

**MINUTES OF A  
REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES  
4111 COTTONWOOD DRIVE - CIVIC CENTER  
THURSDAY, NOVEMBER 18, 1999 AT 7:00 P.M.**

**1. CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order at 7:02 p.m., with both Commissioner Phipps and Commissioner Pfeifer being in attendance, a Quorum was present.

**2. CONSENT AGENDA:**

**A. MINUTES OF A SPECIAL CITY MEETING HELD ON NOVEMBER 8, 1999:** Commissioner Phipps made a motion to approve the minutes of the Special City Meeting held on November 8, 1999 as recorded. Commissioner Pfeifer seconded the motion, which carried.

**B. FINANCIAL STATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER**

**OF 1999:** Item B was tabled until the auditors were finished.

**3. QUARTERLY PRESENTATION BY P.E.C.:** P.E.C. District Engineering Supervisor, Ms. Becky Johnson, spoke to those in attendance about how P.E.C. was busy trying to keep up with the rapid growth. She stated there is a twelve-week waiting period for a new pole to be set at this time. She encouraged everyone who might be building to come in early, as soon as they close on the property, to sign up for service. She asked everyone to keep an eye out for trees which need to be trimmed and to call the office if they saw any trees needing to be trimmed. She said all the Y2K testing P.E.C. had done was positive. They were not expecting any problems in 2000. She then asked for any questions. There were none.

**4. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. KEITH PATSCHKE FOR A VARIANCE FROM ORDINANCE NO. 060799 AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS PROVIDING FOR THE REGULATION AND PERMITTING OF SIGNS:** Commissioner Pfeifer asked Mr. Keith Patschke if his application was for two signs. Mr. Patschke stated yes, one on Lot 34 and one on Lot 35. Commissioner Pfeifer stated the distance between the two signs should be two-thousand, five-hundred (2,500) feet. He noted Mr. Patschke needed a variance for several reasons, including height, size and location (distance). Mayor Pickens expressed concern over blocking the view from Marty McFly's. Commissioner Phipps asked why the signs had to be so large; couldn't they be within the limits of the ordinance. Mr. John Griffin, with East Texas Sign Company, stated twelve (12) feet by forty (40) feet is the usual size for outdoor advertising. Mayor Pickens read Section 4.03 from Ordinance No. 060799, Landscape Quality and Preservation. He again expressed his concern for cluttering the landscape and scenic views we have of the surrounding hills. Mr. Frank Smith asked exactly where the signs would be erected. Mr. Patschke showed him a copy of the survey showing the placement. Mr. Mike Butler asked if the City had annexed this area. Mayor Pickens explained the City has an Extraterritorial Jurisdiction of one-half (1/2) mile around the Incorporated City Limits. Commissioner Pfeifer stated if Mr. Patschke would bring in another drawing which was more into compliance with the ordinance the Commissioners would reconsider at a later date. Mr. Smith asked why we couldn't just pencil the changes and accept this application instead of resubmitting another application. Mayor Pickens stated it was not that simple. The

requirements called for stress sheets and other calculations which he was not comfortable changing. A professional engineer registered by the State of Texas should prepare them. Commissioner Pfeifer then made a motion to deny the variance until the application was more into compliance with Ordinance No. 060799. Commissioner Phipps seconded the motion, which carried.

**5. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. JAMES CLAY OF EAST TEXAS SIGN COMPANY FOR A VARIANCE FROM ORDINANCE NO. 060799 AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS PROVIDING FOR THE REGULATION AND PERMITTING OF SIGNS.** Mayor Pickens noted Mr. James Clay was not in attendance. Commissioner Pfeifer stated it looked like they were asking for the same thing; size, height and location (distance). He stated he felt the same way about this application. He then made a motion to deny the variance until the application was more into compliance with Ordinance No. 060799. Commissioner Phipps seconded the motion, which carried.

**6. CONSIDER AND POSSIBLY TAKE ACTION ON AN ORDINANCE NO. 111899 ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND FOR THE CITY OF COTTONWOOD SHORES, TEXAS ESTABLISHING A FEE, AND A MEANS OF COLLECTING AND ACCOUNTING FOR ALL FUNDS RECEIVED UNDER THIS ORDINANCE.** Municipal Judge, Jo Ann Austin, explained this new ordinance would give the court the opportunity to establish a fund for technical equipment. It allows for the court to collect four-dollars (\$4.00) to go into a fund for a computer system. She stated as Judge, she handles a lot of court cases, which means a lot of paper work without the help of a Court Clerk. She stated the City really needs this fund to cut down on the expense of purchasing equipment for the court. Commissioner Pfeifer stated the City of Marble Falls had already passed a similar ordinance earlier. He then made a motion to approve Ordinance No. 111899 establishing a Municipal Court Technology Fund. Commissioner Phipps seconded the motion, which carried.

