

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE - CIVIC CENTER
THURSDAY, FEBRUARY 20, 2003 AT 7:00 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL:
2. CONSENT AGENDA:
 - (A) MINUTES OF REGULAR MEETINGS ON DECEMBER 19, 2002 AND JANUARY 16, 2003:
 - (B) FINANCIAL STATEMENTS FOR THE MONTH OF JANUARY 2003.
3. QUARTERLY PRESENTATION BY MR. GEORGE BIRD WITH PEDERNALES ELECTRIC COOPERATIVE.
4. ORDER OF ELECTION FOR THE CITY OF COTTONWOOD SHORES, TEXAS BY MAYOR PICKENS.
5. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MRS. SYLVIA BREEN TO CONTINUE THE ADULT SWIM NIGHT AT THE CITY POOL.
6. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. TOM ROBERTS AND MR. BILL RAINEY TO REZONE LOTS 42 THRU 50 AND 59 THRU 67, BLUFFVIEW SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS FROM SINGLE-FAMILY RESIDENTIAL TO COMMERCIAL.
7. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. & MRS. MIGUEL RIOS FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 141, PAGE 434, BURNET COUNTY DEED RECORDS ON LOTS 134 AND 135, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 188, BURNET COUNTY PLAT RECORDS, TO ALLOW FOR THE CONSTRUCTION OF A HOME UPON SAID LOTS 134 AND 135, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS OVER AND UPON THE SAID UTILITY EASEMENT.
8. CONSIDER AND POSSIBLY TAKE ACTION ON AMENDING ORDINANCE NO. 061898, AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS REQUIRING UNIFORM APPLICATION AND ENFORCEMENT OF DULY RECORDED RESTRICTIONS AFFECTING THE USE OF REAL PROPERTY WITHIN THE CITY LIMITS OF COTTONWOOD SHORES, TEXAS.
9. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF TEXAS TECH UNIVERSITY - HILL COUNTY AND ITS REQUEST FOR APPROPRIATIONS IN THE TEXAS LEGISLATURE FOR FISCAL YEAR 2004 AND 2005.
10. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION'S TRANSPORTATION DELEGATION AND SELECTED PRIORITY PROJECTS.
11. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF CENTRAL TEXAS REGIONAL CHILDREN'S HEALTH INSURANCE COALITION CONCERNING THE FUNDING AND OPERATION OF THE CHILDREN'S HEALTH INSURANCE PROGRAM AND CHILDREN'S MEDICAID.
12. MONTHLY ACTIVITY REPORTS:
 - A. POLICE DEPARTMENT:
 - (1) ACTIVITY LOG.
 - (2) ARREST.
 - B. PUBLIC WORKS:
 - (1) WATER & SEWER SYSTEM PERFORMANCE & USAGE.
 - (2) ANIMAL CONTROL.
 - C. CIVIC PRIDE:
 - (1) UPCOMING MEETING DATES.
 - (2) FUTURE PROJECTS.
 - D. VOLUNTEER FIRE DEPARTMENT.
13. MAYOR'S REPORT:
 - A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES.
14. CITIZEN COMMENTS.
15. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 17TH DAY OF FEBRUARY, 2003 AT 5:00 P.M.


