

REGULAR MEETING OF
THE CITY COUNCIL OF
THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, OCTOBER 18, 2001 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL.
2. CONSENT AGENDA:
 - (A) MINUTES OF A REGULAR MEETING ON SEPTEMBER 20, 2001.
 - (B) FINANCIAL STATEMENTS FOR THE MONTH OF SEPTEMBER 2001.
3. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ALFRED JANKE FOR A CREDIT ADJUSTMENT ON HIS UTILITY BILL FROM THE CITY OF COTTONWOOD SHORES FOR HIGH WATER USAGE DUE TO A WATER LEAK AT HIS RESIDENCE ON LOT 3, HIGHLAND LAKES ACRES SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS.
4. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. CHARLES CARNEY FOR A CREDIT ADJUSTMENT ON HIS UTILITY BILL FROM THE CITY OF COTTONWOOD SHORES FOR HIGH WATER USAGE DUE TO A WATER LEAK AT HIS RESIDENCE ON LOT D, CASTLE ACRES SUBDIVISION, BURNET COUNTY, TEXAS.
5. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A MUNICIPAL COURT ORDINANCE PROVIDING FOR MUNICIPAL COURT ASSESSMENT OF FINES AND COSTS FOR THE CITY OF COTTONWOOD SHORES, TEXAS AS AUTHORIZED BY ARTICLE 45.203 OF THE CODE OF CRIMINAL PROCEDURES.
6. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION GRANTING THE INCLUSION OF A PORTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF COTTONWOOD SHORES IN AN EMERGENCY SERVICES DISTRICT TO BE KNOWN AS "LAKE AREA ESD".
7. MONTHLY ACTIVITY REPORTS:
 - A. POLICE DEPARTMENT:
 - (1) ACTIVITY LOG
 - B. PUBLIC WORKS:
 - (1) WATER & SEWER SYSTEM PERFORMANCE & USAGE
 - (2) ANIMAL CONTROL
 - C. CIVIC PRIDE:
 - (1) UPCOMING MEETING DATES
 - (2) FUTURE PROJECTS
8. MAYOR'S REPORT:
 - A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES
9. CITIZEN COMMENTS.
10. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 15TH DAY OF OCTOBER, 2001 AT 5:45 P.M.

ATTEST:


DALE PICKENS, MAYOR


TENA COLLIER, CITY SECRETARY



**MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF
THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, OCTOBER 18, 2001 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL:** At 7:01 p.m. Mayor Pickens called this Regular Meeting to Order with both Commissioner Phipps and Commissioner Pfeifer in attendance a Quorum was present.
2. **CONSENT AGENDA:**
 - (A) **MINUTES OF A REGULAR MEETING ON SEPTEMBER 20, 2001:** Commissioner Pfeifer stated he had read the minutes and found no problems. Commissioner Phipps agreed. Commissioner Pfeifer then made a motion to approve the minutes of the September 20, 2001, Regular Meeting. Commissioner Phipps seconded his motion, which carried.
 - (B) **FINANCIAL STATEMENTS FOR THE MONTH OF SEPTEMBER 2001:** Mayor Pickens stated we would not have the Financial Statements because the CPA had been ill. He didn't want her to have to rush. He wanted her to have time to do them correctly and we would go over them at the next meeting. No action at this time.
3. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ALFRED JANKE FOR A CREDIT ADJUSTMENT ON HIS UTILITY BILL FROM THE CITY OF COTTONWOOD SHORES FOR HIGH WATER USAGE DUE TO A WATER LEAK AT HIS RESIDENCE ON LOT 3, HIGHLAND LAKES ACRES SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS:** Mayor Pickens stated that Mr. Janke had had a leak in his yard and lost some water. He added that he did get it fixed. He noted that the City Ordinance provides for a one-time adjustment for a water leak. He added that a search of the account records disclosed that Mr. Janke did receive a credit adjustment sometime back, almost a year ago. Commissioner Pfeifer stated that if he already received an adjustment, then he would have to deny this request since the ordinance only allowed a one-time adjustment. Commissioner Phipps agreed. Commissioner Pfeifer then made a motion to deny a credit adjustment at this time. Commissioner Phipps seconded his motion, which carried.
4. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. CHARLES CARNEY FOR A CREDIT ADJUSTMENT ON HIS UTILITY BILL FROM THE CITY OF COTTONWOOD SHORES FOR HIGH WATER USAGE DUE TO A WATER LEAK AT HIS RESIDENCE ON LOT D, CASTLE ACRES SUBDIVISION, BURNET COUNTY, TEXAS:** Mayor Pickens stated that Mr. Carney had a leak as well. He noted Mr. Carney had said that he would get it fixed now for sometime. He added he didn't feel Mr. Carney repaired his leak in a timely manner so the City should not give him a large credit even though his usage was high. He noted Mr. Carney had known about the leak for four months. Commissioner Pfeifer stated that the City didn't have to give any credit. Mayor Pickens recommended giving him some credit. Mrs. Day stated that anyone should be able to look at their usage on their bill and know if they have a leak. Commissioner Pfeifer stated Mr. Carney knew he just didn't get it fixed right away. Commissioner Phipps asked if Mr. Carney had been given a credit once before. Mayor Pickens replied no. Mrs. Sylvia Breen stated if he knew about the leak for four months then why not give him 1/4 credit. Mayor Pickens stated it was closer to five months. He then recommended giving him 1/5 credit. Commissioner Pfeifer stated that sounded good. Commissioner Phipps then made a motion to credit 1/5 of Mr. Carney's bill. Commissioner Pfeifer seconded her motion, which carried. Mr. Keith Patschke asked why give him any credit if he doesn't fix his leak. Mayor Pickens stated that Mr. Carney assured him he has it fixed and that he must provide a copy of the receipt for repairs before credit would be given.

5. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A MUNICIPAL COURT ORDINANCE PROVIDING FOR MUNICIPAL COURT ASSESSMENT OF FINES AND COSTS FOR THE CITY OF COTTONWOOD SHORES, TEXAS AS AUTHORIZED BY ARTICLE 45.203 OF THE CODE OF CRIMINAL PROCEDURES:** Mayor Pickens stated that legislative changes had enacted new fees and fines for the Municipal Court. He noted most of the procedures are already in place and that there were no basic changes in Municipal Court operations. Commissioner Pfeifer stated he read the ordinance and had no questions. Mayor Pickens stated that the State of Texas monitored the Municipal Court. He noted that monthly, quarterly and yearly reports are sent to the state with funds collected by the court. He added 90% of the court costs go to the state. He stated that this new ordinance directs the court on procedures for collecting and reporting the new fines and fees established by the legislature. Commissioner Phipps then made a motion to approve adopting the new ordinance for the Municipal Court of Cottonwood Shores. Commissioner Pfeifer seconded her motion, which carried.

6. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION GRANTING THE INCLUSION OF A PORTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF COTTONWOOD SHORES IN AN EMERGENCY SERVICES DISTRICT TO BE KNOWN AS "LAKE AREA ESD":** Mayor Pickens stated that the idea of establishing a new emergency service district (ESD) had been in the newspapers and on the radio. He noted the proposed area included the southwest corner of Burnet County, which was in the City's extraterritorial jurisdiction (ETJ). He stated that Horseshoe Bay (HSB) was having difficulty in what Llano County was providing for EMS services. He explained that state law allows an ESD and that HSB was trying to create a district. He noted that it didn't include the City Limits of Cottonwood Shores, but it did include the area just west of Castle Terrace and Castle Acres which was in the City's ETJ. He stated that HSB needed the City's approval in order to include this area. He stated that Mr. Jim Jones had brought a resolution in which to consider adopting. He then read the resolution. He explained that if the Council approved the inclusion of this area in the creation of the Lake Area ESD, there would still have to be an election of the people in the area to approve the tax charged by the district. Mrs. Sylvia Breen asked if we relinquished to HSB how much would people in our ETJ be taxed. Mayor Pickens replied 4¢ per \$100.00 of appraised value to fund the ESD. Mr. Keith Patschke asked if the ESD was just HSB. Mayor Pickens replied it was to include the east-end of Llano County, Deer Haven, Blue Lake and some ranch land as well as HSB and the Peninsula. Mr. Paschke asked if Llano County was better set up to run an EMS than Burnet County or Marble Falls Area EMS. Mayor Pickens explained that Llano County would not be running the Lake Area ESD. It would be it's own district. The people served would have to elect a board to run the district. Mr. Patschke asked if people in the City would have to pay taxes. Mayor Pickens stated the City was not included in the proposed Lake Area ESD. He noted that if the City was to be included, however, the 4¢ per \$100.00 value on \$21,000,000 would be about \$8,000, which was less than what Marble Falls Area EMS was asking the City to pay. Mr. Patschke asked that since Marble Falls was pressing the City to pay \$11,000, could the City request to be included in the Lake Area ESD. Mayor Pickens replied that was one question the Council wanted answered. Mr. Patschke stated he thought