**7. CONSIDER AND POSSIBLY TAKE ACTION ON ORDINANCE NO. 111899-A ADOPTING AN ANNEXATION PLAN; PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR ANNEXATIONS EXEMPT FROM THE ANNEXATION PLAN; AND PROVIDING FOR RELATED MATTERS.** Mayor Pickens explained this ordinance was to bring the City into compliance with Texas State Law. If the City plans on annexing any land, this ordinance needs to be on record. At this time, the City has no firm plans on annexing land. If the City did annex any land, Exhibit "B", Municipal Services Plan, shows the City would provide the newly annexed property with the same services as the rest of the City. Commissioner Phipps made a motion to approve Ordinance No. 111899-A as recorded. Commissioner Pfeifer seconded the motion, which carried.

**8. MONTHLY ACTIVITY REPORTS:**

**A. POLICE DEPARTMENT:** Chief Ellis reported it had been a quite month. Major crime was down. Currently, N.E.T. had an investigation in progress. He noted the Police Department made sixty-three dollars (\$63.00) at the Halloween Carnival and thanked everyone for their support. He added Alexander Body Shop had donated over six-hundred dollars (\$600.00) in repairs to the patrol cars. He expressed his gratitude for the new computer equipment the City had received with a grant from the State Crime Victims Office. He stated a plan was in the works for establishing CRIMESTOPPERS in Cottonwood Shores. He will get the word out as more information and details come available. He encouraged everyone to let the Police Department know if they see something suspicious.

**B. PUBLIC WORKS - WATER & SEWER DEPARTMENTS:** Robert Pope reported water usage was down. He stated there were no problems with the lift station at this time. However, number 1 will need a new pump sometime next year. He introduced

Connie Capone; the City's new employee. He stated Connie would be filling more than one position. She would serve as Code Enforcement Officer, Animal Control Officer and Water Plant Operator. He stated as Animal Control Officer she had taken in seven (7) cats and four (4) dogs already. Connie will be attending a basic water school in December.

**C. CIVIC PRIDE:** No activity this month.

**D. CHRONICLE AND COMMUNITY CHURCH:** No one was present. Mayor Pickens said they were working on the Chronicle and should have some ready in the morning. Robert asked if some could be put at Slaton's BBQ.

**E. V.F.D.:** Mr. Mike Butler reported there had been five (5) fire calls and fourteen (14) E.M.S. calls inside the City. The V.F.D. had assisted with five (5) fire calls in the county. He stated they had some new responders sign up, but didn't have any radios or pagers available to give them so they were unable to respond at this time. He expressed concern over inadequate funds to purchase any new equipment in the future. He encouraged everyone to get out on December 18th for Santa and a caroling hayride.

**9. MAYOR'S REPORT:** Mayor Pickens reported the Water Tower Project was on schedule. The engineer was busy getting the drawings approved. Then we should go out for bids sometime next month. The Lakeview Drive Project was not yet complete. There are still some requirements to be fixed before final payment is made. He stated the Public Works Department had been out filling potholes as best as they could with what they had. He noted City Hall would be closed Thursday and Friday, November 25th and 26th, in observance of Thanksgiving. He added the Tree Trimming Ceremony would be held December 4th. There will be caroling and Santa will be at the Civic Center with gifts. He stated on January 31st there would be a New Year's Eve get-together at the Civic Center. He encouraged everyone to come out for fun and games.

**10. OPEN DISCUSSION:** Mayor Pickens informed everyone that Marble Falls E.M.S. had approached the City for eleven-thousand, two-hundred dollars (\$11,200.00) to continue emergency medical services to the City. He stated the City was willing to try and help, but couldn't afford that amount. He noted that since 1997 when Burnet County went county wide, Llano County no longer picks up for the City. He has invited Mr. James Oakley here next week to discuss the City's options. He added service would stop on December 15th if no deal were made. Plans are in the works for discussions before the December 15th deadline.

