

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, DECEMBER 20, 2001 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL.
2. CONSENT AGENDA:
 - (A) MINUTES OF A REGULAR MEETING ON DECEMBER 14, 2001.
 - (B) FINANCIAL STATEMENTS FOR THE MONTH OF NOVEMBER 2001.
3. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. BRUCE BECKER FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 144, PAGE 75, BURNET COUNTY DEED RECORDS ON LOTS 387 AND 388, DRIFTWOOD SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 190, BURNET COUNTY PLAT RECORDS, TO ALLOW FOR THE CONSTRUCTION OF A HOME OVER AND UPON SAID UTILITY EASEMENT.
4. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE CITY OF COTTONWOOD SHORES, TEXAS FOR REGULATING SUBDIVISIONS AND RELATED PERMITS; AND TO COVER THE COST OF ADMINISTRATIVE FUNCTIONS PERFORMED BY CITY PERSONNEL.
5. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. WILLIAM S. AND JANE MARIE HURST TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF CONSENT TO THE ANNEXATION OF THE 11.55 ACRE CAT MOUNTAIN AT HORSESHOE BAY SUBDIVISION IN BURNET COUNTY, TEXAS INTO THE LAKE LBJ MUNICIPAL UTILITY DISTRICT.
6. 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
7. MAYOR'S REPORT:
 - A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES
8. CITIZEN COMMENTS.
9. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 17TH DAY OF DECEMBER, 2001 AT 5:00 P.M.

ATTEST:


TENA COLLIER, CITY SECRETARY




DALE PICKENS, MAYOR

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
HELD ON THURSDAY, DECEMBER 20, 2001 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order at 7:03 p.m. with both Commissioner Phipps and Commissioner Pfeifer in attendance, a Quorum was present.
2. **CONSENT AGENDA:**
 - (A) **MINUTES OF A SPECIAL MEETING ON DECEMBER 14, 2001:** Commissioner Pfeifer stated he had no questions on the minutes. Commissioner Phipps stated she didn't either. Commissioner Pfeifer then made a motion to approve item (A) on the Consent Agenda. Commissioner Phipps seconded his motion, which carried.
 - (B) **FINANCIAL STATEMENTS FOR THE MONTH OF NOVEMBER 2001:** Mayor Pickens reported that when he first received the statements they were out of balance by \$284.65. He added Renee had found a check for Bob's Drive in which was posted as the year 2000. He noted she corrected the entry and now it appears in the current month transactions, which are now in order. Commissioner Phipps made a motion to approve the Financial Statements for the month of November 2001. Commissioner Pfeifer seconded her motion, which carried.
3. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. BRUCE BECKER FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 144, PAGE 75, BURNET COUNTY DEED RECORDS ON LOTS 387 AND 388, DRIFTWOOD SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 190, BURNET COUNTY PLAT RECORDS, TO ALLOW FOR THE CONSTRUCTION OF A HOME OVER AND UPON SAID UTILITY EASEMENT:** Mayor Pickens explained that Mr. Becker had purchased these lots, on Aspen Lane with the house to be demolished, from the appraisal district. He added Mr. Becker wanted to construct a new home over the utility easement between lots 387 and 388. Commissioner Pfeifer stated he had been by the lots and it appeared Mr. Becker was trying to repair the existing structure. Mayor Pickens explained that he didn't have a permit for any repairs and the structure ordered demolished would have to come down. Commissioner Pfeifer noted that the one lot had high line wires over it and the existing structure appeared to be within that easement. Mayor Pickens stated that any new home would have to be moved back out of the easements and setbacks now in place. Commissioner Pfeifer stated he didn't have a problem with granting a variance over the centerline. He added he was concerned that Mr. Becker would have a hard time fitting a house on the lots with the 100' easement for the high line wires. Commissioner Pfeifer then made a motion to approve the request for a variance to the five-foot utility easement between Lots 387 and 388 in the Driftwood Section to allow for the construction of a new home. Commissioner Phipps seconded his motion, which carried.
4. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE CITY OF COTTONWOOD SHORES, TEXAS FOR REGULATING SUBDIVISIONS AND RELATED PERMITS; AND TO COVER THE COST OF ADMINISTRATIVE FUNCTIONS PERFORMED BY CITY PERSONNEL:** Mayor Pickens stated that the Council had not had this ordinance long, but they have made some corrections. He stated that currently the building inspector charged the City \$50.00 per inspection so that would have to be corrected throughout the ordinance as prepared to cover our costs. He noted that in Section 1. A (2) that we do want to charge for all permits. He wanted to eliminate the exemption for the \$500 minimum valuation. He noted that in Section 1. B, the rate charged per square foot, 48¢, seemed high. He added currently, the permit for a 1,200 square foot house would cost \$200.00; at the proposed rate it would cost \$601.00. Commissioners Phipps and Pfeifer agreed that was too high. Commissioner Pfeifer suggested 30¢ a square foot, which would bring the cost of a permit to \$385.00. City Secretary, Tena Collier, stated that with the additional \$120.00 charged for plumbing, electrical and mechanical permits the \$385.00 was close to the \$320.00 actually paid for a residential permit now. She explained that sometimes it is difficult to collect the additional \$120.00 since it is not always paid up front and the inspector has no way of knowing if it has been paid before issuing a Certificate of Occupancy. Commissioner Phipps agreed with this amount. Commissioner Pfeifer stated he thought the Plan Review