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, FEBRUARY 20, 2003 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order at 7:01 p.m., with both Commissioner Phipps and Commissioner Pfeifer in attendance a Quorum was Present.
2. **CONSENT AGENDA:**
 - (A) **MINUTES OF REGULAR MEETINGS ON DECEMBER 19, 2002 AND JANUARY 16, 2003:** Commissioner Phipps made a motion to approve the minutes of both meetings. Commissioner Pfeifer seconded her motion, which carried.
 - (B) **FINANCIAL STATEMENTS FOR THE MONTH OF JANUARY 2003:** Mayor Pickens stated that both funds were still showing a year to date profit. Commissioner Pfeifer made a motion to accept Financial Statements for January. Commissioner Phipps seconded his motion, which carried.
3. **QUARTERLY PRESENTATION BY MR. GEORGE BIRD WITH PEDERNALES ELECTRIC COOPERATIVE:** Mr. George Bird informed the Council that PEC had merged with Kimball Electric Cooperative about two years ago. He explained that PEC now had an agreement with American Power to the cities of Junction, Menard and Rock Springs to purchase the utilities in these cities. The biggest benefit was the right to the equipment to serve those cities. Currently, each member has about a \$4,900.00 commitment to debt when they join PEC. He explained that PEC purchased this for about \$2,500.00 a meter so this will help to reduce cost for all PEC members. He noted there would not be a big change to Cottonwood Shores, but overall improve service of PEC by allowing for field offices in Junction, Menard and Rock Springs. He also wanted to get the word out about applications offered to area seniors for scholarships. He noted the only requirement was that they had to live in a household connected to PEC. He added that PEC would be giving twenty-five \$1,000.00 scholarships. He encouraged anyone with a high school senior to pick up an application. He then noted he left a check for \$250.00 with the Council from the PEC Board of Directors. He explained that this represented donations from PEC employees made to area fire departments, EMS, libraries, and other charitable groups. He noted that this year they had passed out \$39,750.00. He knew \$250.00 didn't sound like a lot, but did make a difference to some of the smaller organizations. Mayor Pickens stated that the City had recently changed meters over to the auto-read. Mr. Bird explained that the auto-read meters had many benefits. He explained that they record low voltage so those members don't have to completely lose power before service man is sent out. He added that since January they had thirty-eight repairs that no member had to call in to report. He stated that the new outage system creates a call back list to keep the service man from driving all the way back to the end of the line to check and see if service is restored in the event of an outage. He assured everyone that PEC still wants the one on one with members even if they do use all the new automated services. He encouraged everyone to come by the office and get some cookies and their toy of the month.
4. **ORDER OF ELECTION FOR THE CITY OF COTTONWOOD SHORES, TEXAS BY MAYOR PICKENS:** Mayor Pickens read the Election Order calling for an election on Saturday, May 3, 2003 for the purpose of electing a Mayor and two Commissioners for the City.
5. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MRS. SYLVIA BREEN TO CONTINUE THE ADULT SWIM NIGHT AT THE CITY POOL:** Mayor Pickens explained that the Council normally discusses the pool at next month's meeting. Mrs. Breen stated that would be good. She could use the time to get her ducks in a row. No action on this item at this time.

6. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. TOM ROBERTS AND MR. BILL RAINEY TO REZONE LOTS 42 THRU 50 AND 59 THRU 67, BLUFFVIEW SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS FROM SINGLE-FAMILY RESIDENTIAL TO COMMERCIAL:** Mrs. Breen asked if this area was now zoned for residential. Mayor Pickens replied yes. Mrs. Breen asked if there were any residences there now. Mayor Pickens stated there were none. Commissioner Phipps stated that she thought the Council needed to do the rezoning. She added she realized that some residents in that area may be upset, but she felt it was in the City's best interest. She added that we needed to control what goes in there. Commissioner Pfeifer agreed. He then made a motion to start the process and set a Public Hearing to consider the rezoning request. Commissioner Phipps seconded his motion, which carried.
7. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. & MRS. MIGUEL RIOS FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 141, PAGE 434, BURNET COUNTY DEED RECORDS ON LOTS 134 AND 135, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 188, BURNET COUNTY PLAT RECORDS, TO ALLOW FOR THE CONSTRUCTION OF A HOME UPON SAID LOTS 134 AND 135, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS OVER AND UPON THE SAID UTILITY EASEMENT:** Mayor Pickens noted that this property was close to the corner of Brookwood and Magnolia. Commissioner Pfeifer inquired if there were any utility lines in the easement. Mayor Pickens replied there were none. Commissioner Pfeifer made a motion to approve the request for a variance on the utility easement between Lots 134 and 135, Yellowstone Section. Commissioner Phipps seconded his motion, which carried.
8. **CONSIDER AND POSSIBLY TAKE ACTION ON AMENDING ORDINANCE NO. 061898, AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS REQUIRING UNIFORM APPLICATION AND ENFORCEMENT OF DULY RECORDED RESTRICTIONS AFFECTING THE USE OF REAL PROPERTY WITHIN THE CITY LIMITS OF COTTONWOOD SHORES, TEXAS:** Commissioner Pfeifer stated that he brought this up because he would like to see new houses being constructed to have 25% masonry. He added that he noticed Dion Perez's houses on Pecan are doing more than 25% and they really look good. He wanted to add 25% brick or stone masonry to the ordinance requirements. Mayor Pickens thought it would be good to make corner lots 50%. Both Commissioners agreed. Commissioner Pfeifer stated he had another item in the Ordinance he would like to discuss, Section 11.02, on recreational vehicles. He noted that currently it is a violation to use a recreational vehicle for more than fourteen consecutive days. He added that certain people had been violating this ordinance for a long time, by living in their recreational vehicle even though they had been told they couldn't live in it. He didn't know of anyway to eliminate this violation other than to eliminate the fourteen days, period. He added you could still park your recreational vehicle at your residence, but no one could stay in it. He noted that people have talked to these people about living in their recreational vehicle and explained that can't live in it, and yet they keep doing it. Mrs. Sylvia Breen asked if there was a fine for violating the ordinance. Commissioner Pfeifer stated that the fine was two-hundred dollars a day, but for some reason or other nobody goes to give them a citation. He added that we did have one who was given a citation and brought before the judge who received a fine. City Secretary, Tena Collier, explained that the problem was that the ordinance reads that they can't stay for more than fourteen consecutive days, but there is no limit to the number of days. Mrs. Breen stated so they can leave for a day and come back. Mrs. Collier replied yes. She noted that the people in question say that every two weeks they spend the night in a motel or with friends. Commissioner Pfeifer stated now we have people living in a recreational vehicle in a single-family residential area and that doesn't set to good with a lot of citizens in the City. Mrs. Breen agreed. She noted that is why we have ordinances to stop people from staying in recreational vehicles. She added we don't want to become a recreational vehicle park. Commissioner Phipps asked why the fourteen days was in the ordinance. Commissioner Pfeifer stated that had been that way a long time, since 1989. He noted that it accommodated people who had family visit for weddings or what have you. He thought that was okay, but he didn't know of anyway to stop people from living in them. Mrs. Collier noted that there should be a limit to the number of days and that would put a stop to people abusing the ordinance without punishing those who would have friends or family visit a couple of weeks out of the year. She added that if you put a limit of days per year to say thirty than you could have people