**11. ADJOURNMENT:** Mayor Pickens adjourned the meeting at 8:22 p.m.

  
DALE PICKENS, MAYOR

ATTEST:

  
TENA COLLIER, CITY SECRETARY



**EXHIBIT "B"**

**MUNICIPAL SERVICES PLAN**

**FOR PROPERTY ANNEXED BY THE CITY OF COTTONWOOD SHORES, TEXAS**

**WHEREAS**, The City of Cottonwood Shores, Texas, (the "City") intends to institute annexation proceedings of an area of land described more fully hereinafter (referred to herein as the "subject property");

**WHEREAS**, §43.056, *Texas Local Government Code*, requires a service plan be adopted with the annexation ordinance; and

**WHEREAS**, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Texas Local Government Code*, to annex the subject property into the City;

**NOW, THEREFORE**, the City of Cottonwood Shores agrees to provide the following services for the subject property within sixty (60) days from the effective date of annexation:

1. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City of Cottonwood Shores.

2. Fire protection and Emergency Medical Services as follows: Volunteer Departments

Fire protection by the present personnel and equipment of the firefighting force with the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment.

3. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the Citizens of the City of Cottonwood Shores. Citizens living within the annexed area that currently contract with a qualified third party provider of such service, will have the option to continue such contract for an interim period of time.

4. From and after the extension of water service though out the annexed area, water service and maintenance of water facilities as follows:

(1) Inspection of water distribution lines as provided by statutes of the State of Texas.

(2) Water service will be provided by the City utility department at the City's existing rates and fees for in-City water customers. The system will be maintained by the City in accordance with its usual maintenance policies.

5. From and after the extension of wastewater service to the annexed area, wastewater service and maintenance of wastewater will be provided as follows:

(1) Inspection of sewer lines as provided by statutes of the State of Texas.

- (2) Sewer service will be provided by the City utility department at the City's existing rates and fees for sewer system customers. The system will be maintained by the City in accordance with its usual maintenance policies.

6. Maintenance of streets and rights-of-way as appropriate, as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance as presently performed within the City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.

7. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

8. Maintenance of parks and playgrounds within the City.

9. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

10. Maintenance of other City facilities, buildings and service.

11. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and all non-public property therein shall be temporarily grandfathered. The subject property shall initially be zoned as single family upon annexation. The City Council will rezone the property in the subject property in response to landowners' requests, and/or in accordance with the presently existing uses of such property.

#### CAPITAL IMPROVEMENTS

Construction of the following capital improvements shall be initiated within two (2) years of the effective date of annexation, and shall be substantially complete within four and one-half (4 1/2) years of the effective date of annexation:

The capital improvements planned for this area are as follows:

- (1) Construction and installation of an elevated storage tank for water;
- (2) The extension of wastewater service via a trunk line to the annexed area. The extension of the wastewater lines within the subdivision, subject to the rules, regulations and extension policies of the City.

**PROPERTY DESCRIPTION**

All that certain area, lots, tracts and parcels of land described in Exhibit "A" to the Annexation Ordinance, to which this Service Plan is attached as Exhibit "B".



P.O. Box 1 Johnson City, Texas 78636-0001  
(830) 868-7155 • 1-888-554-4732

September 27, 1999

The Honorable Dale Pickens  
Mayor of the City of Cottonwood Shores  
3915 Cottonwood Dr.  
Marble Falls, TX 78654

Dear Mayor Pickens:

We request that time be reserved on your city council agenda for the meeting scheduled November 18, 1999, at 7:00 p.m. George Bird will be attending to provide the council with an update on PEC activities in your area as well as answer any questions that you may have regarding the Cooperative.

If there is a change in the date or time of the above scheduled meeting, please notify Vicki Hiser at (830) 868-4921 or toll free at 1-888-554-4732. Also, should you or any of the council members have a question prior to the meeting, please contact us. We will be more than happy to assist you in any way that we can and appreciate the opportunity to serve you.

Sincerely,

Jeanell Davis  
Operations Manager

cc: George Bird

Keith Patschke  
4108 Lakeview  
Marble Falls, TX 78654

October 28, 1999

City of Cottonwood Shores

Dear Mayor and Commissioners of Cottonwood Shores:

I am requesting a variance from: Ordinance No. 060799; an ordinance of the City of Cottonwood Shores, Texas providing for the regulation, licensing and permitting of signs.

Applicant name:

Keith Patschke  
4108 Lakeview  
Marble Falls, TX 78654

The location of the property falls outside the incorporated city limits of Cottonwood Shores.

