

**MINUTES OF THE SPECIAL MEETING
OF THE CITY COUNCIL
CITY OF COTTONWOOD SHORES
JULY 31, 1998**

1. **CALL TO ORDER BY MAYOR DALE PICKENS AT 4:32 P.M. ROLL CALL:
COMMISSIONERS FRANK PFEIFER AND RAY WHITIS PRESENT: A QUORUM.**

2. **DISCUSSION/ACTION AGENDA:**
 - A. **REQUEST FOR WAIVER OF SOUTH SETBACK LINE ON WILLOW ON
LOT 241, DRIFTWOOD SECTION. MR. MIKE PILLEY WAS NOT PRESENT AND HAS
NOT SUBMITTED A BUILDING PLAN IN REGARD TO HIS REQUEST. THE MAYOR
TABLED THIS ITEM PENDING RECEIPT OF ANY BUILDING PLAN FROM MR. PILLEY.**

 - B. **THE COUNCIL DISCUSSED CONSIDERATION OF PURSUING
ANNEXATION OF THREE PARCELS OF LAND ON THE SOUTH SIDE OF THE
PRESENT CITY LIMITS. THIS INCLUDED THE RIGHT-OF-WAY OF RR 2147 FROM
THE SOUTHEASTERN-MOST TO SOUTHWESTERN-MOST CORNER OF THE
EXISTING CITY LIMIT LINE; A PORTION OF FM 2147 WHICH MUST BE TRAVELED
WEST FROM THE SOUTHWEST CORNER OF THE PRESENT CITY LIMIT ALONG FM
2147, TURNING SOUTH ONTO HEDGES DRIVE INTO THE CASTLE TERRACE
SUBDIVISION TO THE ENTRANCE TO THE WATER PLANT AND LASTLY, A PARCEL
OF LAND KNOWN AS LOT 12-A, CASTLE TERRACE SUBDIVISION, THE SITE FOR
THE STORAGE TANK WHICH IS IN USE AT THIS TIME. CONVERSATION WITH THE
CITY ATTORNEY, BARNEY KNIGHT WAS DISCUSSED AS TO TECHNICALITIES AND
PROCEDURES TO GO FORWARD WITH THIS ANNEXATION, INCLUDING HOLDING
TWO PUBLIC HEARINGS AFTER REQUIRED PUBLICATION. COMMISSIONER
WHITIS MOVED TO PROCEED BY CONTACTING MR. KNIGHT TO PREPARE THE
NECESSARY INITIATING DOCUMENTS. COMMISSIONER PFEIFER SECONDED THE
MOTION, WHICH CARRIED ON VOTE.**

 - C. **REQUEST BY HIGHLAND LAKES HABITAT FOR HUMANITY AS TO
LOTS 41-42 IN THE ROLLINGWOOD SECTION OF THE CITY, REGARDING
REDUCTION OR WAIVER OF PERMIT AND TAP FEES TO THIS NON-PROFIT
ORGANIZATION IN CONNECTION WITH THE CONSTRUCTION OF A NEW HOUSE.
THE COUNCIL DISCUSSED THE LEGALITY AND THE PROPOSED WORK
NECESSITATED BY THE EXTENSION OF CITY UTILITY LINES TO THE AREA OF
THESE LOTS ON THE NORTHWEST SIDE OF THE CITY. NO ESTABLISHED
CRITERIA REGARDING DONATION OR WAIVER OF FUNDS BY A MUNICIPALITY IS
KNOWN AND IT WAS GENERALLY AGREED THAT THE CITY WOULD LIKE TO
PROVIDE THIS ASSISTANCE FOR A GOOD CAUSE IF OTHER CITIES HAVE DONE
IT AND IT IS LEGAL. THE CITY ACCOUNTANT, BURL HARPER, WAS CONTACTED
DURING THE MEETING AND STATED THAT WAIVING OR REDUCING
ESTABLISHED MINIMUM FEES WAS NOT A GOOD IDEA, BUT THE COUNCIL MIGHT
CONSIDER NOT CHARGING THE ADDITIONAL COST FOR THE ADDITIONAL LINE
AND CUTTING WHICH WILL BE NEEDED. . . MAYBE HABITAT VOLUNTEERS
COULD HELP WITH THE LABOR AND THE CITY COULD CHARGE ACTUAL
MATERIALS ONLY. COMMISSIONER WHITIS MOVED TO SUPPORT THE HABITAT
FOR HUMANITY EFFORT TO WHATEVER LEVEL IS REASONABLE AND LEGAL
WITHIN THE GUIDELINES OF THE TEXAS CODES. SECONDED BY COMMISSIONER
PFEIFER, THE MOTION CARRIED ON VOTE.**

