



City of Cottonwood Shores

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

SPECIAL MEETING

September 29, 1994

7:00 p.m.

The meeting was called to order by Mayor Kathy Griffith at the Community Center, located at 4111 Cottonwood Drive, Cottonwood Shores, Texas. All members of the City Council were present and confirmed by a roll call.

The Mayor stated that the only item on the agenda was the dispatching service with Burnet County.

Joe Pollock was present and explained that the amount of the fee was set by the Commissioners Court at \$4,000.00, not by him.

Mayor Griffith said she went to see Judge McLean and explained that the City could not afford the fee. If we could afford the fee, then we could afford to pay a policeman out here.

Tim Moody explained how the amount of the fees were arrived at. The fee is based on a cost per capita based on the 1990 Census.

Herman Williams asked if he could explain to the gentlemen some of the things that occurred at the last meeting. He said one of the things that he tried to clarify to the people was that the situation about whether they had an officer or not didn't actually change what the law says. The law says that in an incorporated city the Sheriff's Department is not required to provide services whether or not you have an officer. It was his understanding, that before the City Marshal's office was incepted, that the Sheriff's Department was responding to calls. There was, by Cottonwood, a consideration of a Marshal's office before he ever got involved. What he offered to do for Cottonwood Shores, was to work what hours he could out here enforcing the speed limits and the city ordinances that county employees can't do. There was also a statement made that he was interfering with investigations with the Sheriff's Office. That hasn't happened and it isn't going to. Joe Pollock stated that he had not said anything about that. Herman Williams said that it was stated at the last meeting that Joe had said he was interfering with their investigations. Joe Pollock repeated that he did not say that. Herman said he had spoken with Joe after he had talked with the Mayor about this thing. They had stated that if they could help each other they both said they would. There had not been a problem. The problem right now is money. Cottonwood does not have the money. Herman then stated that he told the Mayor and the City Council that if it presents a problem and it causes the Sheriff's Office not to respond to Cottonwood Shores on a call because they have a Marshal's office, then they have no option. They have to do away with the Marshal's office. If it can be worked out where, whoever the City Marshal is, works out here and provides the coverage for the things the Sheriff's Office cannot legally do, like the city ordinances. I told them up front that I don't have the time to be on call from Granite Shoals to come out here on calls. I offered to spend as much time as I could out here, providing the coverage that I could.

Joe Pollock stated that the inter-agency agreement is going to have to be done. They do it with other cities too. If it was left up to him, he could care less if they charged anybody because none of it goes back into his budget anyway. The Commissioners Court says different though.

Minutes September 29, 1994 Cont'd:

The Mayor stated that she didn't have a problem paying the fee, just the amount of the fee. Herman said he believed that Judge McLean had indicated that he would be willing to work through Commissioner's Court to try to either reduce or waive the fee for the first year.

Mayor Griffith said that the main concern for everyone out here is that if we continue to have a City Marshal, when he is not here is the Sheriff's Office going to respond to calls. Joe Pollock said they would respond to all Public Safety calls. Public Safety is defined as someone about to be hurt or has been hurt. Burglary or theft would have to be handled by the City Marshal.

There was some discussion about what kind of coverage would be provided by the Sheriff's Department if we still had a City Marshal.

There was some discussion about rescinding the ordinance for setting a speed limit. Then it would revert back to state law.

It was stated again that when a city incorporates the Sheriff's Department is not required to respond to calls.

Leon Upshaw asked if we did not have a City Marshal, is there any way that any of your men could spend any extra time in this area if there was money available. Joe Pollock said he had checked on it and they can't do it. The Attorney General's opinion said you can't be compensated for something that is already being done.

The Mayor said Herman can't even come out here and work until we get this agreement worked out because the Sheriff's Department won't dispatch for us. Couldn't you work with us on that and let him go ahead and dispatch until we can get some thing worked out on the contract. Tim Moody said we can't legally give any 10-28's (check vehicle registration info) or 10-29's (check for wanted). Mayor Griffith asked who gave him his number? Tim Moody stated that he gave the number, personally. She then stated that you can issue him a number and still not dispatch him. Herman stated that without the inter-local agreement, and the agreement with the Sheriff's Office on dispatching, you do have a legal problem. You have a legal problem with him releasing information to anybody that hasn't signed that waiver. Mr. Moody said there was another problem, that being that Cottonwood Shores doesn't have an ORI. We have to go to the DPS and get authorization for them to give out information from the DPS.

Leon Upshaw offered to go with the Mayor to see the Judge and Commissioners Court.

The Mayor said we need to go before the Commissioners Court and ask if they will waive the Dispatch fee or at least reduce it.

The Commissioners Court meets on the second and fourth Monday.


Commissioner Maugham made a motion to pursue getting the fee waived or lowered. Commissioner Gawlik seconded the motion. All - Ayes, 0 - Noes. Motion carried.

Minutes September 29, 1994 Cont'd:

Commissioner Gawlik made a motion to adjourn.

The meeting adjourned at 7:50 p.m.

Respectfully,


~~Stanley Pitts, City Secretary~~
SHARON MULLEN ASST City Sec/Clk


Mayor

Special Meeting

Attendance Record

City Commission Meeting

City of Cottonwood Shores

Date: September 29, 1994

Jenna Williams

Anna Williams

Jim Hancock

Leon Upshaw

Noah Thompson

Joe Pallock

Jim Moody

Jim Smyth



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SPECIAL MEETING OF THE CITY COUNCIL

September 29, 1994
7:00 P.M.

Community Center
4111 Cottonwood Drive
Cottonwood Shores, Texas

AGENDA

1. Discussion and/or action on Dispatching Contract with Burnet County.

I certify that the above notice was posted on the bulletin board located at 3915 Cottonwood Drive, Cottonwood Shores, Texas this 26th day of September, 1994.

Respectfully,

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

Shirley Pitts
City Secretary/Clerk