Location: a portion of lot 35 of Castle Acres Resubdivision.

A survey is attached "schedule A" showing sign location in relation to lot lines and roadway.

"Schedule B" contains the ink drawings showing the construction method, size type and height of the sign and the stress calculations for the sign as provided by the association erecting the structure:

East Texas Sign Company  
1917 Lake Hill Lane  
Plano, TX 75023

The usage classification is considered commercial. This property falls outside the zoning classification of the incorporated city limits of Cottonwood Shores.

The cost of the sign is \$15,000.

With approval of this requested variance all applicable fees and other permits requested by the City of Cottonwood Shores will be obtained.

Sincerely,





# Schedule A

Castle Acres Resubdivision  
Vol. 1, Pg. 22, B.C.P.R.

**SOUTH LAKE DRIVE**

40' ROADWAY

○
□
△
X
◇
U.E.
D.E.
B.L.
○
—

(BEP...  
//

$\Delta=27^{\circ}25'29''$   
 $R=98.85'$   
 $A=47.32'$   
 $LC=N18^{\circ}54'08''E$   
 $46.87'$

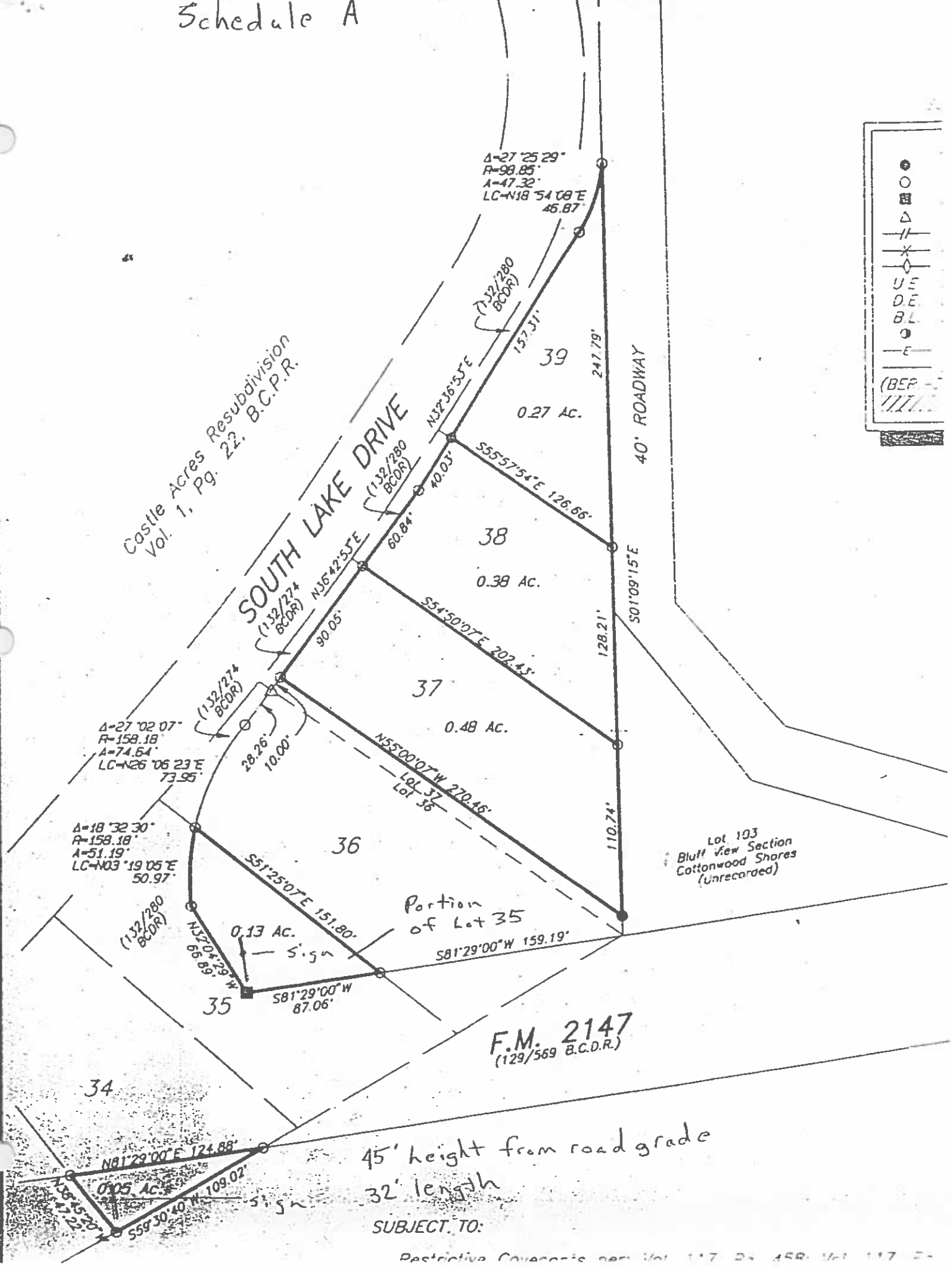
$\Delta=27^{\circ}02'07''$   
 $R=158.18'$   
 $A=74.64'$   
 $LC=N26^{\circ}06'23''E$   
 $73.95'$

