

## City of Cottonwood Shores

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
Tel: 512/693-3830

SPECIAL MEETING  
OF THE CITY COUNCIL  
MARCH 18, 1993  
7:00 P.M.

### AGENDA

1. Discussion with Lynn Willis on proposed Sewer Project.
2. Discussion and/or action on a proposed 1 percent sales tax.
3. Discussion and/or action on petition received for calling an election to change the City of Cottonwood Shores, Texas from a Type A municipality to a Type C municipality.
4. Discussion and/or action on the loaning of City property to individuals.
5. Discussion and/or action on additional work hours for Assistant City Secretary Sharon Mullen.
6. Discussion and/or action on acceptance of letter of resignation from Lynn Cherry, Animal Control Officer.
7. Discussion and/or action on appointment of Animal Control Officer.

I certify that the above notice was posted on the bulletin board located at 3915 Cottonwood Drive, Cottonwood Shores, Texas this 15th day of March, 1993.

Respectfully,

A handwritten signature in cursive script that reads 'Shirley Pitts'.

Shirley Pitts  
City Secretary/Clerk



## City of Cottonwood Shores

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
Tel: 512/693-3830

### SPECIAL MEETING

March 18, 1993  
7.00 p.m.

The meeting was called to order by Mayor Leon Upshaw at the Community Center, located at 4111 Cottonwood Drive, Cottonwood Shores, Texas. All members of the City Council were present except Councilman Larry Schwing who was absent because of illness.

Mr. Lynn Willis of Willis Engineering was present so the council could obtain more information regarding the sewer project. Councilman Wilson asked Mr. Willis if the plans submitted on August 21, 1992 were the final plans. Mr. Willis stated that at the time they were the final plans, but there have been some minor revisions since that set of plans. Councilman Wilson said the revisions don't appear in the City's set of plans. He asked if there was a place they would be available to people. Mr. Willis said he would be glad to furnish the City as many copies as we want of the current plans. Councilman Wilson asked if there was a particular reason the city did not have a set of the current plans. Mr. Willis said that at the time there was a big question of whether the city was going to go ahead with the project and they did not want to go to the expense of furnishing the city with a copy. Councilman Wilson said if the revisions were made in December and the Council voted in November to stop the project, were they not given the word it was to be deleted or did they just continue to work? Mr. Willis said they did not continue to work on the project since the City had voted to stop the project. There has been no further work done other than receiving correspondence from various agencies and questionnaires from funding agencies.

Councilman Wilson said he thought this entire program was based on a total of 272 hook-ups. If we ran into a situation where there were more than 272 hook-ups in this area, and the project did go through, then we have spent \$1.2 million on 272 hook-ups? Mr. Willis said that the project would certainly accommodate more than 272 connections. Councilman Wilson said he meant that the project at this point, based on the plans and specifications, has spent \$1.2 million dollars. Mr. Willis said if he understood the question correctly, he was probably right. Councilman Wilson said that what he was really driving at was that if there were in fact more than 272 hook-ups at this time existing in this town, where would the money come from to pay for these additional houses above the 272 that have been allocated in the plans? Mr. Willis said they are assuming there would be no line extensions involved for other hook-ups beyond the 272 connections. The only thing that would be involved is a short connection from the main to the house. Councilman Wilson said that if we had an instance where we needed to cover additional areas with mains, where would these funds come from? Mr. Willis said he could revise the plans to accommodate this, if the city so desired. Councilman Wilson said his question was, that based on the fact that it will be mandatory that everyone in Cottonwood hook-up to the sewer and that the plans call for 272 hook-ups, and we have more houses and more people living here than what the plans call for, must the city pick up the slack between the 272 and how many we have in existence at this time? Mr. Willis stated that it would be funded also with the project. There is enough contingency money in the budget for this.

Councilman Wilson stated that on the plans there are a number of areas where the mains cross or run parallel to the lots and you exercise the prerogative of utilizing the easement on the five foot sides of the lots. He also stated there are a number of people who have more than one lot and in some of these instances these people's property has been split in half by the sewer dividing their property. This would cause them to only have access to be able to build on part of their property. He asked if this had been brought to his attention. Mr. Willis said that it had on some occasions and when it is brought to their attention they have assured the



## City of Cottonwood Shores

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
Tel: 512/693-3830

people that they can make minor changes. The lines can be moved 50 feet one way or the other. There is no plan that is going to be perfect the first time. This is the reason you furnish plans to look at. When things like this are brought to their attention, they can make certain changes. Councilman Wilson asked if the people who own the lots that this would split their property had been contacted. Mr. Willis said they have not made an effort to contact those people.

Councilman Smyrl said if this goes to bidding and then you start trying to change it, it seems there would be an add on to the contract, and we would be at the mercy of the contractor. Mr. Willis said that is not true in this case because all of our specifications are bid on a basis of a unit price, so many feet of pipe and so many manholes.

Mr. Willis also said they have attempted to contact some people, by authorization of the city, for construction easement, to go along those property lines. You only have five feet on either side of the property, and that is fine for the sewer to be there and in most cases to maintain it. During construction time, you can't get the heavy equipment to stay within the ten foot area. We have contacted all of those people where that five foot easement is, to try to obtain an extra easement. So they have been informed. Some people have not responded to our inquiries. He also said that he is not saying it might not create a hardship on some of the people. This should be resolved before we let the contract, because if we wait until we let the contract, it will be a bigger change order.

