

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JANUARY 15, 2004 AT 7:00 P.M.**

- 1) **CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order at 7:01 p.m., with both Commissioner Pfeifer and Commissioner Hildebrand in attendance, a Quorum was Present.
- 2) **CONSENT AGENDA:**
 - a) **MINUTES OF A SPECIAL MEETING ON DECEMBER 3, 2003:** Commissioner Pfeifer stated that he had read the minutes and then made a motion to approve Item A of the Consent Agenda. Commissioner Hildebrand seconded his motion, which carried.
 - b) **FINANCIAL STATEMENTS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2003:** Commissioner Hildebrand made a motion to approve Item B of the Consent Agenda. Commissioner Pfeifer seconded his motion, which carried.
- 3) **CONSIDER AND POSSIBLY TAKE ACTION ON AUTHORIZING THE USE OF THE CIVIC CENTER FOR MEETINGS OF A RECOVERY SUPPORT GROUP:** No one was present so no action was taken on this item.
- 4) **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF COTTONWOOD SHORES, TEXAS, REPEALING ORDINANCE NO. 031193:** Commissioner Pfeifer stated that he had a question about Home Breeders. He noted that on page 3, E, Minimum Standards, it states that all Breeding Facilities within the City shall meet and maintain the following minimum standards, then under (e) be constructed and maintained in order to prevent infestation by rats or other rodents or vermin. The presence of rats in a Breeding Facility is evidence that the facility is maintained in violation of this ordinance. He added that nothing tells breeders what type of construction or how big construction they need. He noted that the Commercial says the same thing. He wondered if the City needed to establish a type of breeding pen or does the breeder do their own. Mrs. Carusi stated that most non-commercial breeders don't have pens. She noted that her dogs lived in her house. She added that A.K.C. has requirements to size and electrical requirements, and you can be inspected at anytime. Mrs. Sylvia Breen stated that if they were breeding according to A.K.C. standards, it should be enough for City standards. Commissioner Pfeifer stated that he was not against an animal control ordinance he just didn't want trouble down the road. Mayor Pickens stated that if we do come into a problem we could always amend the ordinance. Commissioner Pfeifer stated that at the time we had the special meeting we didn't know if we had to adopt the Rabies Control Act and it was going to be looked into. He noticed that it was in the ordinance and wondered if we were going to adopt that. Mayor Pickens stated that it was in the ordinance so if you passed the ordinance you automatically adopted it. Commissioner Hildebrand made a motion to approve Item 4. Commissioner Pfeifer seconded his motion, which carried.
- 5) **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MS. SYLVIA BREEN TO FORM A COMMITTEE TO REVIEW CURRENT CITY ORDINANCES AND RECOMMEND REVISIONS FOR IMPROVEMENTS:** Mrs. Sylvia Breen stated that it had been brought to her attention that several of the ordinances were not up to snuff or in conflict with each other. She volunteered to be on a committee to go over the ordinances to make sure they are not over lapping. She stated that she was trying to get some other citizens to help with the project. She added that she needed Council approval to form a committee. Mayor Pickens asked if she had a list of volunteers. Mrs. Breen stated that she had some people in mind, but she wanted to make sure that the Council approved before she went ahead with anything. Mayor Pickens stated that he did not have an objection. He noted that one of the first things he did when he was elected Mayor was to appoint a committee to review the ordinances. He added that unfortunately it didn't lead to any productive work. He noted that it was an expense to copy the ordinances for the committee of five which worked fast and furious for a few

short meetings, but for whatever reasons it fell through. He stated we could try again because a lot of the ordinances were old and needed to be updated. Mrs. Breen stated that she would need some guidance and leadership from the Council to know where to start. Mayor Pickens recommended that she get a short list. He recalled that five people were too much. He suggested she cut it to three people. He added that she needed to keep in mind the cost would need to be kept to a minimum because there were no funds budgeted for such an undertaking. He noted that the copies were twenty-five-cents a page and could run into some money. Mrs. Janet Carusi asked if this would help with the enforcement. Mayor Pickens stated that he wished there was a simple answer to the enforcement of ordinances. He added that he would like to go out there and hammer them, but can't do that anymore. He noted that he got discouraged and mad, too. He suggested that we revisit this at the next meeting. He asked Mrs. Breen to bring a list of volunteers so we could appoint them to the committee. He added that we could have some guidelines at the next meeting on how to begin, and then we could set some milestones. Commissioner Pfeifer then made a motion to approve Item 5. Mayor Pickens stated that we could approve this item, but then we would have to come back and appoint the committee. Commissioner Hildebrand seconded the motion, which carried.

