

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JULY 15, 2004 AT 7:00 P.M.**

1) **CALL TO ORDER AND ROLL CALL:** Mayor Santee called the meeting to order at 7:05 PM with Council Members Hildebrand, Beyer, Pfeifer, Plumley, and Carusi in attendance. A quorum was present.

2) **CONSENT AGENDA:**

a) **MINUTES OF A REGULAR MEETING ON MAY 20, 2004:**

A motion was made by Councilman Plumley that the reading of the minutes of May 20, 2004, be waived and minutes approved. Councilman Carusi seconded the motion and was passed.

b) **FINANCIAL STATEMENTS FOR THE MONTH OF MAY 2004:**

No action was taken, skipped to item No. 3 on the agenda.

3) **PRESENTATION BY MRS. DOROTHY BUTLER ENCOURAGING PARTICIPATION IN THE FIRE FIGHTERS OF AMERICA'S NATIONAL NIGHT OUT PROGRAM:**

Dorothy Butler was not present, but Christina Rodriquez made the presentation for the Cottonwood Fire Department. There will be an open house at the fire department and will be held on August 3, 2003, from 6-8 PM, and will give people a chance to get to know the fire personnel. Ms. Rodriquez reported that \$1500 was raised through the garage sale and that \$1,000 was donated to the fire department for the building fund.

4) **PUBLIC HEARING: CONDUCT CLOSE OUT PUBLIC HEARING IN CONNECTION WITH THE C.D.B.G. NO. 723179 IN THE AMOUNT OF \$250,000 RECEIVED BY THE CITY OF COTTONWOOD SHORES FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE PURPOSE OF CONSTRUCTING WATER SYSTEM IMPROVEMENTS:**

Mr. Gandolf Burris explained the grant and the checks and balances and attested to the fact that the grant funds were spent as designated and are federally supervised. Public hearing closed at 8:20 PM.

5) **CONSIDER AND POSSIBLY TAKE ACTION ON APPROVING THE ANNUAL FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003 AS PRESENTATION BY MR. BURL HARPER, C.P.A.:**

Mr. Harper was not in attendance and the item was postponed until the next regular council meeting.

6) **CONSIDER AND POSSIBLY TAKE ACTION ON CREATING A PLANNING AND ZONING COMMISSION FOR THE CITY OF COTTONWOOD SHORES, TEXAS:**

Mayor Santee explained that the present planning and zoning ordinance was adopted in 2002, the ordinance does not provide for a planning and zoning commission as being proposed by Ms. Diane Wells. Mayor Santee further explained that a commission is a body, in this case, appointed by the city council consisting of three (3) to five (5) people who would have jurisdiction over planning and zoning matters. If anyone disagrees with the planning and zoning commission, they would have the right to appear before council.

Ms. Diane Wells presented her qualifications and she gave the reasons for a planning and zoning commission. Ms. Wells stated that portions of the ordinance needs to be re-written but that she is not proposing the entire ordinance to be re-written. Ms. Wells reported that six (6) people would serve on the committee and approve ideas for improvements, but the council would have the final approval. Ms. Wells reported that it was not a paid position.

Mr. Marley Porter stated his qualifications and stated that the commission members are appointed by the council, they are not elected positions, and not political positions. Mr. Porter reported that open forums are held by the commission and they listen to everyone and prioritize items to present recommendations to the council who would then vote on the item. There would be maps to show the current zoning and what the proposed zoning would look like; and there would be assigned guidelines and when a developer would come in they could read these guidelines and know right up front what is required such as materials and construction.

Mayor Santee stated that the commission terms should be staggered and how documents should be presented and prepared for the council which should be at least two (2) weeks in advance in the form of a proposed ordinance.

As there was nothing further on this item, Mayor Santee stated that this would be carried over to the next regular meeting under old business.

7) CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETING OF THE COTTONWOOD SHORES CITY COUNCIL:

Mayor Santee stated that he was going to make item 7 and 8 a package deal and that the council had spent several hours on this. Mayor Santee made many accusations during this meeting and made the accusation that the agenda had not been presented to him for approval and therefore was not going to approve the agenda. The City Secretary Tena Collier spoke and informed him that they had, in fact, gone over the agenda items which Mayor Santee denied.