$\Delta=18^{\circ}32'30''$   
 $R=158.18'$   
 $A=51.19'$   
 $LC=N03^{\circ}19'05''E$   
 $50.97'$

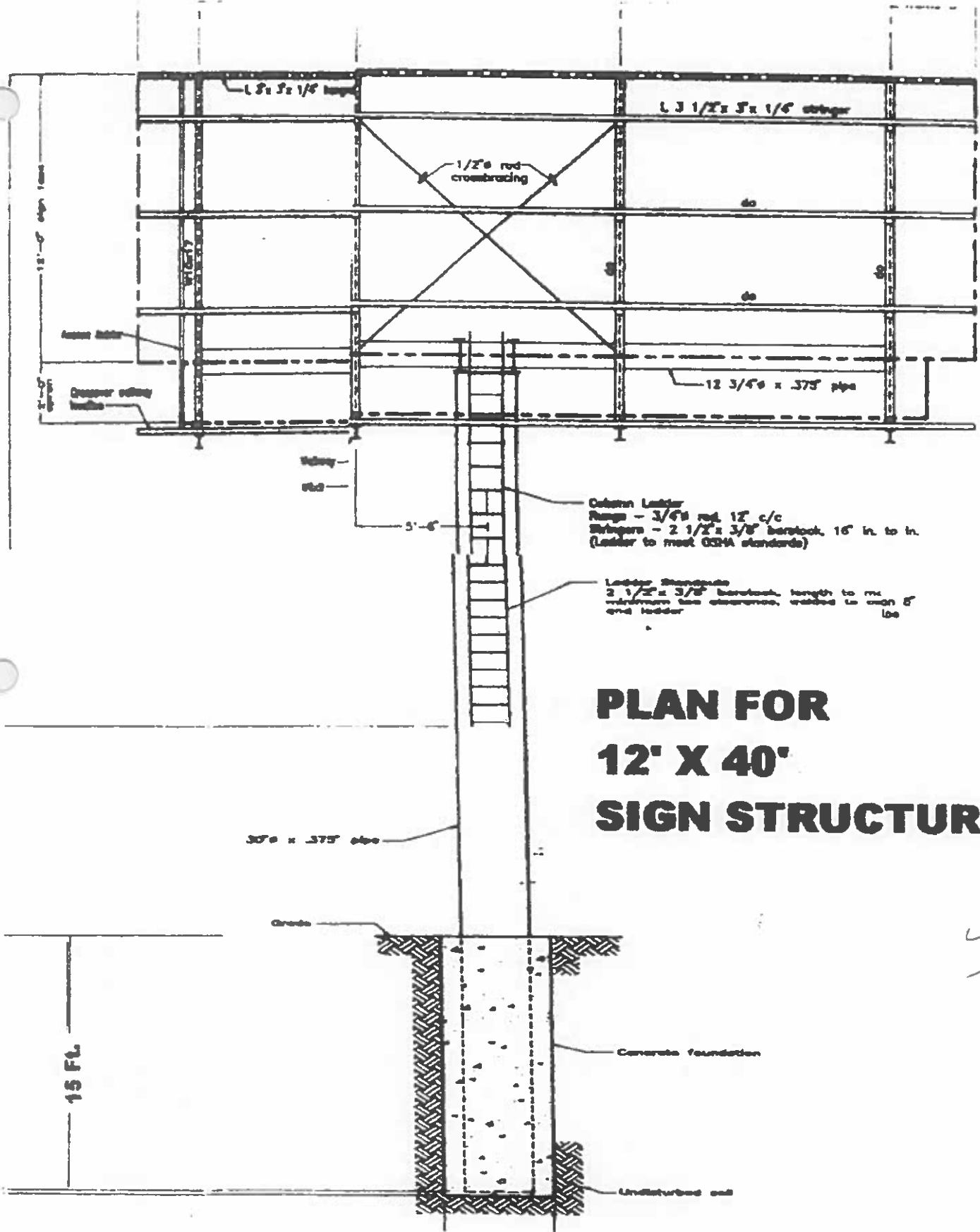
**F.M. 2147**  
(129/569 B.C.D.R.)