Councilman Wilson asked if the contract dated July 20, 1990, the only contract entered into between Willis Engineering and the city. Mr. Willis said that it was.

The question was asked if the sewer line would be run down the road. Mr. Willis answered that the line would be off the pavement and between the pavement and the lot lines, not in the middle of the road.

Becky Ramesbothom said it was her understanding that the sewer line would not go down the middle section of Cypress at all and if she were to build a house there, would she have to pay the price to hook-up to the nearest main? Mr. Willis said that was correct and the cost would be determined upon whether she would build now, in five years, or ten years. Mr. Willis went on to explain that the payment for the bonds that will be issued for this is based on usage. The household that uses the sewer will be paying for it and those people that don't live here, it won't cost them a thing. They may own a lot and plan to build in the future, but the people who live here now can hardly afford to provide them a sewer so that maybe someday they can hook-up to the sewer. It would be foolish to do that. It just wouldn't be practical. This is the reason that we do this on a revenue basis, that everyone that uses the sewer pays for it. If someone moves in later, and if there is a sewer line in front of their house, it would be very minimal to hook them up.

Pearl Vasterling asked if there was any cost to anyone to hook-up at the time of construction? Mr. Willis answered that there was no cost to anyone to hook-up at that time. There is money in the budget to disconnect the septic tank, hook the household up to the sewer, drain the septic tank and have it hauled off and then fill the septic tank with sand. It is mandatory to fill up the septic tank, which is an LCRA requirement. He also stated that the City would develop ordinances that would control what the charge would be to lay the line and hook-up a household to the sewer. Also if you have a rent house that is vacant, there is no charge for sewer until there is water being used. The sewer bill is based on water consumption.

Jim Robertson asked if it was true that the plans have been submitted to the Federal engineers, the Texas Water Commission, and if the plans have been approved by both agencies? Mr. Willis said the plans had



## City of Cottonwood Shores

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
Tel: 512/693-3830

been reviewed and approved by the Farmers Home Administration engineers, the Texas Water Commission and, at the City's request, the LCRA engineers.

There was some discussion of adopting a 1% city sales tax. Mayor Upshaw advised that to adopt a local sales tax, it would have to be done by a majority vote of the qualified voters of the said city. He also said that we should look at this at the time we prepare another budget. Councilman Butler made a motion to take no action on adopting a sales tax. Councilman Gawlik seconded the motion. 4 - Ayes, 0 - Noes. Motion carried.

Mayor Upshaw stated that we did receive a petition requesting the Mayor call an election to change the form of government from a Type A back to a Type C form of government. The petition had a sufficient number of qualified signatures, making it an official petition. There was some discussion about when the petition was received and that the election should have been called in time for the May 1, 1993 election. The Mayor said he would check with the State and see if it could be put on the May 1 ballot without conflicting with any regulation. He would take care of calling an election to change the form of government because he did not need, but would like their approval to do so. All members of the council were in agreement that the Mayor should call the election as soon as it could legally be held.

The Mayor explained that Milton Dilworth wanted to borrow some chairs from the Community Center. Milton had borrowed chairs in the past from the POA for a family reunion and has been a faithful person about borrowing them, cleaning them up, and returning them. Based on this information, the Mayor suggested the council allow Milton Dilworth to borrow the chairs. Councilman Smyrl made the suggestion to not allow the tables to be loaned out because in the past they had been returned with some damage. Councilman Butler made a motion to let Milton Dilworth use the chairs for his family reunion with a \$50.00 deposit. Councilman Wilson seconded the motion. 4 - Ayes, 0 - Noes. Motion carried. Councilman Smyrl made the suggestion to have a workshop before the next meeting to set rental rates for City equipment. Dick Griffin suggested that the City require an individual that is renting the tractor to have insurance coverage in the event that they wreck the tractor.

Mayor Upshaw said it has come to his attention, and several others, that it would be a lot easier on the secretary and our assistant secretary, if Sharon Mullen had several more hours. After some discussion if there was money in the budget to pay her for more hours and how many extra hours were needed, Councilman Smyrl made a motion to give Sharon Mullen up to ten more hours a week. Councilman Butler seconded the motion. 4 - Ayes, 0 - Noes. Motion carried.

Mayor Upshaw said that our Animal Control Officer asked that she have her letter of resignation back, she had acted in haste and did not want to resign. Therefore, we still have an Animal Control Officer and we do not need to act on Agenda item #6 and #7.

Councilman Butler said we should, as a City Council, consider the way we treat our City employees. As Aldermen, if we have a problem, we should be taking it to the Mayor. With volunteers and paid employees, we need to treat them with a particular amount of respect.



## City of Cottonwood Shores

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
Tel: 512/693-3830

Alice Dilworth suggested that maybe the City should hire a City Manager because some members of the Council don't know how to treat City employees. If there are problems, then it could be taken to the person in charge. She said there should be one person in charge.

Rhonda Maxwell said Lynn Cherry is doing a great job and is more than capable of handling the position of Animal Control Officer.


Kathy Griffith said that if the City would get a trailer to put tires in, the gentleman at the Burnet County Landfill said we could dump them for free. He also said that during our clean-up, he would specify a day where anyone in Cottonwood could dump free of charge.

Councilman Butler made a motion to adjourn. Councilman Smyrl seconded the motion.

The meeting adjourned at 8:47 p.m..

Respectfully,

  
Shirley Pitts, City Secretary

  
Kathy Griffith, Mayor