come for a wedding or family reunion as long as they didn't stay for more than two weeks at a time for a total of thirty days a year. She noted that the way the ordinance reads now, as long as they say they spend one night every fifteen days out of the City they are in compliance. Commissioner Phipps stated that sounded like it would work. Mrs. Breen suggested putting the stipulation of sixty days a year, which would allow for visitors in the spring, summer and winter. Mr. Euclid Phipps stated that when people stayed down at Bobby's they would come and stay a weekend or two. He felt thirty days was enough. Mrs. Breen agreed most people would only stay a week at a time so that thirty days would probably be enough. Commissioner Pfeifer suggested wording the ordinance to read fourteen consecutive days not to exceed thirty days per year. Commissioner Phipps agreed that should be plenty of time. Commissioner Pfeifer wanted to address people building so-called storage buildings and then the next thing we knew they were living in them. He wanted to know how to eliminate that. Mayor Pickens stated that we haven't proven that they are living there. He noted that they had violated their permit. He noted that he hadn't checked it but that there was an air conditioner sticking out of the back of the building. He added that someone had reported seeing lights in the building. He thought we should have the building inspected under the permit they received and if they are in violation of that they should receive a citation. Commissioner Pfeifer stated that someone needed to go check and make sure that the storage buildings were not being used as a residence. Mr. Euclid Phipps asked what was in the ordinance about building a storage building before they built a house. Commissioner Pfeifer stated that people were allowed to put a storage building up before that built a house. He explained that they could store their tools and stuff in it while they were building. Mayor Pickens wondered if we could limit that to one storage building per lot. Commissioner Pfeifer stated that if they had nine lots then they could have nine storage buildings. He added we could change it to one storage building per residence. Mayor Pickens stated that at one time the ordinance did specify that there was only one storage building per residence. Commissioner Pfeifer thought that would be good to put only one storage building per residence back in the ordinance. Commissioner Phipps agreed. Mayor Pickens suggested that if someone wanted to build a storage building before their residence, they could only do so if they had applied for a permit to build the residence. He added that would eliminate people getting a permit for the storage building and never building their house. Commissioner Pfeifer stated that was a good idea. Commissioner Phipps agreed. She added that way you knew they were serious about the house. Commissioner Pfeifer made a motion to change Ordinance No. 061898 as discussed and recorded. Commissioner Phipps seconded his motion, which carried.

9. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF TEXAS TECH UNIVERSITY - HILL COUNTY AND ITS REQUEST FOR APPROPRIATIONS IN THE TEXAS LEGISLATURE FOR FISCAL YEAR 2004 AND 2005:** Mayor Pickens stated that one of the greatest things that happened to the Hill Country was getting a start at a college education here. He explained the reason for the resolution was to inform the legislature that even with the short budget we would not appreciate cutting the funds to the project, which recently got off the ground. He added that it needs to be funded and moved forward until it is more self-sufficient. Commissioner Pfeifer stated that he thought we should support Texas Tech. Commissioner Phipps then made a motion to adopt the resolution in support of Texas Tech. Commissioner Pfeifer seconded her motion, which carried.
10. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION'S TRASPORTATION DELEGATION AND SELECTED PRIORITY PROJECTS:** Mayor Pickens stated that there are three regional road projects that CAPCO is recommending we support just down the road from us. Commissioner Phipps stated that if it is not going to cost any money we should support it. Commissioner Pfeifer agreed. Commissioner Phipps then made a motion to adopt the resolution in support of the selected projects. Commissioner Pfeifer seconded her motion, which carried.
11. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION IN SUPPORT OF CENTRAL TEXAS REGIONAL CHILDREN'S HEALTH INSURANCE COALITION CONCERNING THE FUNDING AND OPERATION OF THE CHILDREN'S HEALTH INSURANCE PROGRAM AND CHILDREN'S MEDICAID:** Commissioner Pfeifer asked if this was part of the insurance for all kids

that they were trying to get passed in Austin. Mayor Pickens stated that they do have a program, but it needs to be funded. He added all children could get very affordable health insurance through this program. Commissioner Pfeifer made a motion to approve item eleven on the agenda. Commissioner Phipps seconded his motion, which carried.