Fee was a good idea. He noted that sometimes plans are brought in and the staff wastes their time going over them because the house never gets built. He wanted to leave Section 1. C in the ordinance. Commissioner Phipps stated that sounded like a good idea to her as well. Mayor Pickens then addressed E (3) Manufactured Homes. He wanted to charge for a permit even if a registered retailer or installer installed the manufactured home. Commissioners Phipps and Pfeifer agreed to charge a permit fee for manufactured homes. Commissioner Pfeifer questioned whether we needed to inspect driveways at all. Commissioner Phipps liked the idea of E (8) charging for a Certificate of Occupancy for structures, which have been vacant for one year. Commissioner Pfeifer agreed this was a good idea. Commissioner Pfeifer then made a motion to approve Ordinance No. 122001, with the revisions discussed, establishing a fee schedule for the City. Commissioner Phipps seconded his motion, which carried.

5. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. WILLIAM S. AND JANE MARIE HURST TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF CONSENT TO THE ANNEXATION OF THE 11.55 ACRE CAT MOUNTAIN AT HORSESHOE BAY SUBDIVISION IN BURNET COUNTY, TEXAS INTO THE LAKE LBJ MUNICIPAL UTILITY DISTRICT:** Mayor Pickens explained that this had already been discussed at a previous meeting. Mr. and Mrs. Hurst had asked for it to be on the agenda again, however, neither was in attendance. Commissioner Pfeifer stated he didn't like the idea of releasing anything in the City's ETJ. Commissioner Phipps agreed. Commissioner Pfeifer then made a motion to disapprove the request to authorize the Mayor to sign a Letter of Consent annexing 11.55 acres into the Lake LBJ MUD. Commissioner Phipps seconded his motion, which carried.
6. **MONTHLY ACTIVITY REPORTS:**
 - A. **POLICE DEPARTMENT:**
 - (1) **ACTIVITY LOG:** Mayor Pickens stated he didn't have a report to read. He noted Chief Reeh was on vacation and Sergeant Hallman was out on a call.
 - B. **PUBLIC WORKS:**
 - (1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** Mayor Pickens stated that the usage was down this time of year and the plant had been working normally. He did note that since the heavy rains we were having some problems with the sewer.
 - (2) **ANIMAL CONTROL:** Mayor Pickens stated that we still have a problem with dogs running the streets. He noted that Sergeant Hallman had issued a citation earlier.
 - C. **CIVIC PRIDE:**
 - (1) **UPCOMING MEETING DATES:** Mr. Euclid Phipps stated the next meeting would be in February.
 - (2) **FUTURE PROJECTS:** Mr. Phipps stated they were still working towards street signs for the City.
7. **MAYOR'S REPORT:**
 - A. **FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES:** Mayor Pickens stated he had nothing new to report.
8. **CITIZEN COMMENTS:** There were none.
9. **ADJOURNMENT:** Mayor Pickens adjourned this Regular Meeting at 8:35 p.m.