- 6) **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. BRYAN POFF TO USE DECORATIVE CONCRETE BLOCKS INSTEAD OF BRICKS ON HIS NEW RESIDENCE TO BE BUILT ON LOT 24, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS:** Mr. Bryan Poff explained that he wanted to build a 1,583 square foot, two-story house on his lot. He planned to set it back 102 ft. from the street in order to leave all the trees. He noted that it would be primarily hardi-plank siding which doesn't comply with the City ordinance that requires 25% rock, brick or stone. He stated that he believed that this product, which was called split-face decorative masonry bricks, was a brick. He added that it was made by Acme Brick. He was asking for the Council's approval to use this brick as the skirting around his house which would be about four foot off the ground and then above that would be the hardi-plank. Commissioner Hildebrand asked if he was going to paint it to match the house. Mr. Poff stated that he was going to leave that up to his wife. He stated it would have to be something that blends with the color of his house so that it would look good. Commissioner Pfeifer asked where he was planning on putting this brick. Mr. Poff stated that he would put it on the bottom four feet of the street side, which was actually the back of the house. Commissioner Pfeifer asked what the square footage was of the rock. Mr. Poff stated 128 square-feet, which was roughly 30 ft. x 4 ft. Commissioner Pfeifer stated that according to the ordinance it was supposed to be 25% unless it was a corner lot then it was 50% of the structure. Mr. Poff asked of the whole structure. City Secretary, Tena Collier stated that it was just of the street side. Mayor Pickens stated that he thought it was of the whole structure. Mrs. Collier stated that she thought that it was just 25% of the street side. Mayor Pickens stated that it was supposed to be 25% of the structure and 50% if on a corner. Mrs. Collier stated that is not how the new houses are being done. Mr. Poff stated that the other houses he looked at didn't have that much. Mrs. Collier stated that would be the entire side of the house. Commissioner Hildebrand stated that he thought it was 25% of the street side. Mr. Poff stated that it would be a lot more expensive to do 25% of the structure. Mayor Pickens stated that if the ordinance doesn't read that then we need to redo the ordinance because that was the intent of the ordinance. Mrs. Collier stated that the examples given at the meeting when the ordinance was passed were Dion's houses and they only have a portion of the front, not the whole front. She noted that the one Tommy Duncan just built only has the bump-out for the dinning room rocked, not the entire front. Commissioner Hildebrand stated that the two new houses on Cypress don't have the entire front, it's just a portion. Mr. Poff stated first thing we needed to do was decide if he could use the brick, then decide how much he had to have. Mayor Pickens stated that he didn't recall exactly what the ordinance read. He knew it did say 25% and 50%, but of what. Commissioner Pfeifer stated that he knew it did say if it was a corner lot it would be 50% of the house. Mrs. Collier stated that she could not swear to what it said exactly, but she knew the way the plans had been interpreted was 25% of the street side unless it was a corner then it was a total of 50% of those two sides. She added that no one has had to do the whole side. She noted that if the house was 30 ft. on the street x 50 ft. long then they would have to do more than the entire front. Mayor Pickens stated that he had no problem with these bricks. Commissioner Pfeifer stated that he had no objection to using the bricks either. He then made a motion to approve Item 6. Commissioner Hildebrand seconded his motion, which carried. Commissioner Pfeifer then asked Mayor Pickens if wanted to bring something up now.

Mayor Pickens stated that he didn't care. Commissioner Pfeifer stated that before we go to the other part of the agenda, he wanted to bring up something on the minutes. He noted that we have never approved minutes from a Special Meeting on September 30th, a Regular Meeting on October 16th, November 20th and of course the minutes from today. Mrs. Collier stated that she knew there were several meetings she was behind on and asked for the dates again. Commissioner Pfeifer stated that he was going by the past agenda's which were not approved because we didn't have the minutes. Mrs. Collier stated that she did the December 3rd minutes because it was a short meeting and it had to do with the ordinance on tonight's agenda. Commissioner Pfeifer stated that he understood that. Mrs. Collier stated that she thought there was another Special Meeting which was why she wanted the dates he had again so she could make sure that she had the same ones. Commissioner Pfeifer stated that we needed to get some of them done. Mrs. Collier agreed. Mayor Pickens stated that we might have to bar the door or lock the City Secretary in her office and say she is not home today. Mrs. Collier suggested hiring someone to do code enforcement which would take a load off her. Commissioner Pfeifer stated that she didn't go out in the field to enforce code enforcement. Mrs. Collier agreed, but stated that she handles the complaints in the office and looks at the blue prints brought in for building permits...Commissioner Pfeifer stated that he reviews those prints with her, too. Mrs. Collier agreed.

7) MONTHLY ACTIVITY REPORTS:

A. POLICE DEPARTMENT:

(1) **ACTIVITY LOG:** Mayor Pickens read the report for the Police Department. He noted that December had been a busy month considering one of the Police Officers was on vacation during the last week.

