

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JUNE 15, 2000 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order at 7:05 p.m. with both Commissioner Phipps and Commissioner Pfeifer in attendance, a Quorum was present.
2. **CONSENT AGENDA:**
 - A. **MINUTES OF A REGULAR MEETING ON MAY 18, 2000 AND A SPECIAL MEETING ON JUNE 9, 2000:** Commissioner Pfeifer stated he had read the minutes and corrected any errors. He then made a motion to approve the Minutes of the Regular Meeting on May 18, 2000 and the Special Meeting on June 9, 2000 as recorded. Commissioner Phipps seconded his motion, which carried.
 - B. **FINANCIAL STATEMENT FOR THE MONTH OF MAY 2000:** Mayor Pickens explained since the financial statement had been sent back to the auditors for corrections, this item would be Tabled until a later date.
3. **PUBLIC HEARING: A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENTS REGARDING COTTONWOOD SHORES' CITIZEN PARTICIPATION PLAN AND TO PRESENT INFORMATION REGARDING GRANT FUNDS AND PROGRAMS THAT WILL BE AVAILABLE TO THE CITY OF COTTONWOOD SHORES FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS DURING 2000 AND 2001:** Mayor Pickens opened the Public Hearing at 7:10 p.m. Mr. Gandolf Burrus, with Grant Development Services, explained this was the First Public Hearing to discuss the possible grant projects the City could apply for within the next two years. He stated the two major grants available were the C.D.B.G. and the S.T.E.P. grant. Both are for \$250,000 for major water line improvements within the City. The City wasn't ready to apply for either one now. He was just letting us know what the City was looking at. He noted a third possible grant was for low cost housing. This would not be for community housing or H.U.D. homes. This grant provides up to \$300,000 to purchase land, build streets and install water lines. Contractor would build houses as normal. This grant would cut cost of each house by about \$20,000 by having land and improvements included. This allows people to afford better housing. He then noted that Lakeview Drive had been restored. It was not a new street and it is not perfect, but it is restored to the condition it was in before the flood. He was pleased to announce that the audit for closing out the grant money used was 100% clean. He noted that one of the agenda items tonight was to award the contract for the installation of the new water tower. He added that this agenda item was just to inform citizens of grant projects available and for the Council to consider their comments and answer any questions. With no further comments or questions from the audience, Mayor Pickens closed the Public Hearing at 7:15 p.m.
4. **CONSIDER AND POSSIBLY TAKE ACTION ON SELECTION OF A GRANT CONSULTING FIRM TO PROVIDE GRANT ADMINISTRATION SERVICES IN CONNECTION WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS C.D.B.G. GRANT, IF FUNDED:** Mayor Pickens stated the only proposal the City had received was from Mr. Gandolf Burrus with Grant Development Services. He added the City had good success with Grant Development Services. They were the only firm used by the City. He explained that the reason we use a consulting firm is so audits come out correct. It is in the best interest of the City to have an administrator to ensure paper work is done right. Commissioner Pfeifer stated he had read over the proposal, and worked with Grant Development Services before. He felt as though Gandolf has done a good job so far. Commissioner Phipps stated she felt the same. Then Commissioner Pfeifer made a motion to approve the proposal received by Grant Development Services for grant administration services in connection with the Texas Department of Housing and Community Affairs C.D.B.G. Grant, if funded. Commissioner Phipps seconded his motion, which carried. Mr. Burrus thanked the Council and stated he appreciated their vote of confidence.
5. **CONSIDER AND POSSIBLY TAKE ACTION ON APPROVAL AND EXECUTION OF A LETTER OF AGREEMENT FOR PROFESSIONAL MANAGEMENT SERVICES REQUIRED TO IMPLEMENT THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS C.D.B.G. GRANT, IF FUNDED:** Commissioner Pfeifer made a motion to sign the agreement with Grant Development Services to implement the Texas Department of Housing and Community Affairs C.D.B.G. Grant, if

funded. Commissioner Phipps seconded his motion, which carried. Mr. Burrus stated again that if the grant was not funded, the agreement was null and void.