it would be good if the City could be included. Mayor Pickens stated that the Marble Falls Area EMS was pressuring the City to sign a contract. He explained when they first approached the City there was no money in the budget. Then the voluntary donation was added to the utility bills to help with costs. He added that every year they come to the Council saying they need more money; this year we will pay \$5,000 plus voluntary donations collected. He added the City didn't have the money that they wanted \$15,000, which represented 20% of our property taxes collected. He felt that Burnet County should handle EMS services on a countywide level. He was concerned that if the Lake Area ESD took area within Burnet County it would take away from what Burnet County collected for a county wide EMS service. He recommended tabling this item so that Commissioner Pfeifer could attend a Public Hearing scheduled for tomorrow night. He encouraged everyone in attendance to attend this meeting as well. Commissioner Pfeifer stated that the Burnet County Commissioners would have to approve the Lake Area ESD, too. Mayor Pickens stated that at first it looks like it would be more advantageous to the City to be included, but the voters would have to decide whether they wanted to be taxed. Commissioner Pfeifer then made a motion to table Item 6 on the agenda so he could attend the Public Hearing and get more information. Commissioner Phipps seconded his motion, which carried.

7. MONTHLY ACTIVITY REPORTS:

A. POLICE DEPARTMENT:

(1) **ACTIVITY LOG:** No one from the Police Department was present to give a report. Mayor Pickens stated that the Council had approved the appointment of a new reserve officer. He would be working at least thirty hours so citizens should see more officers on patrol.

B. PUBLIC WORKS:

(1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** No one from the Water Department present to give a report. Mayor Pickens stated that the raw water purchased from LCRA was 3,871,000. He added this was down from last month, which was the highest usage ever.

(2) **ANIMAL CONTROL:** No one from Animal Control present to give a report. Mayor Pickens stated that Connie was out sick with a migraine. He did note that two dogs had been adopted from the kennels.

C. CIVIC PRIDE:

(1) **UPCOMING MEETING DATES:** Mr. Euclid Phipps stated that the next meeting would be November 12th here at the Civic Center at 7:00 p.m.

(2) **FUTURE PROJECTS:** Mr. Phipps noted that the Fish Fry would be on October 26th from 5:30 to 7:30 p.m. Tickets were \$6.00 for adults and children under 12 were \$3.00. He encouraged everyone to attend. Mayor Pickens stated that the money raised would go towards purchasing new street signs. He added that we needed \$5,000 and now have about \$2,000 so we were getting close. He encouraged everyone to come eat fish!

8. MAYOR'S REPORT:

A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES: Mayor Pickens stated that we were still working on the application. He hoped to have it in by year-end. Mrs. Breen asked what size the new line would be. Mayor Pickens replied it would be an 8" main line from Cottonwood Drive to Driftwood Lane. Then 6" distribution lines off of the main line. Mrs. Breen asked what size lines we have now. Commissioner Pfeifer stated it varies from 4" to 1½". He added it was a real hodgepodge of sizes. Mayor Pickens added it was real inefficient for services in some areas.

9. CITIZEN COMMENTS: There were none.

10. ADJOURNMENT: Mayor Pickens adjourned this Regular Meeting at 7:45 p.m.

ATTEST:



DALE PICKENS, MAYOR



TENA COLLIER, CITY SECRETARY