B. PUBLIC WORKS:

(1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** Mayor Pickens read the report for the Water & Sewer Department. Commissioner Pfeifer asked if the meter had been calculated down there. Mr. Nathan Cantrell stated that the finish meter at the water plant had been taken out and recalibrated. Commissioner Pfeifer stated that he meant the sewer meter. Mr. Cantrell stated that was a misread by LBJ MUD and we received an adjustment from them. Commissioner Pfeifer stated that was okay as long as we got it corrected. Commissioner Hildebrand asked about the discrepancy between the raw water and treated water. Mr. Cantrell stated that the finish meter was out and we had to use the raw meter for both readings. Commissioner Hildebrand noted that was the meter which had just been fixed. Mr. Cantrell then asked if anyone had a GPS that they could loan out. He noted that on the Tier Two report he needed to know the latitude and longitude locations of the water plant. Mrs. Carusi stated that she had one which she could use to get them and then give them to Tena.

(2) **ANIMAL CONTROL:** Mayor Pickens stated that from time to time have we still have dogs running the streets. Mrs. Carusi asked how this ordinance affects people who are in violation of the ordinance after passage. Mayor Pickens replied that if it's an evident violation that is readily seen as per the ordinance they could receive a violation. Mrs. Carusi asked who would be responsible for making up the permit which will need to be filled out. She then asked if that would be Tena. Mayor Pickens stated that anyone on staff would be capable of doing that. He added I am sure that Tom would be capable. Mrs. Carusi wondered if she needed to give Tena a copy of the set of papers so she would know what information was on them to use in making a permit. Mayor Pickens stated that would be very helpful. Mayor Pickens asked if we had ordered tags yet. Mrs. Collier stated that she knew Tom was looking at the book and she believed he had ordered some. Commissioner Pfeifer stated that would be something for Tom to do since he was going to have the records.

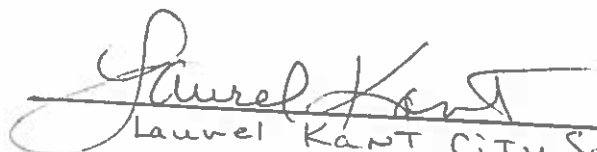
C. VOLUNTEER FIRE DEPARTMENT: No one present to give a report. Commissioner Hildebrand stated that he had hoped Tom would be here because back at the November meeting we discussed him providing an insurance release stating that the VFD was responsible for his vehicle on call outs. He thought we did need to get that in writing and wondered if it had been turned in. Mayor Pickens stated that he didn't recall that conversation at that meeting. Mrs. Carusi stated that he said something about typing up a form. Mrs. Breen stated that it was supposed to say that the City was not responsible and that the VFD covered his vehicle when he went off the clock. Mayor Pickens stated that he would ask him about it.

8) CITIZEN COMMENTS: Ms. Katerina Dittermore with Grant Development Services stated that the plans had been submitted to T.C.E.Q. for approval. She explained that the grant would allow us to replace the water

line on Cottonwood Drive with an eight-inch line. Extend a six-inch water line up Driftwood Lane, across Willow Drive, and then back down Magnolia Lane. The project also included Aspen Lane and Fir Lane if funding permitted. She explained that once we had approval we would start the bid process. Mayor Pickens stated that besides the linear footage, we would also move the service meter to the street in order to get it out of the back easement. Ms. Dittmore explained that the contractor awarded would be required to be bonded and provide proof of insurance. Mrs. Carusi asked if it ever occurred that no one bid on a project. Ms. Dittmore stated that lately they had been getting very good response. She added that with the current economy, a lot of contractors are hungry. She noted that they had five projects in the last thirty days and had a very good response, even during the holidays. Mayor Pickens asked if she had bid any pipe projects lately. He explained that there was a rumor that because of shipping PVC pipe to Iraq prices had risen. Ms. Dittmore stated she had two pipe projects, but hadn't seen any surprises on any other bids. Mrs. Carusi asked if we had to get all this water stuff complete before we could apply for additional grants. Mayor Pickens stated pretty much. Mr. Cantrell stated that he talked to Katerina on the way out and she said we could probably apply in April. Mayor Pickens stated that we get more points if we completed this one first. He noted that there were STEP grants that we could apply for anytime. He noted that those required a bigger match from the City. He added that he thought it was a 60/40 match which would require big bucks. Commissioner Pfeifer stated that we also had to have at least twenty-five volunteers to work. Mayor Pickens stated that they could serve in different capacities; they don't all have to be ditch diggers. Commissioner Hildebrand stated that he had received several complaints on equipment speed up and down the streets. He noted that the tractor was going a little to fast and needed to slow down. He also mentioned streets signs which still needed to be put up as well as the signs for the curve on Driftwood Lane. Mayor Pickens stated that the auger was down at the rental place, but he would get Tom to dig those by hand.