45' height from road grade  
32' length  
SUBJECT TO:

Restrictive Covenants per Vol. 117 Pg. 158 Vol. 117 Pg. 159







**PLAN FOR  
12' X 40'  
SIGN STRUCTURE**

Column Ladder  
Rungs - 3/4" rod, 12" c/c  
Stringers - 2 1/2" x 3/8" barstock, 16" in. to in.  
(Ladder to meet OSHA standards)

Ladder Standards  
2 1/2" x 3/8" barstock, length to mt.  
minimum toe clearance, welded to each 8"  
and ladder

42 1/2 FT  
TALL

25 pounds per sq.  
foot.



# City of Cottonwood Shores

Chartered 1987

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

Dale Pickens - Mayor

Tena Collier - City Secretary

## ATTENDANCE RECORD CITY COMMISSIONERS MEETING CITY OF COTTONWOOD SHORES, TEXAS

DATE: NOVEMBER 18<sup>th</sup> 1999

Please sign in:

<i>Euclid Phepp</i>	
<i>Pat [unclear]</i>	
<i>C. L. [unclear]</i>	
<i>J. [unclear]</i>	
<i>Paul [unclear]</i>	
<i>Robert [unclear]</i>	
<i>Colton [unclear]</i>	
<i>Bucky [unclear]</i>	
<i>Dotter [unclear]</i>	
<i>John [unclear]</i>	
<i>Baver Austin</i>	
<i>Jo Austin</i>	
<i>F.R. Smith</i>	
<i>C.R. Capone</i>	

REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES  
4111 COTTONWOOD DRIVE - CIVIC CENTER  
THURSDAY, NOVEMBER 18, 1999 AT 7:00 P.M.

**A G E N D A**

1. CALL TO ORDER AND ROLL CALL.
2. CONSENT AGENDA:
  - A. MINUTES OF A SPECIAL CITY MEETING HELD ON NOVEMBER 8, 1999
  - B. FINANCIAL STATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER OF 1999.
3. QUARTERLY PRESENTATION BY P.E.C.
4. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. KEITH PATSCHKE FOR A VARIANCE FROM ORDINANCE NO. 060799 AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS PROVIDING FOR THE REGULATION AND PERMITTING OF SIGNS.
5. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. JAMES CLAY OF EAST TEXAS SIGN COMPANY FOR A VARIANCE FROM ORDINANCE NO. 060799 AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS PROVIDING FOR THE REGULATION AND PERMITTING OF SIGNS.
6. CONSIDER AND POSSIBLY TAKE ACTION ON AN ORDINANCE NO. 111899 ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND FOR THE CITY OF COTTONWOOD SHORES, TEXAS ESTABLISHING A FEE, AND A MEANS OF COLLECTING AND ACCOUNTING FOR ALL FUNDS RECEIVED UNDER THIS ORDINANCE.
7. CONSIDER AND POSSIBLY TAKE ACTION ON ORDINANCE NO. 111899-A ADOPTING AN ANNEXATION PLAN; PROVIDING FOR THE AMENDMENT OF THE PLAN; PROVIDING FOR ANNEXATIONS EXEMPT FROM THE ANNEXATION PLAN; AND PROVIDING FOR RELATED MATTERS.
8. MONTHLY ACTIVITY REPORTS:
  - A. POLICE DEPARTMENT.
  - B. PUBLIC WORKS - WATER & SEWER DEPARTMENTS.
  - C. CIVIC PRIDE.
  - D. CHRONICLE AND COMMUNITY CHURCH.
  - E. V.F.D.
9. MAYOR'S REPORT.
10. OPEN DISCUSSION.
11. ADJOURNMENT.

I CERTIFY THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 15<sup>th</sup> DAY OF NOVEMBER, 1999, AT 5:00 P.M.

  
DALE PICKENS, MAYOR

ATTEST:

  
TENA COLLIER, CITY SECRETARY

