

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL - CITY OF COTTONWOOD SHORES**

THURSDAY - AUGUST 21, 1997

CONSENT AGENDA

1. MAYOR DALE PICKENS CALLED THE MEETING TO ORDER AT 7:03 P.M. AND THE CITY SECRETARY CONDUCTED ROLL CALL. COMMISSIONER FRANK PFEIFER WAS PRESENT. COMMISSIONER MARY POPE WAS NOT PRESENT.

2. THE MAYOR READ A LETTER OF RESIGNATION FROM COMMISSIONER MARY POPE. MAYOR PICKENS ACCEPTED HER RESIGNATION WITH DEEP REGRET ON BEHALF OF THE CITY ADMINISTRATION, CITING HER HARD WORK AND PARTICIPATION. HE STATED THAT MARY FELT SHE LEARNED A LOT AND THAT THE COUNCIL FELT SHE HAD HELPED A LOT. THE MAYOR CONCLUDED BY SAYING THAT WE UNDERSTAND HER PERSONAL REASONS FOR RESIGNING AND WILL MISS HER AND WISH HER WELL AND BEST WISHES.

CONTINUING, THE MAYOR STATED THAT THE NEXT ITEM OF BUSINESS OF THE CITY COUNCIL WAS TO FILL THE VACANCY FOR THE REST OF THE TERM. MAYOR PICKENS TALKED ABOUT THE CONSIDERATIONS OF SELECTING SOME ONE KNOWN TO THE COMMUNITY WHO HAS THE TIME TO DEVOTE TO CITY BUSINESS, WILLING TO WORK, HAS WORKED WITH THE CITY IN THE PAST....AND ANNOUNCED THAT MR. PAUL HANCOCK HAS BEEN CHOSEN TO COMPLETE THE COMMISSIONER TERM OF MARY POPE. COMMISSIONER PFEIFER STATED THAT HE BELIEVED MR. HANCOCK WILL MAKE A GOOD MAN, HAVING WORKED WITH HIM ON THE ROAD PROJECT AND OTHER CITY MATTERS, AND HE IS ALSO ON THE BUILDING COMMITTEE. AFTER BEING INTRODUCED, MR. HANCOCK VOWED TO SERVE THE CITY WELL AND DO HIS BEST. HE THANKED THE COUNCIL FOR THE HONOR. JUDGE JOANNE AUSTIN PERFORMED THE SWEARING IN CEREMONY AND COMMISSIONER HANCOCK ASSUMED OFFICE FOR THE BALANCE OF THE MEETING.

3. THE REGULAR MEETING MINUTES OF JULY 22, 1997 AND THE FINANCIAL STATEMENT FOR JULY 1997 WERE APPROVED BY A MOTION MADE BY COMMISSIONER FRANK PFEIFER AND SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED ON VOTE.

DISCUSSION AGENDA

4. PEC REPRESENTATIVE GEORGE BIRD DISCUSSED THE CONTINUING UPGRADING OF THE DISTRICT'S SYSTEM...REPLACING LINES WHICH HAVE

(PEC,CONTINUED)

BEEN IN SERVICE SINCE THE EARLY 1940S..AS OF JULY AND AUGUST, A NEW BILLING SYSTEM IS BEING PUT IN PLACE. MR. BIRD STATED THAT THE AUTOMATED BILLING SYSTEM WAS TEMPORARILY SUSPENDED FOR A METER CORRECTIVE ACTION, AND ON LINE SERVICE IS ABOUT THREE MONTHS BEHIND, WITH A LONG WAITING LIST OF CUSTOMERS SEEKING TO TAKE ADVANTAGE OF THE CONVENIENCE OFFERED BY THE PROGRAM. GEORGE RESPONDED TO A QUESTION ABOUT THE POLE AT THE FLOOD-DAMAGED BOAT RAMP, OFFERING TO GET IN TOUCH WITH THE FIELD PERSONNEL TO ASCERTAIN THE BEST LOCATION FOR THE POLE.

