

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
TUESDAY, FEBRUARY 1, 2005 AT 6:30 P.M.

CC COPY
Replaces Original

1. **CALL TO ORDER AND ROLL CALL:** Mayor Pfeifer called the special meeting to order at 6:30 P.M. with council members Beyer, Carusi, Hildebrand, Logan, and Plumley in attendance a quorum was present. Jerrial Wafer will record the minutes in place of the City Secretary, Tena Collier.
2. **CONSIDER AND POSSIBLY TAKE ACTION ON A SERVICE AGREEMENT BETWEEN THE CITY OF COTTONWOOD SHORES, TEXAS AND THE COTTONWOOD SHORES VOLUNTEER FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION SERVICES WITHIN THE CORPORATE LIMITS OF THE COTTONWOOD SHORES, TEXAS:** Ernesto Mendoza, Vice President of the voluntary fire department stated that he had a copy of the old contract that was signed by Mr. Pfeifer. The fire department would like to propose charging \$1,500 a month from February 1, 2005, through September 30, 2005, which is the same contract that you have. Councilman Carusi stated that \$6,000 for one year was all that was budgeted. Mr. Mendoza asked the council members what they proposed for the fire department. Councilman Carrusi replied to continue the contract as it is currently, we propose a year. Mr. Mendoza stated that this 4-month contract would become null and void as this contract is only for four (4) months.

Councilwoman Logan responded that she was looking forward to a workshop because there were questions that she had that she did not have any information. Councilwoman Logan wanted to know how the fire department gets the water to use. Councilwoman Logan asked whether a contract was made or if a grant agreement was issued. Councilwoman Logan stated that it was her understanding that we just cannot give away free water. Councilwoman Logan further stated that she wants to make sure that the fire department has that water available. Councilwoman Logan asked Mr. Mendoza if he just pulled up and fill up when it is needed; or, is it metered; or does the fire department have to keep track of it.

Mr. Mendoza replied that they use the fire hydrants to fill the trucks. We turn in the amount to the city the amount of water that is used but it is not metered.

Councilwoman Logan asked what could be provided to the fire department at the present time since there is currently no monies available and until there is cash available. Councilwoman Logan stated that a budget showing the financial figures would be provided to Mr. Mendoza in a timely manner. It was acknowledged that the fire department was coming to the council asking for money because the fire department also has budget issues. Councilwoman Logan stated that she understood that financially the dollars and cents are not there and that she was looking for a way to assist or to a compromise until a new budget is passed. Councilwoman Logan stated that the fire department is wanted and needed in the community.

Mr. Mendoza asked for suggestions from the council to present to the fire department. Money is needed to keep the services of the fire department going; to keep the trucks running; and to respond to each and every house in a timely manner. Mr. Mendoza asked what the city was offering if there was no money so that he could go back and discuss it with the men of the fire station.

Councilman Plumley explained that once the budget is passed that no more money could be issued. Mr. Mendoza stated that if that was the case when the contract was signed for four (4) months, the city council knew that the time to re-negotiate with the fire department that there was not going to be able to ask for any more money. Councilman Plumley stated that this was not necessarily true but was based on the contingent on the hill and that has not happened yet and right now we are embroiled in a law suit. Mr. Mendoza asked the council if it is not stated in the contract about the contingency with what we had; that to us was a verbal that we would be able to come back to re-negotiate. Mr. Mendoza further stated that he now understands that money cannot be issued after the budget has passed. Councilman Plumley affirmed that this was correct. Councilwoman Logan added that it would take an official Ordinance amendment to change. Mr. Mendoza wanted asked the council why it was not brought to their attention when the 4-month document was prepared.

Ms. Janet Taylor-Carusi stated that the council was not really aware of the process that is necessary to do a budget amendment. To do a budget amendment you have to notify the county commissioners and the county commissioners then tell you if you can amend your budget. It is a process that you must go through and it is not an immediate decision. We had to submit the budget, or we did submit the budget to the county. The county approved it and passed it and now in order to change it, we have to re-petition the county to do so. I urged cautioned on this when it happened and I tried to make everyone aware of the fact that there was only a certain amount of money in the budget for this and I did not see any windfall. I worked on the budget and at that time we were all putting our hopes on something that may not even happen at all.