6. **CONSIDER AND POSSIBLY TAKE ACTION ON SELECTION OF AN ENGINEERING FIRM TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS C.D.B.G. GRANT, IF FUNDED:** Mayor Pickens stated the City had advertised for proposals and received two. One from Willis Environmental Engineering and one from S.D. Kallman. He added the Council had not been able to review the proposals yet. He suggested this item be Tabled until next week when both firms could be present. Mr. Burrus stated if the Council wanted a live presentation, they needed to give three days notice to both firms. Commissioner Phipps stated she would check her schedule and try to take off on Thursday, June 22nd for a meeting at 2:00 p.m.
7. **CONSIDER AND POSSIBLY TAKE ACTION ON APPROVAL AND EXECUTION OF A LETTER OF AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES REQUIRED TO IMPLEMENT THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS C.D.B.G. GRANT, IF FUNDED:** This item was Tabled until Thursday, June 22nd at 2:00 p.m. also.
8. **CONSIDER AND POSSIBLY TAKE ACTION ON AWARDED A CONTRACT FOR CONSTRUCTION OF WATER STORAGE FACILITIES SUBMITTED BY L.S.E. CONSTRUCTORS, INC. IN CONJUNCTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT NO. 719201 FOR WATER SYSTEM IMPROVEMENTS:** Mayor Pickens stated the City had advertised for bids, in the local paper as well as the *San Antonio Express* and *Austin American Statesman*, for construction of the new water tower. The City had received two. Only one bid was below contract amount. LSE Constructors, Inc. was the low bidder. This was a local firm out of Marble Falls. Commissioner Pfeifer stated he had contacted their current job. He was informed they were doing a good job so far. They were happy with the quality of work and ability to stay on schedule. He added that was about the best you could ask. Mayor Pickens stated they did inspect the job-site, they know what they are doing. He added he was looking to a completed tower to provide ample water to the City. Commissioner Pfeifer then made a motion to approve awarding the contract for construction of the water storage facilities in conjunction with the C.D.B.G. No. 719201. Commissioner Phipps seconded his motion, which carried.
9. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. CHARLES CARNEY TO RELOCATE THE UTILITY EASEMENT AND EXISTING CITY WATER MAIN ON LOT D, CASTLE ACRES SUBDIVISION:** Mayor Pickens stated Mr. Carney was present and had the floor. Mr. Carney stated he wanted to reserve comments till after vote. He added just need to move water line, which cuts across his property. Mayor Pickens stated the City had a water line in the old road easement...Mr. Carney stated there was no record of the easement ever being recorded. Mayor Pickens asked what proof of ownership he had for the property and if he had provided the City Secretary with a copy. Mr. Carney explained that his attorney had documents. He stated a replat had been done, he just didn't realize he needed to bring it with him tonight. Mayor Pickens stated there is an easement along the old road and the water line has been in the ground for years. He added PEC lines are also along the old road easement. Mr. Carney stated PEC was not the issue. He added he would deal with PEC later. He then stated when he came into City Hall the day he broke the water line, everyone thought it was an abandoned line. He added he offered to pay to clear line by the fence and cover line at his expense. No one ever told him that the plan changed. He had no notice until he found out it was on an agenda...Mayor Pickens stated there was no action taken at that meeting. It was just to inform the Council of the situation. Mr. Carney stated he didn't feel there was a situation. He added there is no record of an easement. His title company found no record of any easement. He added it was a shame we are at this impasse, only the lawyers would make money. Mayor Pickens asked for documentation showing ownership of the old road easement. Mr. Carney asked if the Council was ready to render a decision. Commissioner Pfeifer stated he was in agreement with the Mayor. Proof of ownership was needed before he would make a decision. He added that the water line had been in the ground for thirty years or more. It was put in when the road was there. Power lines and water line are both...Mr. Carney stated PEC lines are on different side of old roadway. He then asked if the Council would approve pending documentation so he would not have to schedule another meeting. Mayor Pickens stated the City would have to replace about eight-hundred (800) foot of four-inch (4") pipe which runs about fifteen dollars (\$15.00) a foot. He added the Council was concerned about the price to move the water line. Mr. Carney stated that was considerably less than his investment in property. Mayor Pickens stated the Council had scheduled a Special Meeting for Thursday, June 22nd. He asked Mr. Carney to bring in documents before then for the Council to review. Mr. Carney stated he would bring them by City Hall tomorrow, then maybe the water line