3. OPEN DISCUSSION. COMMISSIONER RAY WHITIS INTRODUCED THE SUBJECT OF THE NEED FOR A CONTRACT WITH A VOLUNTEER FIRE DEPARTMENT. HE DISCUSSED DETAILED NOTES GARNERED FROM HIS CONTACTS WITH THE TML LEGAL DEPARTMENT. ALLEN, THE TML ATTORNEY HE TALKED WITH EXPRESSED THE LIKELIHOOD THAT BASED UPON THE RELATED UNWILLINGNESS OF THE CVFD TO COMPLY IN THE MOST FUNDAMENTAL WAY, I.E. REJECTION OF AN AUDIT, NEGLIGENCE, CERTIFICATION DEFICIENCIES, BASED ON THE CHARTER FORM THE STATE, THAT THE CITY WAS NOT COMPELLED TO CONTINUE WITH A "BAD CONTRACT". BASICALLY, THE CITY IS NOT IN A POSITION TO SIGN A CONTRACT WITH AN ENTITY THAT HAS INDICATED IT WILL NOT SIGN THE PREVIOUSLY PROFFERED CONTRACT, WHICH IS NOT RATED AND NOT WILLING TO RESPOND TO QUESTIONS AND SHOW CRITERIA SUBJECT O APPROVAL OF THE CONTRACT. FURTHER, COMMISSIONER WHITIS RELATED THAT THE TML ATTORNEY SAID LOTS OF CITIES AROUND HERE DO NOT HAVE CONTRACTS - IT IS NOT AN UNCOMMON SITUATION. SO, HE CONTINUED, HE JUST WISHED TO REITERATE THE CITY'S POSITION ON THIS PUBLIC RECORD OF THE MINUTES OF THIS MEETING. DISCUSSION CONTINUED ON THE SUBJECT OF THE NEED FOR COTTONWOOD SHORES TO HAVE SOME AGREEMENT WITH A RELIABLE AND RESPONSIBLE FIRE DEPARTMENT....AND THE CRITERIA NECESSARY FOR THE CITY TO ESTABLISH ITS OWN FIRE DEPARTMENT. COMMISSIONER WHITIS STATED HIS CONCERN THAT THE CITY ADMINISTRATION NOT JUST SIT AND WAIT FOR SOMETHING (BAD) TO HAPPEN UNDER THE PRESENT CIRCUMSTANCES.

4. THERE BEING NO FURTHER DISCUSSION, THE MAYOR ADJOURNED THE MEETING AT 6:00 P.M.

ATTEST:


Sue Porter
SUE PORTER, CITY SECRETARY

Dale Pickens
DALE PICKENS, MAYOR

SPECIAL MEETING

CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES
3916 COTTONWOOD DRIVE - CITY HALL
FRIDAY, JULY 31, 1998 - 4:30 P.M.

AGENDA

1. CALL TO ORDER AND ROLL CALL.
2. DISCUSSION/ACTION AGENDA:
 - A. MIKE PILLEY - REQUEST FOR WAIVER OF SOUTH SETBACK LINE (ON WILLOW) ON LOT 241, DRIFTWOOD SECTION.
 - B. ANNEXATION OF:
 - (1) LGC 43.103 - HIGHWAY 2147 FRONTING ALONG THE SOUTH CITY LIMIT LINE OF THE CITY OF COTTONWOOD SHORES
 - (2) LGC 43.026 - CITY-OWNED PROPERTY IN CASTLE TERRACE.
 - (3) LGC 43.101 - CITY-OWNED RESERVOIR AND THAT PART OF HIGHWAY 2147 AND HEDGES DRIVE NECESSARY TO PROVIDE INGRESS/EGRESS TO SAID RESERVOIR.
 - C. REQUEST FOR WAIVER OF FEES/CHARGES - HIGHLAND LAKES HABITAT FOR HUMANITY (LOTS 41-42,ROLLINGWOOD).
3. OPEN DISCUSSION.
4. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3916 COTTONWOOD DRIVE, COTTONWOOD SHORES TEXAS ON THIS 28TH DAY OF JULY, 1998 AT 4:30 P.M.

ATTEST BY:


SUE PORTER, CITY SECRETARY


DALE PICKENS, MAYOR

[THIS FACILITY IS WHEELCHAIR ACCESSIBLE & ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS FOR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THE MEETING. 830-693-3830]