Mrs. Rhonda Maxwell spoke in regards to the action of yelling at Ms. Amy Ferguson, Utility Billing Clerk, causing her distress and leaving the office and that Mayor Santee placed her on suspension, denied her appeal. Mayor Santee denied this action and it was pointed out that City Secretary had placed the item on the agenda and that Mayor Santee had it removed. Mr. Curtis Rittman was speaking when Mayor Santee told him to shut up. At that point the meeting was no longer in control and Sgt. Steve Hallman ordered everyone to continue with the meeting.

Councilman Carusi made the motion that a new meeting be set on July 22, 2004, to hear Ms. Amy Ferguson's case. Councilman Hildebrand seconded the motion and was passed.

Mayor Santee stated that the motion had been passed to over turn the Mayor's decision.

Councilman Pfeifer asked whether the hearing was to be an open or closed session. Ms. Ferguson answered that she wanted an open meeting.

Councilman Carusi asked for the floor. Mayor Santee allowed since there were no motions on the floor.

Councilman Carusi stated in reply to the Mayor's remark about the authority the council had in calling the special meeting. In Government Code 22.038 gives the council that right. On this rules and procedures that was discussed last week, the old item reads in item No. 3, "Agenda item must received approval of the mayor and one (1) city council person before being placed on the agenda." The council struck that sentence. Mayor Santee replied, "You struck that sentence?" Councilman Carusi replied that everyone agreed to strike that sentence. The new item 3 does not include that one sentence. Any person that feels that they need addressed or need to address the council has that right, all they need to do is fill out the form three (3) days before the council meeting. Councilman Carusi pointed out that the mayor had pointed out that a lady had written a three (3) page letter but since it was not on the proper form, she was not allowed to be heard, and that the mayor had even said that it was wrong. Councilman Carusi stated that the mayor had agreed that all persons should be heard.

Mayor Santee interjected that he did not know what Councilman Carusi was referring to and asked him what he was wanting changed. Councilman Carusi replied that it had been changed, the new policy, the one that was being talked about approving today, does not review the agenda for rejections. Councilman Carusi stated that if they wanted to heard, they will be allowed to be heard.

Councilman Carusi made the motion to approve adopting the rules of procedure, conduct and Decorum at the meetings of the City of Cottonwood Shores, Texas, City Council. Councilman Plumley seconded the motion and was passed.

8) CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A PERSONNEL POLICY AND PROCEDURE MANUAL FOR THE CITY OF COTTONWOOD SHORES:

After much discussion as to why City Secretary Tena Collier be given authority in the office in the absence of the mayor or mayor protem, Councilman Hildebrand made a motion to table this item until the personnel policy could be re-written. Councilwoman Beyer seconded the motion and was passed.

9) CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY THE COTTONWOOD SHORES' VOLUNTEER FIRE DEPARTMENT FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 141, PAGE 362, BURNET COUNTY DEED RECORDS ON LOTS 578 AND 579, SCARLET OAKS SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 184, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE CONSTRUCTION OF AN ADDITIONAL FIRE STATION OVER AND UPON SAID UTILITY EASEMENT:

Mr. Butler stated that a correction should be made that it was for lots 577 and 578 rather than lots 578 and 579 that was being requested for the set-back easements. Mr. Butler presented history of the fire department and explained the proposed plans and the placement of the buildings.

Councilman Hildebrand made a motion to grant the request by the Cottonwood Shores' Volunteer Fire Department for a variance to the five foot utility easement and setback requirement as recorded In Volume 141, Page 362, Burnet County deed records on lots 577 and 578, Scarlet Oaks Section, Cottonwood Shores, Texas, as recorded in Volume 1, Page 184, Burnet County plat records to allow For the construction of an additional fire station over and upon said utility easement. Councilman

Carusi seconded the motion and was passed.

10) MONTHLY ACTIVITY REPORTS:

A. POLICE DEPARTMENT:

(1) ACTIVITY LOG: Sergeant Hallman read the report for June. There were a total of 57 calls. Sergeant Hallman reported that a methamphetamine lab was busted on Westwood. Sergeant Hallman continued to report that there were 7 open investigations; theft, forgeries, check forgeries; sexual assault of a child; identity theft, burglary and misappropriation of funds. Sergeant Hallman stated that they have 6 cases that are going to the district attorney. It was reported that Chief Reeh and Sergeant Hallman worked a total of 390 hours, 270 on-call hours and 2,110 miles driven.

B. PUBLIC WORKS:

(1) WATER & SEWER SYSTEM PERFORMANCE & USAGE:

Mr. Nathan Cantrell reported on the new truck that Councilman Pfeifer got for the city. The usage sewer is running about the same as last month; water is up a little bit but we are holding our own. There were some inspections on July 1, 2004, and the city received 3 gigs and the write ups will be received in the office as already corrected.