4A. MAYOR DALE PICKENS REPORTED TO THE COMMUNITY A NEW MATTER OF CONCERN TO THE CITY. HE REITERATED A LITTLE HISTORY OF THE WATER INTAKE FROM LAKE LBJ WHICH IS LOCATED TO THE WEST OF THE CITY LIMITS, AND THEN ADVISED THAT THE CITY HAS BEEN APPROACHED BY BUSINESS OWNERS OF ONE EXISTING MARINA AND ONE PROPOSED MARINA WHO SEEK PERMISSION TO SELL PETROLEUM PRODUCTS AT THESE BUSINESSES. THE CITY ADMINISTRATION HAS BEEN IN CONTACT WITH THE LCRA AND TNRC OFFICE HEADQUARTERS TO EXPRESS ITS CONCERN AS TO THE HEALTH AND SAFETY OF THIS, AND MAYOR PICKENS TOLD THE GROUP THAT A MEETING OF ALL ENTITIES INVOLVED IS SCHEDULED FOR FRIDAY, AUGUST 22, 1997. HE ASSURED THE AUDIENCE THAT THE CITY WILL REMAIN ALERT TO THE MATTER AND THAT THE HEALTH AND SAFETY OF THE CITIZENS OF COTTONWOOD SHORES AND OTHER AREAS SERVICED BY CWS IS A PRIORITY CONCERN, AS WELL AS CONFORMING TO ALL LOCAL, STATE AND FEDERAL REGULATIONS REGARDING THE MATTER. ATTENDING THE MEETING WERE MR. AND MRS. BRAD SHAW. MR. SHAW SPOKE AT LENGTH ABOUT THE SITUATION, STATING THAT HE WAS THE ENGINEER ENGAGED BY BOTH THE EXISTING AND PROPOSED MARINA OWNERS. HE DISCUSSED THE PROXIMITY OF THE INTAKE TO THE MARINA SITES, THE POSSIBILITY OF FUEL DISPLACEMENT, AND THE EXPECTED INCREASED USAGE OF THIS PORTION OF THE LAKE BY RECREATIONAL CONSUMERS. HIS DESCRIPTION OF THE MAGNITUDE OF THE PROPOSED MARINA WAS QUITE OVERWHELMING, AND INCLUDED THE EXPECTATION OF IN EXCESS OF 100 BOAT SLIPS, A RESTAURANT...OVER THE NEXT FIVE YEARS..PHASE 2...EVEN A MOTEL. UTILITY SUPERVISOR EDDIE PROCTOR RELATED INFORMATION OF A TECHNICAL NATURE ON THE SIZE AND CAPACITY OF THE EXISTING INTAKE LINE, AND THE DISCUSSION CONTINUED FOR SOME TIME BETWEEN MR. SHAW, MR. PROCTOR AND THE MAYOR AND

5. MAYOR DALE PICKENS REPORTED RECEIVING COMMENTS AND CONCERNS FROM CITIZENS ABOUT THE AGE AND CONDITION OF SOME OF THE MOBILE HOMES BEING BROUGHT INTO THE CITY LIMITS, ADVISING THAT THE ORDINANCE AS IT STANDS NOW HAS NO LIMITS IN THIS REGARD. THE ADMINISTRATION HAS PLANS TO CHANGE THIS AND THE MAYOR INVITED ANY COMMENTS FROM ATTENDEES. COMMISSIONER PFEIFER AGREED THAT SOME LOOKED PRETTY BAD. COMMISSIONER PAUL HANCOCK MOVED TO SET GUIDELINES WITH INSPECTIONS OCCURRING BEFORE THE MOBILE HOMES ARE A MOVED IN VIA A REVISED ORDINANCE. FRANK PFEIFER SECONDED THE MOTION TO REVISE THE ORDINANCE ALONG THE LINES DISCUSSED: VOTE CARRIED AND THE MAYOR STATED THE COUNCIL WILL DO THIS AND PREPARE THE ORDINANCE FOR DISCUSSION AND ACTION AT A CITY COUNCIL MEETING.

6. FRANK PFEIFER REPORTED THAT THE COUNTY COMMISSIONER'S OFFICE MET WITH THE CITY AGAIN A WEEK AGO ON SEAL-COATING/RETOPPING PECAN. HE ALSO DETAILED THE MATERIAL NEEDED, THE WORK TO BE DONE AND THE COST BEING ASSUMED BY THE COUNTY AND THE CITY RESPECTIVELY (THE CITY BUYS MATERIALS, COUNTY PROVIDES LABOR AND EQUIPMENT AT A VALUE OF \$3,000). THE MAYOR STATED THAT PECAN IS BEING CHOSEN FOR THIS WORK AS A PREVENTATIVE MEASURE TO KEEP IT FROM BECOMING LIKE OTHER STREETS IN THE CITY. THE MAYOR ALSO STATED THAT HE PROPOSES TO CONTINUE TO APPLY FOR THE COUNTY ASSISTANCE WHICH HAS ALWAYS BEEN AVAILABLE BUT NOT HERETOFORE PURSUED. ANOTHER STREET IS PLANNED FOR 1998 IF THE CITY IS ABLE TO PROVIDE ITS SHARE OF THE COST. COMMISSIONER PFEIFER THEN MADE A MOTION TO GO AHEAD WITH THE PECAN PROJECT WHICH WAS SECONDED BY COMMISSIONER HANCOCK AND CARRIED ON VOTE.