9) **ADJOURNMENT:** Mayor Pickens adjourned this Regular Meeting at 8:14 p.m.

TENA COLLIER, CITY SECRETARY


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

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4111 COTTONWOOD DRIVE – CIVIC CENTER
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AGENDA

- 1) CALL TO ORDER AND ROLL CALL.
- 2) CONSENT AGENDA:
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 - b) FINANCIAL STATEMENTS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2003.
- 3) CONSIDER AND POSSIBLY TAKE ACTION ON AUTHORIZING THE USE OF THE CIVIC CENTER FOR MEETINGS OF A RECOVERY SUPPORT GROUP.
- 4) CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING AN ORDINANCE PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF COTTONWOOD SHORES, TEXAS, REPEALING ORDINANCE NO. 031193.
- 5) CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MS. SYLVIA BREEN TO FORM A COMMITTEE TO REVIEW CURRENT CITY ORDINANCES AND RECOMMEND REVISIONS FOR IMPROVEMENTS.
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- 7) MONTHLY ACTIVITY REPORTS:
 - A. POLICE DEPARTMENT:
 - (1) ACTIVITY LOG.
 - B. PUBLIC WORKS:
 - (1) WATER & SEWER SYSTEM PERFORMANCE & USAGE.
 - (2) ANIMAL CONTROL.
 - C. VOLUNTEER FIRE DEPARTMENT.
- 8) CITIZEN COMMENTS.
- 9) ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 12TH DAY OF JANUARY, 2004 AT 2:00 P.M.

ATTEST:


TENNA COLLIER, CITY SECRETARY




DALE PICKENS, MAYOR

**COTTONWOOD SHORES
MONTHLY WATER/ WASTEWATER
DEPARTMENT REPORT**

December 2003

Raw water usage

3,213,000 total
104,000 average
138,000 max
77,000 min

Treated water usage

2,619,000 total
84,000 average
138,000 max
40,000 min

Wastewater pumpage

1,646,000 gallons of wastewater was pumped to LBJ MUD for treatment.

City of Cottonwood Shores Activity Report

Dec-03		
Date	Activity	Address
01-Dec	leak at meter	bay marina (wirtz dam road)
01-Dec	reconnect/csi	609 maple
01-Dec	leak at meter	4907 cottonwood
01-Dec	leak at meter	3907 lakeview
02-Dec	cutoff	702 driftwood
02-Dec	reconnect/csi	3716 lakeview
03-Dec	cutoff	826 westwood
03-Dec	cutoff	840 southwood
03-Dec	cutoff	651 fir
03-Dec	cutoff	648 a fir
03-Dec	transfer	731 magnolia
03-Dec	started rerouting 2" main in the 800 block of cypress	
03-Dec	Tony had an auto accident	pine and brookwood
03-Dec	deliver trash cart	730 fir
04-Dec	moved and changed out meter	817 cypress
04-Dec	moved and changed out meter	816 pine
05-Dec	repaired leak on valve	cottonwood dr
05-Dec	backfill yard	628 magnolia
08-Dec	cutoff	611 magnolia
08-Dec	made sewer tap and started sewer line up 800 block of cypress	
09-Dec	grinder pump had problem	120 duke
09-Dec	#1 lift station had problems reset	
09-Dec	pec called out vehicle broke telephone pole on 2147 west repaired water main	
10-Dec	replaced cust. Valve box	5108 2147 west
11-Dec	cutoff	636 dogwood
12-Dec	connect new service	644 aspen
15-Dec	reconnect	611 magnolia
15-Dec	grinder pump lite on debris plugging pump	810 eastwood
16-Dec	replace trash cart	826 aspen
17-Dec	cleaning barditches	800 block of driftwood
18-Dec	replaced broken sewer cleanout	driftwood and willow
18-Dec	one load of road base hauled in and spread	cottonwood dr
18-Dec	leak at main	832 pecan
18-Dec	leak at main	741 pecan
19-Dec	finished laying 4 and 6 inch sewer line and made one tap at 806 cypress	
22-Dec	changed out # 1 pump at # at liftstation	
22-Dec	patched potholes	dutch lemming and pecan
22-Dec	continued cleaning bar ditch	800 block of driftwood
23-Dec	matt and community service washed down tanka water plant	
23-Dec	had Christmas party at City Hall	
24-Dec	off for Christmas	
25-Dec	off for Christmas	
28-Dec	drained tonka clarifiers and cleaned with muritic acid	
29-Dec	transfer	4401 cottonwood
29-Dec	transfer	832 pecan
29-Dec	reconnect/csi	635 driftwood
29-Dec	had community service boys(2) cleanup around city hall and p.d.	
29-Dec	clearing brush on right of way	800 block of driftwood
30-Dec	reconnect	632 magnolia