(2) ANIMAL CONTROL: No report.

C. VOLUNTEER FIRE DEPARTMENT:

Mr. Butler reported (1) drug lab standby, which was explained as getting dressed up and wait for A call; (2) EMS calls and (1) grass fire. Mr. Butler reminded everyone to be careful with burning because there had been no rain in a couple of weeks; also trim the trees and clear the brush around the house.

11) CITIZEN COMMENTS:

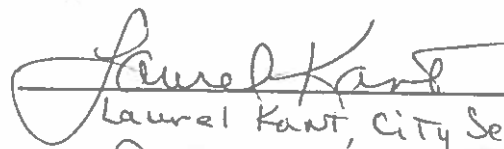
Councilman Plumley reported that he attended a meeting the first of July, with Burnet County Commissioner James Oakley and stated that they are proposing is to put a crossover in front of Wirtz Dam connecting Flying K Road and the 2147 spur that runs by the marina. Councilman Plumley reported that they are currently in a preliminary feasibility study but they are wanting citizen comments on whether they are interested in the project or not and they are also trying to get Llano County also involved in the project.

Mrs. Sue Lamar reported that she had been harassed regarding the cleanup of the property. Mr. McGurdy reported number of times that he went to the Lamar residence and that it was not on a daily basis nor in a harassing manner, but that no improvement had been made to clean up the property. A citizen stated that she had 2 teenage sons and she would bring them down in order to get the property cleaned up if she would like to have assistance.

12) ADJOURNMENT: Mayor Santee adjourned the meeting at 8:50 PM>


DONALD SANTEE, MAYOR

TENA COLLIER, CITY SECRETARY


Laurel Kant, City Secretary
Replaces Original Minutes
Dec. 22, 2005

**COTTONWOOD SHORES
MONTHLY WATER/ WASTEWATER
DEPARTMENT REPORT**

May 2004

Raw water usage

4,014,000 total
129,000 average
257,000 max
71,000 min

Treated water usage

3,246,000 total
105,000 average
201,000 max
61,000 min

Wastewater pumpage

1,699,000 gallons of wastewater was pumped to LBJ MUD for treatment.

City of Cottonwood Shores Activity Report

May-04		
Date	Activity	Address
3-May	cutoff	609 aspen
3-May	worked on streets filling potholes	
4-May	repaired tire on backhoe	
4-May	started extending main	600 block of oak
5-May	working on main	600 block of oak
6-May	transfer	4209 rr 2147 west
6-May	check service	635 magnolia
6-May	delivered trash cart	705 driftwood
6-May	delivered trash cart	3802 cottonwood dr.
6-May	filling potholes	birch/aspen/oak
7-May	finished watermain extension started cleanup	650 oak
7-May	# 1 high service pump down at water plant kemco out to help repair	
7-May	csi/reconnect	609 aspen
7-May	Chris started	weedeated water plant
7-May	fluid meter here to calibrate raw water, finished water and wastewater flow meters	
8-May	helped setup civic center for meet the candidates	
8-May	talked to Mayor took two loads of tires to LCRA's recycle center (56 tires)	
10-May	cutoff	2824 44 2147 west
10-May	meter changeout	644 oak
10-May	clean out culvert	655 driftwood
10-May	made 3 street cuts with rented walk behind saw	2 on pecan 1 on lakeview
10-May	leak on main	813 cypress
11-May	inspected sprinkler system	plaza del sol
11-May	made sewer tap street crossing	858 pecan
11-May	cutoff	710 fir
11-May	inspected sprinkler system	plaza del sol
11-May	worked on gravel pit removed some trees on corner and started placing rocks for fence	
12-May	reconnect	817 westwood
12-May	replaced start capacitor on grinder pump	(dale) lakeview
12-May	matt out sick	
12-May	breakers tripped on # 4 liftstation reset breakers didn't find any cause	
13-May	added 6' to culvert	3710 lakeview
13-May	continued cleanup	600 block of oak
13-May	filling potholes	700 block of magnolia
13-May	unplugging culverts	
14-May	kemco out to trouble shoot and rebuild starter on # 1 high service pump	
14-May	cleaned probes	elevated tank
17-May	kemco out to replace starter on #1 high service pump	
17-May	started reading meters	
17-May	transfer	626 aspen
17-May	delivered trash cart	821 fir
18-May	receiving base for stockpile	lakeview boat ramp
18-May	receiving base for stockpile	lakeview boat ramp
18-May	starter burned up in #2 high service pump took starter out of #3 and put in #2	
18-May	contractor ordered to much concrete poured excess on culvert across from #3 lift station	
18-May	main leak	corner of prince peak and princess dell
19-May	culvert clogged	4101 cottonwood
19-May	customer has leak at house cutoff water	3720 lakeview
20-May	delivered trash cart	3813 lakeview
20-May	delivered trash cart	821 fir
20-May	delivered trash cart	651 aspen
21-May	# 1 lift station high level	driftwood
21-May	# 2 high service pump at water plant call circuit went out	
21-May	# 3 lift station high level	