could be moved. Mayor Pickens stated that maybe he could convince the Council to do something with the water line. Mr. Carney then stated there was no talk of any easement two months ago. He added the holdup was a hardship. Mayor Pickens stated he understood Mr. Carney's concern, but he could not give away something that belongs to the City.

10. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MS. FRANCES GREEN FOR A 10 FOOT VARIANCE IN THE SET-BACK REQUIREMENTS DESCRIBED IN ORDINANCE NO. 061898, AN ORDINANCE REQUIRING UNIFORM APPLICATION AND ENFORCEMENT OF DULY RECORDED RESTRICTIONS AFFECTING THE USE OF REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF COTTONWOOD SHORES:** Ms. Green was in attendance and addressed the Council. She stated she was trying to build a house on a corner lot and needed a variance to the thirty-foot set-back on what would be the side street. She added there was plenty of room lengthwise. Commissioner Pfeifer stated he had reviewed her request, and it appeared that the square foot was short, too. Ms. Green stated two-foot would be added to the back of the house to meet the square foot requirement. She added all she needed was the ten-foot along the side. Commissioner Pfeifer stated he had no problem with granting the variance as long as the square foot was there. Mayor Pickens added the Council had approved this type of variance in the past on other corner lots. Commissioner Pfeifer then made a motion to approve her request for a twenty-foot set-back, ten-foot off the thirty-foot set-back, on the side street of her lot. Commissioner Phipps seconded his motion, which carried.
11. **CONSIDER AND POSSIBLY TAKE ACTION ON THE EMPLOYMENT OF MR. DONNIE MAULDIN AS A PEACE OFFICER FOR THE CITY OF COTTONWOOD SHORES, TEXAS IN A RESERVE POSITION:** Mayor Pickens welcomed Mr. Mauldin. He stated he had read over Mr. Mauldin's application. He noted Mr. Mauldin had several years of law enforcement experience. Currently, he is attending school working on his degree. Commissioner Pfeifer stated he had looked over Mr. Mauldin's application and everything looked good. Commissioner Phipps stated she agreed. She then made a motion to approve the appointment of Donnie Mauldin as a Peace Officer in a Reserve Position. Commissioner Pfeifer seconded her motion, which carried.
12. **CONSIDER AND POSSIBLY TAKE ACTION ON ALLOWING A CONTROLLED FOURTH OF JULY FIREWORKS DISPLAY WITHIN THE CITY LIMITS OF COTTONWOOD SHORES, TEXAS:** Mr. Ken McBride, with the VFD was in attendance and addressed the Council. He asked them to allow the annual fireworks display. He added everything would be set up the same as last year. The fire trucks and fire fighters would all be in attendance. He was requesting for the display to be done on Saturday, July 1st. Mayor Pickens stated the VFD had done displays in the past, they just needed the Council's approval. Commissioner Phipps stated that as long as it was controlled it should be okay. Commissioner Pfeifer stated now was a good time; everything was still nice and green. Mrs. Jo Anne Austin stated that years ago the display was down by the lake. She asked if we didn't receive anymore rain if they would consider doing them at the lake again. Mr. McBride stated before it was POA property, now it was a City Park. He added there was no where for parking. He agreed that the display was nicer down by the lake. Commissioner Pfeifer stated Thompson Park was small, but should be big enough for a fireworks display. Mrs. Austin asked about parking at the Fire Hall. Mr. McBride stated parking would be allowed on one side of both Birch Lane and Oak Lane allowing through traffic to pass. Commissioner Pfeifer suggested that if it was to dry, then the display should be done over the lake. Commissioner Phipps then made a motion to allow a fireworks display if safe to do so come July 1st. Commissioner Pfeifer seconded her motion, which carried. Mayor Pickens asked Mr. McBride to work with the Police Department on parking and traffic arrangements. He thanked him for all his and the other volunteers' efforts. He knew the citizens would enjoy the display.
13. **MONTHLY ACTIVITY REPORTS:**
 - A. **POLICE DEPARTMENT:**
 - (1) **ACTIVITY LOG:** Sergeant Hallman read the Police Department Report.
 - (2) **ARREST:** None.
 - B. **PUBLIC WORKS:**
 - (1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** Robert Pope was working on a sewer problem so Mayor Pickens read the Water Use Report. He noted the new tower would not be in use this summer. He encouraged everyone to conserve on his or her water use.
 - (2) **ANIMAL CONTROL:** Mayor Pickens stated Connie Capone was unavailable to give a report. He noted she did have two small puppies in custody now at the Police Station.
 - C. **CIVIC PRIDE:**