12. MONTHLY ACTIVITY REPORTS:

A. POLICE DEPARTMENT:

(1) **ACTIVITY LOG:** Mayor Pickens read the report for the Police Department.

B. PUBLIC WORKS:

(1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** Mayor Pickens stated that the usage was normal for this time of year. He added that the guys were upgrading the system as weather permitted.

(2) **ANIMAL CONTROL:** Mayor Pickens stated that we had too many cats as well as the stray dog from time to time. He added that we are working that as best as we can.

C. CIVIC PRIDE:

(1) **UPCOMING MEETING DATES:** Mayor Pickens stated that Civic Pride was in limbo now, but may get together in the spring.

(2) **FUTURE PROJECTS.**

D. VOLUNTEER FIRE DEPARTMENT: No one present to give a report.

13. MAYOR'S REPORT:

A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES: Mayor Pickens stated that on March 6th the City would go with the engineer and grant coordinator before the CAPCO board and make a presentation to try to secure funds.

14. CITIZEN COMMENTS: Mr. Euclid Phipps asked if the City had money in the budget to get the street signs put up. Mayor Pickens stated that he had a community service worker who had 470 hours to do and he was going to give him a post hole digger until the fire department showed up with the auger. He added he could do them one at a time by hand starting next week. Mrs. Sylvia Breen stated that she appreciated them coming through and doing the drainage ditches. Mr. Euclid Phipps asked if we had got with the wrecker service yet. Mayor Pickens replied not yet. Mrs. Collier stated that we needed to because Amy had sent some letters out and the ten days would be up soon.

15. ADJOURNMENT: Mayor Pickens adjourned this Regular Meeting at 8:06 p.m.


TENA COLLIER, CITY SECRETARY





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

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: 2/20/03

Subject to be addressed: Continuing Adult Swims
At the pool - at least 1 night a week

Informational Presentation: Yes No

Requires Action by Commission: Yes No

Name(s) of requester: Sylvia Breen

Address: 737 Magnolia Ln

Phone No.: 693-5415

Sylvia Breen 2/6/03
Requester Date

Amy Ferguson 1/31/03 4pm
Received by City Employee Date Time a.m./p.m.



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

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: 2/20/03

Subject to be addressed: Re Zoning of Lots #'s
42 thro 50 and 59 thro 67

Informational Presentation: Yes No

Requires Action by Commission: Yes No

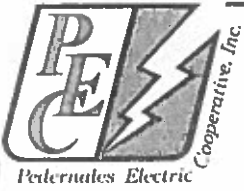
Name(s) of requester: Tom Roberts / Bill Rainey

Address: 3805 RR 2147 West

Phone No.: 830-798-1600

[Signature] 2/3/03
Requester Date

[Signature] 2.4.03 8:20
Received by City Employee Date Time (a.m./p.m.)



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

January 21, 2003

The Honorable Dale Pickens
City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood, Texas 78654

Dear Mayor Pickens:

Pedernales Electric requests that time be reserved on Cottonwood Shores' city council agenda for the meeting scheduled February 20, 2003, at 7:00 p.m. George Bird will be attending to provide the council with an update on the Cooperative's activities in your area as well as answer any questions you may have.

If there is a change in the date or time of the above scheduled meeting, please notify Ginny Bain at (830) 868-4921 or toll free at 1-888-554-4732, Extension 4921.

Sincerely,

Jeanell Davis
Operations Manager

JD:GB:gb

cc: Trey Grebe
✓ Ms. Tena Collier, Secretary



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Dale Pickens - Mayor

Tena Collier - City Secretary

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: 2/20/03

Subject to be addressed: Re zoning of lots #'s
42 thro 50 and 59 thro 67

Informational Presentation: Yes No

Requires Action by Commission: Yes No

Name(s) of requester: Tom Roberts / Bill Rainey

Address: 3805 RR 2147 West

Phone No.: 830-798-1600

[Signature] 2/3/03
Requester Date

[Signature] 2.4.03 8:20
Received by City Employee Date Time (a.m./p.m.)