7. THE MAYOR REMINDED THE CITIZENS AND COUNCIL OF THE CITY'S PROBLEM WITH TURNOVER IN THE POLICE DEPARTMENT THIS YEAR, WHICH IS ONLY AT A PART TIME BASIS IN ANY EVENT. THE CITY HOPES TO PROVIDE A FULL-TIME POLICE OFFICER IN THE FUTURE YEAR. MAYOR PICKENS INTRODUCED MR. WALTER ELLIS, A QUALIFIED POLICEMAN OF MANY YEARS, AS A CANDIDATE FOR THE PART-TIME POSITION IN THE CWS POLICE DEPARTMENT. THE MAYOR RECOMMENDED THIS INDIVIDUAL TO THE COUNCIL AND A MOTION WAS MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HANCOCK AND CARRIED ON VOTE. MR. ELLIS WILL BE HIRED IMMEDIATELY TO BEGIN HIS NEW DUTIES. HE SPOKE BRIEFLY TELLING THE AUDIENCE A LITTLE OF HIS BROAD TRAINING AND EXPERIENCE IN ACCEPTING THE OFFER.

8. THE MAYOR DISCUSSED THE SALES TAX REGULATIONS IN THE STATE OF TEXAS, SAYING THAT A CITY ADMINISTRATION CANNOT JUST VOTE A SALES TAX IN; HOWEVER, IF THE PEOPLE WANT, THE CITY COUNCIL CAN VOTE TO HOLD AN ELECTION TO IMPOSE A SALES TAX. THE CITIZENS AND COUNCIL TALKED THIS OVER FOR SEVERAL MINUTES, JOINED BY TWO BUSINESS OWNERS ATTENDING THE MEETING. MANY OF THOSE ATTENDING FELT THE TAX WOULD BE GOOD FOR THE CITY EVEN WITH ONLY A FEW BUSINESS HAVING A "POINT OF SALE" TO BE TAXED. THE MAYOR EXPLAINED THAT SOME RESEARCH IS BEING DONE AT CITY HALL AS TO THE ACTUAL NUMBER OF REGISTERED BUSINESSES AND THE STATE COMPTROLLER'S OFFICE HAS ALSO PROVIDED THE MOST CURRENT REGULATIONS AND PROCEDURES TO BE ADHERED TO.

THE MAYOR ENCOURAGED CITIZENS TO TALK TO OTHERS ABOUT THIS AND ALSO CONTACT CITY HALL. TABLED ISSUE AT THIS TIME.

9. MAYOR PICKENS SPOKE OF MUNICIPAL JUDGE JOANNE AUSTIN'S SERVICE TO THE CITY AND REAPPOINTED HER FOR ANOTHER TERM, WHICH SHE ACCEPTED AT THE MEETING.

