

**MINUTES OF THE SPECIAL MEETING
OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
3808 COTTONWOOD DRIVE – CITY HALL
WEDNESDAY, JULY 23, 2003 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL.** Mayor Pickens called the special meeting to order at 7:04 PM with Council Members Pfeifer and Hildebrand in attendance; a quorum was present.
2. **EXECUTIVE SESSION – THE COUNCIL MAY ENTER INTO CLOSED OR EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:**
 - a) **CONSULTATION WITH CITY ATTORNEY PURSUANT TO §551.071, GOVERNMENT CODE REGARDING CAUSE NO. 22467, *BOB AND PHYLLIS WOMBLE v. CITY OF COTTONWOOD SHORES*, IN THE 33rd DISTRICT COURT, BURNET COUNTY, TEXAS.**

City Secretary Tena Collier explained that it was not necessary to go into executive session but only if the council wanted to do the closed session. Mayor Pickens wanted to know what the attorney had stated. Ms. Collier reported that the mediation should be explained to the council and agree to the settlement.

Mayor Pickens reported that he went to court for a hearing, Mrs. Womble testified, Christian cross-examined and brought out some details that enlightened the court and suggested that the case go into mediation. Mediation was established at the district courthouse and the mediator assigned was a retired attorney. Those present were the mediator, city attorney, Ms. Collier, Mayor Pickens, the speakers, Bob and Phyllis Womble's attorney, Mr. Womble and a paralegal for their side. It was briefly discussed the points of the case, the attorneys for both sides spoke, and then the parties were divided into separate rooms. The mediator went back and forth between the rooms hearing both sides and making recommendations. The mediator realized what the problem was and that Mr. and Mrs. Womble needed to produce proper documents and proper applications to the city and proceed. Mayor Pickens suggested that Mr. and Mrs. Womble were a little confused when they bought the property and the person who owned the property prior to their purchase was unaware of things either when he sold it to them and it was not prime property and did not have utilities. The parties agreed through their attorney to file a joint dismissal of the lawsuit with prejudice which means that they will not re-file, nor will the city pursue a lawsuit. It was mentioned that the city would pursue legal action to reimburse for funds if they did not agree to the city's terms. Mr. and Mrs. Womble agreed to vacate the premises on or before August 17, 2003, and the city is to dismiss all complaints against Mr. and Mrs. Womble and the parties are to pay their own attorney fees. Mayor Pickens stated that the reason for the meeting was to accept the memorandum agreement.

3. **RETURN TO OPEN SESSION:**
 - a) **CONSIDER AND POSSIBLY TAKE ACTION ON CAUSE NO. 22467, *BOB AND PHYLLIS WOMBLE v. CITY OF COTTONWOOD SHORES*, IN THE 33rd DISTRICT COURT, BURNET COUNTY, TEXAS.**

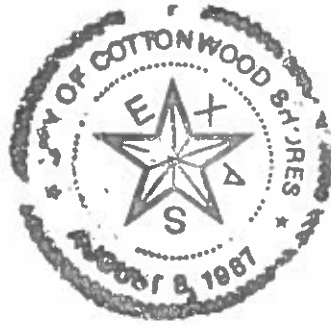
Commissioner Hildebrand made a motion to accept the memorandum agreement. Commissioner Pfeifer seconded the motion and passed.

4. **CITIZEN COMMENTS.** There was a comment that there were two (2) citizens present.
5. **ADJOURNMENT.** Mayor Pickens adjourned the meeting at 7:22 PM.

ATTEST:

TENA COLLIER, CITY SECRETARY

Laurel Kant
Laurel Kant, City Secretary
Replaces Original Minutes
Dec. 21, 2005



COTTONWOOD SHORES POLICE DEPARTMENT

3915 COTTONWOOD DRIVE
COTTONWOOD SHORES , TEXAS 78654

MONTHLY REPORT FOR JULY 2003

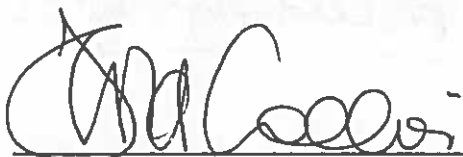
SUSPICIOUS PERSON/VEHICLES:	<u>3</u>
ABANDONED VEHICLE	<u>2</u>
ACCIDENTS	<u> </u>
ASSAULTS/FAMILY VIOLENE	<u> </u>
BURGLARIES	<u> </u>
CRIMINAL MISCHIEF	<u>3</u>
DISTURBANCES	<u>1</u>
THEFT	<u> </u>
MISSING PERSONS	<u> </u>
OTHER AGENCY ASSISTS / EMS/FIRE	<u>1</u>
HARASSMENT	<u> </u>
TRESPASS	<u> </u>
WELFARE CONCERN	<u>4</u>
DEATHS	<u> </u>
MISCELLANEOUS CALLS	<u>22</u>
TOTAL CALLS	<u>36</u>
MUNICIPAL COURT CITATIONS	<u>9</u>
ARRESTS	<u>1</u>
JUVENILE ARRESTS	<u>2</u>
HOURS WORKED	<u>400</u>
RES. HRS. WORKED	<u>8</u>
TOTAL HRS	<u>408</u>
TOTAL MILES DRIVEN	<u>2247</u>

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WEDNESDAY, JULY 23, 2003 AT 7:00 P.M.**

AGENDA

- 1. CALL TO ORDER AND ROLL CALL.**
- 2. EXECUTIVE SESSION – THE COUNCIL MAY ENTER INTO CLOSED OR EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:**
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- 3. RETURN TO OPEN SESSION:**
 - a) CONSIDER AND POSSIBLY TAKE ACTION ON CAUSE NO. 22467, *BOB AND PHYLLIS WOMBLE v. CITY OF COTTONWOOD SHORES*, IN THE 33RD DISTRICT COURT, BURNET COUNTY, TEXAS.**
- 4. CITIZEN COMMENTS.**
- 5. ADJOURNMENT.**

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 20TH DAY OF JULY, 2003 AT 6:00 P.M.


TENA COLLIER, CITY SECRETARY