- D. (1) **UPCOMING MEETING DATES:** Mrs. Jo Anne Austin stated there had been a flurry of interest in Civic Pride recently. Civic Pride helps with various projects around the City. If anyone is interested in joining there will be a Reorganization Meeting on Thursday, June 29, at 7:00 p.m., here at the Civic Center. They plan on electing new officers and scheduling future projects. Mayor Pickens added it's a good time and does a lot of good.
- (2) **FUTURE PROJECTS:** To be discussed on Thursday, June 29th.

14. MAYOR'S REPORT:

- A. **UPDATE ON WATER SYSTEM IMPROVEMENTS GRANT:** Mayor Pickens stated this had already been discussed. The water tower project has been awarded. Mrs. Rains asked if the Council would consider installing smaller tanks so that the new one would not have to be so tall and unsightly. Commissioner Pfeifer explained that TNRCC governs how big the tank has to be in order to provide the required water pressure.
- B. **UPDATE OF SEWER PROJECT IN CASTLE TERRACE:** Mayor Pickens stated this contract had already been awarded. They should begin work soon on installing main lines and grinder pumps for most of the properties in Castle Terrace. Then the roads will be seal coated. They should be in better shape than they are in now.
- C. **FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES:** Mayor Pickens stated again that this had been discussed earlier. The Council knew water lines were needed and that would be the next grant project.

15. **CITIZEN COMMENTS:** Ms. Lanell Cozby asked how the City afforded to do the improvements in Castle Terrace. Mayor Pickens stated the City was not paying for the improvements. The developer was paying for the installation. The City would reimburse less than a third of his cost over a period of twelve years. They have a signed agreement that the City will pay back forty percent (40%) of the sewer collections. With the estimated figures, the City will be paying less than a third of the cost of installation. Mrs. Jo Anne Austin asked if the Council would consider opening the swimming pool a couple of nights a week for adults only. This would eliminate the need for a lifeguard. Mayor Pickens stated it was discussed at the last meeting to consider late hours or weekend hours if needed. Mrs. Austin stated there were a few families of young adults as well as senior citizens who would enjoy using the pool. Mayor Pickens stated we would need to look into getting someone to volunteer to keep key and lock up afterwards.

16. **ADJOURNMENT:** Mayor Pickens adjourned this Regular Meeting at 8:27 p.m.

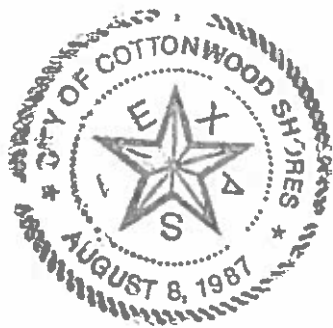
ATTEST:



TENA COLLIER, CITY SECRETARY



DALE PICKENS, MAYOR



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CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JUNE 15, 2000 AT 7:00 P.M.

A G E N D A

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 - C. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES
15. CITIZEN COMMENTS.
16. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 12TH DAY OF JUNE 2000 AT 6:00 PM.

ATTEST:


TENA COLLIER, CITY SECRETARY


DALE PICKENS, MAYOR