10. MIKE BUTLER, REPRESENTING THE COTTONWOOD VOLUNTEER FIRE DEPARTMENT, PRESENTED A COPY OF THAT ENTITY'S CASH-FLOW STATEMENT AND SPOKE OF THE POSSIBILITY OF THE DEPARTMENT'S IN-CITY LOCATION ON BIRCH BEING HOOKED UP TO THE CITY'S WATER SYSTEM. HE CITED VARIOUS EVENTS HELD THERE IN THE PAST, INCLUDING THE ANIMAL (RABIES) CLINICS, ELECTIONS, FUNDRAISERS....MORE DISCUSSION ENSUED ABOUT INCLUDING AN PAYMENT AMOUNT LINE FOR THE FIRE DEPARTMENT ON THE UTILITY BILL WITH THE WATER, GARBAGE AND SEWER CHARGES AT THE TOP LEFT SIDE OF THE BILL. IT WAS AGAIN EXPLAINED THAT THIS IS ILLEGAL AND SUBJECT TO LAWSUIT AND ALTHOUGH OTHER CITIES MAY BE RISKING SIMILAR METHODS OF COLLECTIONS, THE CITY ADMINISTRATION AT COTTONWOOD SHORES DOES NOT WANT TO DO SO. THE CITY ATTORNEY WAS CONTACTED AND SUBMITTED A WRITTEN RESPONSE WHICH IS AVAILABLE TO THE PUBLIC AT CITY HALL, AND IT CITES ONE SMALL TOWN WHICH WAS SUED BY THE STATE'S ATTORNEY GENERAL OVER THE INCLUSION. THE CITY DOES USE THE "COMMENT LINE" ON THE BOTTOM OF THE BILL WITH THE "VFD DONATION \$___" WHEN NO OTHER MESSAGE NEEDS TO BE SENT TO THE RESIDENTS ON THE BILL IN THAT SPACE. IN ANSWER TO THE QUERY ABOUT A WATER TAP, THE CITY CANNOT OBLIGATE OR DONATE FUNDS OR IN KIND TO A NON-PROFIT ORGANIZATION LEGALLY, AND THE VFD IS A NON-PROFIT CORPORATION.

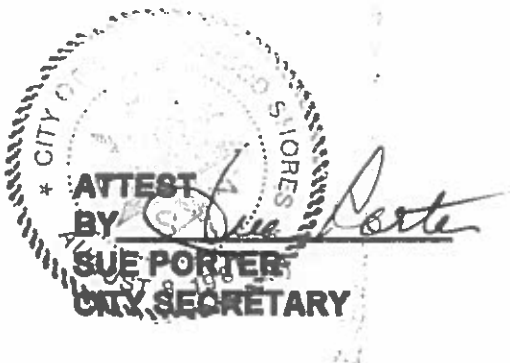
DISCUSSION OF PLACING A FIRE HYDRANT NEAR THE FIRE STATION WAS BROUGHT UP AND COMMISSIONER FRANK PFEIFER STATED THIS WAS IN THE PLANS OF CONTINUING UPGRADING OF THE ENTIRE SYSTEM. NO ACTIONS WERE TAKEN ON THIS AGENDA ITEM.

11. AT 9:12 P.M., OPEN DISCUSSION INCLUDED: THE MAYOR ANNOUNCED THAT LCRA GAVE THE CITY A SCHEDULE OF DATES IN SEPTEMBER, OCTOBER AND NOVEMBER WHEN IT WILL BE LOWERING THE LAKES. THEY ARE POSTED AT CITY HALL. HE ALSO READ THE RECENTLY ATTAINED CERTIFICATES OF WATER OPERATOR TRAINEE ROY CAMPBELL AND EDDIE PROCTOR'S MOST RECENT CERTIFICATION. CITY SECRETARY SUE PORTER ALSO ATTENDED A ONE-DAY SEMINAR ON GRANT WRITING TO REFRESH HER EXPERIENCE IN THIS, AS THE CITY WILL LIKELY PURSUE GRANTS FOR WATER, ROADS AND POLICE ASSISTANCE IN THE COMING YEAR. THE MAYOR HAD GOOD NEWS: SEVERAL MEETINGS WITH FEMA SINCE THE JUNE FLOOD HAVE RESULTED IN A REAL POSSIBILITY OF SOME RELIEF TO THE CITY FOR DAMAGES TO THE PARKS AND BOAT RAMP. AN INSPECTION TEAM FOR FEMA HAS SURVEYED THE DAMAGED SITES.

12. MAYOR PICKENS ADJOURNED THE MEETING AT 9:20 PM.



DALE PICKENS, MAYOR





MARK FOX REAL ESTATE

907 HWY 281

MARBLE FALLS, TEXAS 78654

FAX

FAX #: (830) 693-6619

Fax to number: 693 6436

Attention: Dale Pickens

Date: 8-18-97

From: Mary Pope

Number of pages: 2
(INCLUDING THE COVER SHEET)

Additional comments:

Dale,

My deepest regrets to have to do this, however, it is necessary

Sincerely

Mary



MARK FOX REAL ESTATE
 907 HWY 281
 MARBLE FALLS, TEXAS 78654
 (830) 693-6664
 (800) 880-8369

**MARY POPE
P.O. BOX 1285
MARBLE FALLS, TEXAS 78654**

August 18, 1997

**City of Cottonwood Shores
Mayor Dale Pickens
3915 Cottonwood Drive
Cottonwood Shores, Texas 78654**

Dear Mayor Pickens:

This letter is to serve as official notification of my resignation as City Commissioner of Cottonwood Shores. This becomes effective as of the date of this letter.