Mr. Mendoza stated that he was just trying to clear up the information and that he was trying to better the Cottonwood Fire Department and the City of Cottonwood in order to provide services. Mr. Mendoza stated that he could not propose what was needed because he was not aware of what the city has to offer. Councilman Carusi told Mr. Mendoza to state the needs of the fire department. Mr. Mendoza stated that money is needed to replace the trucks; there is a truck that is going to be picked up and it needs to be brought up to standard and it has to be picked up; we need more training facilities; need to update equipment; there are several needs but it all comes back to money. We hope that the city will let us know what is available. Councilman Plumley asked for further explanation on training. Mr. Mendoza stated that the fire department would like to have a training facility; somewhere we could meet on Tuesdays, the third and fourth Tuesdays of the month; a place where we can train our volunteers to be better trained. Councilwoman Logan mentioned a lot and Mr. Mendoza replied that a lot or anything that would help raise the money or better the facility. Councilwoman Logan stated that this was something that could be investigated.

Councilman Hildebrand asked if the city was able to help get a grant for the equipment. Mr. Mendoza replied that they are independent and not associated with the city; it would be something that they would have to be done by the

fire department. Ms. Janet Taylor-Carusi stated that that was not necessarily all true, another city had a volunteer fire department and as recently as two (2) months ago got a truck with five percent (5%) matching money for the fire department in town.

Councilman Plumley stated that the fire department needed to prepare a budget so the council can sit down and see what you want in the form of money. Councilman Plumley pointed out that the Police Department receives \$109,000 that was just given to them and no money is made from those services; it is a service and a drain on the city as well as EMS. We gave the fire department exactly the same thing as we did EMS, \$6,000. The fire department gets \$2 and EMS \$2 from the voluntary donation of \$4 from the citizens.

Councilman Carusi reported that the city came up with a budget for a year, \$6,000. Mr. Mendoza replied that it was for four (4) months. Councilman Carusi stated that it was originally for one (1) year with the stipulation that the council would re-visit to see if the city could get you more money. The fire department, at that time, stated that they were not going to sign a one (1)-year contract with the stipulation to re-visit, that is why the council was forced to go with the four (4)-month agreement.

Mr. Mendoza stated that the council told the fire department prior to the \$24,000 that the council came up with the figure of \$17,000. Councilman Hildebrand stated that the only time that he remembered the \$17,000 being mentioned was the amount that Burnet County gives to them.

Ms. Janet Taylor-Carusi reported what could be done at the present time. Prior to this budget year, the fire department received zero amount except one (1) dollar per family home that decided that they wanted to donate to the volunteer fire department fund which would run about \$200 to \$350 a month depending on the donations. The city also provides a high-speed wireless service and cable service to the fire department which is in the contract; the fire department is able to fill the trucks up with water which does benefit the community.

Councilman Hildebrand explained how the budget was calculated. The council looked at 2003, and used that to prepare the budget for 2004, and 2005. Mr. Mendoza stated that he understood that what the city was expecting did not happen. Mr. Mendoza stated that he was not there to ask for \$24,000, but to ask for some kind of help, that fire protection is now established; the fire department has a gasoline engine, and more certified people which requires money.

Mr. Greg Widmer stated that prior to this contact and prior to someone giving volunteer money to EMS, the fire department collected three dollars (\$3) on every water bill and two dollars (\$2) of the three was given to EMS which would make the amount \$600 to \$900 a month rather than \$300.

Ms. Janet Taylor-Carusi responded that if they took the \$600 as an average they would be talking about \$5,000 a year plus the \$6,000 that was already given for a total of \$11,000 and that they were still ahead of where they were four (4) months ago.