ATTEST:


TENA COLLIER, CITY SECRETARY




DALE PICKENS, MAYOR



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

12/14
11-20 3:30
10

AGENDA ITEM REQUEST

I hereby request the following subject to be placed on the Agenda for the next Regular Meeting of the City Commissioners of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: Dec. 20, 2001

Subject to be addressed:
proposed East Mountain at Horseshoe Bay subdivision
CONSENT LETTER

Informational Presentation: Yes No

Requires Action by Commission: Yes No

Name(s) of requester: JANE MARIE HURST & STEVE HURST

Address: 645 KNIGHTS ROW, MARBLE FALLS, TX 78654

Phone No.: home 830/596-8400 Austin 512/715-8600 Burnet 512-755-2294

Jane Marie Hurst 12/12/01
Requester Date

Tena Collier 12/12/01 9:10
Received by City Employee Date Time (a.m./p.m.)

G. **Subdivision Replat – Amending Plat.** A fee in the amount of \$300.00 plus \$5.00 per lot shall be paid for each replat or resubdivision of a plat, or part thereof, filed for review by the City. Such fee shall be paid in addition to the Engineer Review Fee provided hereinabove in Subsection E, and shall be paid together with the then estimated amount of the Engineer Review Fee, when such request is filed. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

H. **Subdivision Variance Request.** In addition to all other applicable fees and charges, a fee in the amount of \$125.00 shall be paid in advance for each variance requested from the subdivision ordinance or any applicable design and/or construction standards. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

I. **Construction Inspection.** A fee in the amount of one and one-half percent (1.5%) of the estimated cost for construction of all streets, water, wastewater, drainage and other infrastructure required to be constructed for the approval and final acceptance of any subdivision or section thereof shall be paid, together with all other applicable fees and charges, prior to any approved plat – plan being finally approved by the City and filed of record. The total estimated amount of such fee shall be paid as a deposit prior to the start of construction.

Professional Fees. In addition to the fees and charges, and Engineer Review Fee, above set forth in this Section, the proposer, developer or subdivider of land, a subdivision, plat, or municipal utility district, shall reimburse and pay to the City the actual cost and expense for professional services, including but not limited to consulting engineers, attorneys and land planners, incurred by the City with respect to such subdivision, plat, development, or municipal utility district.

Section 3. Lot Replats. A fee in the amount of \$125.00 shall be paid in advance for each replat filed for review by the City. No building permit shall be issued for work for which a permit is required, pursuant to Section 1 hereinabove without the replat first being approved by the City and filed of record.

Section 4. Setback Lines and Utility Easements Variances. A fee in the amount of \$125.00 shall be paid in advance for each variance requested to the Setback Lines and/or Utility Easements under the building codes ordinance. No building permit shall be issued for work for which a permit is required, pursuant to Section 1 hereinabove without the variance first being approved by the City and filed of record.

* **Section 5. Zoning Changes and Variances.** A fee in the amount of \$250.00 plus \$3.00 per acre or portion thereof, shall be charged for each zoning change or rezoning request, and each variance requested under the zoning or the building codes ordinance. A fee in the amount of \$50.00 shall be charged for each applicant requesting postponement of a zoning request.

Section 6. Penalties. Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Each day of violation and each incident of violation of this ordinance shall constitute a separate offense.

Section 7. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 8. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 9. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in the manner set forth with the provisions of the Local Gov't. Code.

Section 10. Open Meetings. That it is hereby found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Local Gov't. Code.*

PASSED AND APPROVED on this 20th day of December, 2001.

CITY OF COTTONWOOD SHORES, TEXAS

Dale Pickens
Dale Pickens, Mayor

ATTEST:

Tena Collier
Tena Collier, City Secretary



54/55
HOLLAND
LESTER