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



AGENDA ITEM REQUEST

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

Date of next Regular Meeting: July 15, 2004

Subject to be Addressed: Proposed Planning + Zoning Com.

Informational Presentation: Yes No

Requires Action By Council: Yes No

Name(s) of Requester: Diane Kells
Address: 3911 Lakewood Dr
Cottonwood
Phone No.: 693-9223

Diane Kells 6-21-04
Requester Date

MacCollin 6.22.04 4:00
Received by City Employee Date Time am/pm

Agenda Request

We request the following item be placed on the agenda for July 15, 2004.

not Regular

1. Appeal of discipline action taken against Amy Ferguson, Utility Billing Clerk.

Councilman Lee Hildebrand

William Plumley

Councilman Bill Plumley

Rick Carusi

Councilman Rick Carusi

Tootsie Beyer

Councilman Tootsie Beyer

Councilman Frank Pfeifer

Disapproved
at 5:00 PM
July 13 2004
D.S. Santez
Mayor

Meeting of 7/15/04
is hereby post-
poned until
reg. Council
mtg in August.
D.S. Santez
Mayor

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE - CIVIC CENTER
THURSDAY, JULY 15, 2004 AT 7:00 P.M.

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 - b) FINANCIAL STATEMENTS FOR THE MONTH OF MAY 2004.
- 3) PRESENTATION BY MRS. DOROTHY BUTLER ENCOURAGING PARTICIPATION IN THE-FIRE FIGHTERS OF AMERICA'S NATIONAL NIGHT OUT PROGRAM.
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 - A. POLICE DEPARTMENT:
 - (1) ACTIVITY LOG.
 - B. PUBLIC WORKS:
 - (1) WATER & SEWER SYSTEM PERFORMANCE & USAGE.
 - (2) ANIMAL CONTROL.
 - C. VOLUNTEER FIRE DEPARTMENT.
- 11) CITIZEN COMMENTS.
- 12) ADJOURNMENT.

Gandolf

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No

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 12TH DAY OF JULY, 2004 AT 6:30 P.M.

ATTEST:


TENA COLLIER, CITY SECRETARY



REQUEST FOR REGULAR MEETING

WE REQUEST THAT THE REGULAR MEETING SCHEDULED FOR JULY 15, 2004
AT 7:00 PM BE HELD AS POSTED AND REQUIRED BY LOCAL GOVERNMENT
CODE § 22.038.

COUNCIL MEMBER LEE HILDEBRAND

COUNCIL MEMBER FRANK PFEIFER



COUNCIL MEMBER RICK CARUSI



COUNCIL MEMBER TOOTSIE BEYER



COUNCIL MEMBER BILL PLUMLEY

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
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 - (2) ANIMAL CONTROL.
 - C. VOLUNTEER FIRE DEPARTMENT.
- 11) CITIZEN COMMENTS.
- 12) ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 12TH DAY OF JULY, 2004 AT 6:30 P.M.

ATTEST:


TENA COLLIER, CITY SECRETARY



CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78654
(830) 693-3830 FAX: (830) 693-6436



ATTENDANCE RECORD
CITY COMMISSIONERS MEETING
CITY OF COTTONWOOD SHORES, TEXAS

DATE: JULY 15, 2004

PLEASE SIGN IN:

Nae McCreedy

Leana McCreedy

Paul Taylor

Keith Patten

Dancy Hughes

RONALD F. YATES

Sybil Breen

STAN SLOAN

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

Margorie Phelan

Eddie [Signature]

James [Signature]

Ray D. Pearson

Judith Austin

[Signature]

Katherine R. Pittman

Darlene Way

[Signature]

Alan L. Lewis

Sybil Breen

[Signature]

Deanne Wells

[Signature]

John [Signature]

Eve [Signature]

Carl [Signature]

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