Councilwoman Logan asked how the city could find a place for training and sanction it so that the fire department could train. Mr. Mendoza replied that he would have to discuss the matter with the fire department board. Councilman Plumley asked what type of facility was need such as a house or a room every week. Mr. Lanny Atchley reported that a place was needed that they could pull the truck up to a building. Mr. Atchley further stated that the fire department had a smoke machine that could fill the building with smoke and then the guys could get out and drag the hose, go in the building and do certain search and rescue; hands on training. Mr. Atchley also said that it would also help the insurance rate for our ISO rating for the residents from a nine (9) to seven (7) or eight (8). Mr. Atchley reported that if the city would work with the fire department, the fire department could get a representative from the Insurance Service Organization (ISO) to come to Cottonwood, to do a survey study to inform the fire department what needs to be done for improvement such as a new fire hydrant. Councilwoman Logan asked if a fee would be charged by the ISO and Mr. Atchley replied that a request was all that was necessary.

Councilwoman Logan asked what type of things would the ISO required the city to do besides fire plugs. Mr. Atchley answered that as long as the fire department has the two (2) tankers that can provide a 250-gallon flow for a two (2)-hour period, continuous flow, along with a portable tank that allows a pump to be dropped into it, and we can refill quickly because the distance is not far in Cottonwood, this benefits the city by reduction of insurance.

Mr. Atchley reported that the protective gear required by the state cost \$3,500 per person and one (1) air pack to put on that fire fighter would cost \$4,000 and that currently the fire department has two (2) air packs that are in service. Councilman Plumley asked if \$3,500 was the lowest possible price for outfitting the firemen. Mr. Atchley listed the cost of some items: coat \$543; pants \$426; and then you also have to buy the hood, helmet and gloves and the price of gloves are \$65 a pair. Mr. Atchley reported that if anyone gets hurt in a fire that is an occupational injury and the cost of insurance to the fire department would go up.

Councilwoman Logan told the fire department members that an agreement could not be reached at the moment and that no action could be done for the next eight (8) months. Councilwoman Logan suggested that another meeting be held or a workshop because the contract had expired. Councilman Hildebrand replied that he thought there should be a workshop which would give the fire department an opportunity to look over the minutes of the meeting along with the council members and that would give everyone a chance to see what was said.

Councilwoman Logan asked if the fire department would like to set a date to have another workshop, not a city meeting, but a workshop. Mr. Mendoza agreed. Councilman Hildebrand asked if Mr. Mendoza had a copy of those minutes and he replied that he did not have a copy. Councilwoman Logan asked if Mr. Mendoza if there was anything else that he would need to prepare for the workshop. Mr. Mendoza stated that he would start with the minutes and if anything else was needed he would contact the city or one of the council members. Councilman Plumley stated that City Secretary, Tena Collier, had made a copy of the tape and that she probably still had it if it had not already been picked up.

Councilman Hildebrand stated that Mr. Jerrial Wafer could look through the budget to see if there were any free funds available.

Mr. Mendoza thanked the council members for the time and stated he looked forward to the February 15, 2005, workshop at 6:30 PM.

Mayor Pfeifer stated that no action would be taken on the service agreement but there would be a workshop on the 15th of the month to sit with the fire department and with the city council to find some kind of agreement so another contract could be negotiated.

Ms. Janet Taylor-Carusi asked if there could be some kind of trade off agreement with the fire department by mowing the fire department's lawn and wanted to know if that could be put on the table. Mayor Pfeifer stated that this could be brought up. Ms. Taylor-Carusi stated that she did not know if this would be forbidden as in the case of the water because the city can not give them free water. Ms. Taylor-Carusi explained the reason for no free water was because it is a USDA grant which forbids giving free water to anyone. Mayor Pfeifer responded that to put the item on his desk and it would be brought before the council.

Councilman Hildebrand made a motion to table the service agreement between the City of Cottonwood Shores, and the Cottonwood Shores Volunteer Fire Department to provide fire protection services within the corporate limits of Cottonwood Shores, Texas. Councilman Plumley seconded the motion and passed. No action was taken at this time. Mayor Pfeifer said that the workshop would be on February 15, 2003, at 6:30 PM.

