. I FURTHER CERTIFY THAT THE FOLLOWING CANDIDATES ARE UNOPPOSED FOR ELECTION TO THE OFFICES INDICATED IN THE MAY 1, 1999 ELECTION.

POSITION	CANDIDATE
MAYOR	EVERETT DALE PICKENS
COMMISSIONER AT LARGE	FRANK J. PFEIFER
COMMISSIONER AT LARGE	MARJORIE NELL PHIPPS

CITY SECRETARY
CITY OF COTTONWOOD SHORES



SUE PORTER

DATE March 24, 1999