My deepest regrets, however this is necessary due to personal reasons.

Thank you for everything.

Sincerely,

Mary Pope

**Mary Pope
City Commissioner, Cottonwood Shores**

Regular Mtg

8-21-97

Geo. Bentley A. ment

Juey Hancock

Paul Hancock

Marjorie Phipps

Leon & Connie Upshaw

David Austin

BE Martin

Eddie Pickett

Alvin Gault

E Phipps

Pat Burt

JoAnne Austin

George Bird - PCC

Paul Hager CHB

Ray & Elaine White's

RON PETTIT

Shirley & Brad Shaw

REGULAR MEETING
OF THE CITY COUNCIL OF COTTONWOOD SHORES
4111 COTTONWOOD SHORES
CIVIC CENTER BUILDING

THURSDAY - AUGUST 21, 1997 -7:00 P.M.

1. CALL TO ORDER AND ROLL CALL.
2. READING OF LETTER OF RESIGNATION BY COMMISSIONER MARY POPE BY MAYOR PICKENS.
3. CONSENT AGENDA:
 - A. DISCUSSION/ACTION ON THE MINUTES OF REGULAR MEETING OF JULY 22, 1997.
 - B. DISCUSSION/ACTION ON THE FINANCIAL STATEMENT FOR JULY 1997.
4. PEC UPDATE BY GEORGE BIRD/JAMES ELLETT.
5. DISCUSSION/ACTION - ON APPOINTMENT OF NEW COMMISSIONER.
6. DISCUSSION/ACTION - REVISION OF BUILDING/PERMIT ORDINANCE - TO INCLUDE (BUT NOT LIMITED TO) ESTABLISHING A MAXIMUM AGE OF MOBILE HOMES ALLOWED IN THE CITY AND ADOPTION OF THE SOUTHERN BUILDING CODE.
7. DISCUSSION/ACTION - REPORT ON ROAD/DRAINAGE PROJECT.
8. DISCUSSION/ACTION - POLICE RESERVE (UNPAID) OFFICER.
9. DISCUSSION/ACTION - SALES TAX ELECTION.
10. DISCUSSION/ACTION - REAPPOINTMENT OF MUNICIPAL JUDGE JOANNE AUSTIN.
11. DISCUSSION/ACTION - VFD PRESENTATION BY - MIKE BUTLER.
12. OPEN DISCUSSION.
13. ADJOURNMENT.
14. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS, THIS THE 18TH DAY OF JULY, 1997 AT 5:15 PM O'CLOCK.

ATTEST:
BY Sue Porter
AUG 8, 1997

SUE PORTER, CITY SECRETARY

Dale Pickens
DALE PICKENS, MAYOR

[THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY AT (830) 693-3830 FOR FURTHER INFORMATION.]

REGULAR MEETING
OF THE CITY COUNCIL OF COTTONWOOD SHORES
4111 COTTONWOOD SHORES
CIVIC CENTER BUILDING

THURSDAY - AUGUST 21, 1997 -7:00 P.M.

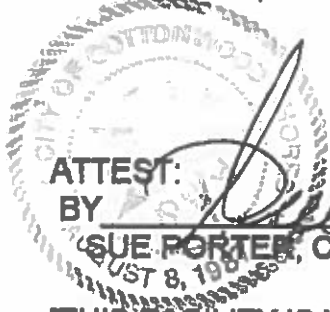
SUPPLEMENTAL AGENDA

- 4A. DISCUSSION BY CITY COUNCIL TO ADVISE PUBLIC OF THE MATTER REGARDING THE WATER INTAKE SITE ON THE WEST SIDE OF THE CITY LIMITS.

NOTE:

ITEM 7 ON THE REGULAR AGENDA IS HEREBY BROADENED TO INCLUDE DISCUSSION/ACTION ON ANY POLICE MATTER.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS, THIS THE 19TH DAY OF JULY, 1997 AT 3:30 P.M. O'CLOCK.



ATTEST:
BY

Sue Porter
SUE PORTER, CITY SECRETARY

Dale Pickens

DALE PICKENS, MAYOR

[THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY AT (830) 693-3830 FOR FURTHER INFORMATION.]