3. **CONSIDER AND POSSIBLY TAKE ACTION ON APPOINTING A PARLIAMENTARIAN FOR THE CITY COUNCIL OF COTTONWOOD SHORES:** Councilman Carusi said that things are said at the meetings and that is not acted upon. A couple of weeks ago we were talking about Gene Hall and he made a comment that he had talked with three (3) of the council members. To the audience it may have sounded as if the council members were being cold. No one said anything and I didn't catch it until later on. I think we need a Parliamentarian to set things straight, to catch procedural errors. Councilwoman Martha Logan stated that she had served on three (3) boards and is currently a recording secretary. Councilwoman Logan stated she was comfortable with Parliamentary procedures.

Councilman Carusi made a motion to nominate Councilwoman Martha Logan as the Parliamentarian. Councilman Hildebrand seconded the motion and passed. Councilwoman Martha Logan abstained from voting.

4. **CONSIDER AND POSSIBLY TAKE ACTION ON CREATING AN INVENTORY POLICY FOR THE CITY OF COTTONWOOD SHORES:** Councilman Plumley stated that he thought this procedure had already started and asked Jerrial Wafer how it was progressing. Jerrial stated that this is still in the infancy stage and has not really been formulated to catalog the items. The department heads were notified, but Jerrial said that he did not know how far that it has progressed. Councilman Plumley stated that an issue was brought up about a camera, a digital camera. Councilman Plumley asked if the city paid for it and Jeriel reported that he did not know. Councilman Pfeifer stated that he knew that we had one but that he did not know who purchased it or who paid for it.

Discussion was held on the importance of listing all city property for insurance purposes. The city is to continue to work on creating an inventory.

Councilman Carusi made the motion that no action was to be taken at the present time and the motion was seconded by Councilman Plumley. No action will be taken at this time.

5. **CONSIDER AND POSSIBLY TAKE ACTION ON APPOINTING A SAFETY OFFICER FOR THE CITY OF COTTONWOOD SHORES:** Wes Aiken was not present and it was stated that he would be a good safety officer and that his qualifications included EMS qualifications and also fireman. The safety officer would have to conduct safety meetings and be able to direct employees to wear the appropriate gear such as hard hats and protective clothing. Councilman Plumley will be setting the policy for this position.

Councilman Carusi made the motion that Wes Aiken be appointed as the safety officer. Councilman Plumley seconded his motion, which carried.

6. **CONSIDER AND POSSIBLY TAKE ACTION ON PERFORMANCE EVALUATIONS FOR THE CITY SECRETARY AND CITY TREASURER OF COTTONWOOD SHORES:**

Councilman Carusi stated that he would like to have an executive session on Thursday, February 10, 2005. Mr. Jerrial Wafer stated that he would be unavailable for that date. Councilman Hildebrand suggested that the executive session be held on February 15, 2005, after the workshop with the fire department.

Councilman Plumley made the motion that the executive session be held on February 15, 2005, after the fire department workshop. Councilwoman Logan seconded the motion and passed.

7. **CITIZEN COMMENTS:**

Ms. Janet Taylor-Carusi showed and told the audience what the Planning and Zoning Committee had been working on for several months. She explained that the plan is informal and basically an outline what the committee has been working on for several months and continued with the explanation that it was not written in stone and will continue to change. Ms. Taylor-Carusi stated that it was not an automatic re-zone of property, but a guideline for future use of property and that the outline of the master plan is just an outline which would be changing over the next year as more people get involved with additional input. Ms. Taylor-Carusi told everyone that she just wanted the council to look at it and no action was required.

Mr. Marley Porter stated that the Planning and Zoning Committee had an item on the agenda that was taken off the agenda after the City Attorney was contacted by District Counsel. It was suggested that in the future, because he did not believe that the Planning and Zoning Committee was contacted until after it was taken off the agenda, to contact the Planning and Zoning Committee in order to resolve or clarify whatever issue is involved. He further stated that it was frustrating to put in all that work and then to have it scrapped and stated that he did not find out until a couple of days ago and felt that he was blind-sighted and that it was unfair.

Councilman Carusi replied that he felt that the council had insufficient information from the city attorney and felt the comprehensive plan should be adopted because it is just a plan. Councilman Carusi stated that the city has to move forward and the only one that is benefiting from this is the attorney. Councilman Carusi continued on saying that he did not like not having paved roads and that he feels we are stalled in our endeavors.

Mr. Porter continued that the map was an outline and explained that most companies have a master plan when a Professional planner is hired at a cost between \$25,000 and \$100,000. He continue to report that the City of Cottonwood Shores, is not in a position to pay that amount and that an outline was created by a committee which gave them the goals, objectives and desires that had been input by many people. He further commented that the overlay planning and zoning map was not re-zoning anything and was based on traffic patterns and land use. Mr. Porter stated that the map had taken five (5) months to prepare. He asked the council to take the plans home to review and that the Planning and Zoning Committee would again, at the council's convenience, and ask for the formal adoption.

Mayor Pfeifer asked if there were any further citizen comments and there were none.

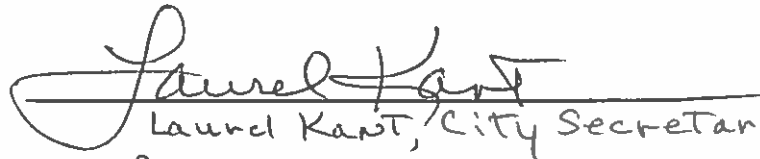
8. CONSIDER AND POSSIBLY TAKE ACTION ON SETTING FUTURE AGENDA ITEMS:

Councilman Hildebrand made a motion to table taking action on setting future agenda items. Councilman Plumley seconded the motion and passed. No action was taken on this item.

9. ADJOURNMENT: Mayor Pfeifer adjourned the meeting at 7:49 PM.

ATTEST:

TENA COLLIER, CITY SECRETARY


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

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: 2-1-2005

PLEASE SIGN IN:

Janet Taylor

Janet Dwyer

Curtis Wade Rittman

Adrian Bruce

Erin Lindsey

James P. Quigley

[Signature]

[Signature]

Blaine Blanton



Statement for Counsel

February 14 2005

On January 17 2005 8:30 AM in the morning I was doing my daily routine at plant Bobby Hawkins notice raw water pump was not pumping through line at plant. I Matt McClinton automatically assumed Nathan cut off pump at lake and told Bobby not to worry about it that it was just cut off. Without calling Nathan to confirm or checking it out at lake we continued to work. Later that afternoon Nathan noticed it and went to check it out a lake and pump had lost its prime meaning it was pumping dry for several hours. That's exactly how I seen it so I believe that's how everything went.

Matt McClinton

<u>LOCATION</u>	<u>PHONE</u>	<u>FAX</u>	<u>LOCATION</u>	<u>PHONE</u>	<u>FAX</u>
AUSTIN	512-926-6810	512-928-3508	McKINNEY	972-529-6758	972-548-1804
DALLAS	972-556-0611	972-869-0695	SAN ANTONIO	210-695-8716	210-695-2668
FORT WORTH	817-595-0580	817-589-0179	LONGVIEW	903-295-8262	903-295-8266
EASTHAVEN	713-378-0129	713-378-0429	LUFKIN	936-639-2341	936-632-7834
HOUSTON	713-699-2282	713-699-2821	SHERMAN	903-893-7744	903-893-4833
McALLEN	956-702-2250	956-702-2260			



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830)693-3830 (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: FEB 1 2005

Subject to be Addressed: PARLIAMENTARIAN FOR
meetings

Informational Presentation: Yes _____ No NO

Requires Action by Council: Yes X No _____

Name(s) of Requestor: RICHARD CARUSI

Address: 709 ASPEN

Phone No: 693 2075

Richard Carusi 1-25-2005
Requestor Date

Received by City Employee _____ Date _____ Time _____ am/pm _____

On January 17 LCRA started lowering Lake LBJ with the plan to lower it 5 feet until the end of February.

I was given this notice by Steve Hallman about the first of January and started filling the Quarry immediately (we had the Quarry lowered to kill out the algae causing our tthm and haa5 problems and to clean the raw water intake).

When LCRA dropped the lake to low for us to pump from the lake we were about 3 feet from full.

After the lake was lowered Matt and I injected air into the old water line to find out where it was broken out in the lake with the hopes of repairing it.

At the point the old line was broke the rest of the line was missing which was about 300 feet out in the cove.

We dug this back and had to cut off about 60 feet of the old line because it was an oddball size and we could not connect to it.

After we got the lines connected together and installed a foot valve on the end of the line we borrowed a vacuum pump from LBJ mud thru Lee Hildebrand, the vacuum pump would not pull water into the line far enough to prime pump.

I went to Lakeside Pawn and bought a stronger vacuum pump and we pulled enough water through the pump that it should have pumped, but did not.

We had a spare pump at the water plant so we were going to switch pump out and hopefully have a better pump on line, but the pump was froze up.

We removed the old impeller from the offline pump and put it on the pump that was online. When we removed the impeller out of the online pump it was almost completely worn out.

We then tried to pull a vacuum on the pump again but the vacuum pumps would not work well enough to do this.

I scheduled with the fire department to come out Saturday with me and use one of their fire trucks to help me pull water into the line, when the fire department showed up they said that their trucks that couldn't connect to our line.

Tena got her husband Tommy to come out and help me Saturday night 2-12-05.

His ideal was to replace the foot valve with another one, we got an old one at the water plant and I went out into the water and cut the line in about 4 feet of water and installed the foot valve.

We filled the line with water from a Tap on the Treated water and after getting the air out the pump started pumping.

When I came in the next morning the foot valve had plugged with algae and had stopped pumping. I went out into the water and unplugged the line and moved it a little so that maybe it wouldn't get plugged with algae so quick. Later that same day I went back out into the water and cleaned the foot valve again and put a bucket around it to help prevent algae from plugging it up again.

Monday morning when we came to work the end of the pipe connecting the foot valve had blown off and the pump was not pumping again.

Matt and I reconnected the pipe I had cut off Saturday night and put the foot valve out at the end of the line which is about 400 feet out into the cove in about 4 foot of water with very little algae around it..

After not being able to get the line to prime Matt spotted where the water was coming out of a hole in the line and repaired it.

At this time after repairing the line a couple more times the pump is pumping well.

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
TUESDAY, FEBRUARY 1, 2005 AT 6:30 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL.
2. CONSIDER AND POSSIBLY TAKE ACTION ON A SERVICE AGREEMENT BETWEEN THE CITY OF COTTONWOOD SHORES, TEXAS AND THE COTTONWOOD SHORES VOLUNTEER FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION SERVICES WITHIN THE CORPORATE LIMITS OF THE COTTONWOOD SHORES, TEXAS.
3. CONSIDER AND POSSIBLY TAKE ACTION ON APPOINTING A PARLIAMENTARIAN FOR THE CITY COUNCIL OF COTTONWOOD SHORES.
4. CONSIDER AND POSSIBLY TAKE ACTION ON CREATING AN INVENTORY POLICY FOR THE CITY OF COTTONWOOD SHORES.
5. CONSIDER AND POSSIBLY TAKE ACTION ON APPOINTING A SAFETY OFFICER FOR THE CITY OF COTTONWOOD SHORES.
6. CONSIDER AND POSSIBLY TAKE ACTION ON PERFORMANCE EVALUATIONS FOR THE CITY SECRETARY AND CITY TREASURER OF COTTONWOOD SHORES.
7. CITIZEN COMMENTS.
8. CONSIDER AND POSSIBLY TAKE ACTION ON SETTING FUTURE AGENDA ITEMS.
9. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 28TH DAY OF JANUARY, 2005 AT 5:30 P.M.

ATTEST:


TENA COLLIER, CITY SECRETARY




FRANK J. PFEIFER, MAYOR