

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL  
OF THE CITY OF COTTONWOOD SHORES, TEXAS  
3808 COTTONWOOD DRIVE – CITY HALL  
MONDAY, MAY 3, 2004 AT 5:00 P.M.

1. CALL TO ORDER AND ROLL CALL. Mayor Pickens called the special meeting to order at 5 PM with Commission Pfeiffer and Hildebrand in attendance, a quorum was present.
2. EXECUTIVE SESSION – THE COUNCIL MAY ENTER INTO CLOSED OR EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
  - a) CONSULTATION WITH CITY ATTORNEY PURSUANT TO §551.071, GOVERNMENT CODE REGARDING CAUSE NO. 22418, *CONNIE CAPONE v. CITY OF COTTONWOOD SHORES*, IN THE 33<sup>RD</sup> DISTRICT COURT, BURNET COUNTY, TEXAS.

The council went into executive session at 5:14 PM.

3. RETURN TO OPEN SESSION: The council re-opened the special meeting at 6:17 PM.
  - a) CONSIDER AND POSSIBLY TAKE ACTION ON CAUSE NO. 22418, *CONNIE CAPONE v. CITY OF COTTONWOOD SHORES*, IN THE 33<sup>RD</sup> DISTRICT COURT, BURNET COUNTY, TEXAS.

No action is required since it is going to mediation.

5. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ROGER VAN VOORHEES FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 145, PAGE 362, BURNET COUNTY DEED RECORDS ON LOT 26, DRIFTWOOD II SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 212, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE PLACEMENT OF A MOBILE HOME OVER AND UPON SAID UTILITY EASEMENT.

Commission Pfeiffer made a motion to approve the request by Mr. Roger Van Voorhees for a variance to the five foot utility easement and setback requirement as recorded in Volume 145, page 362, Burnet County deed records on Lot 26, Driftwood II Section, Cottonwood Shores, Texas, as recorded in Volume 1, page 212, Burnet County plat records to allow for the placement of a mobile home of one (1) foot variance over and upon the backside of said utility easement. Commissioner Hildebrand seconded and was passed.

6. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ROGER VAN VOORHEES FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 141, PAGE 362, BURNET COUNTY DEED RECORDS ON LOT 27, DRIFTWOOD II SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 212, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE PLACEMENT OF A MOBILE HOME OVER AND UPON SAID UTILITY EASEMENT.

The council discussed the water drainage problem of lot 27, and that Mr. Van Voorhees has not presented a viable plan for the water run off and would probably need the assistance of engineers so that liability will not fall back on the city.

Commissioner Pfeifer made a motion to deny the request by Mr. Roger Van Voorhees for a variance To the five foot utility easement and setback requirement as recorded in Volume 141, Page 362, Burnet County plat records to allow for the placement of a mobile home over and upon said utility easement. Commissioner Hildebrand seconded and was passed.

7. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ROGER VAN VOORHEES FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 141, PAGE 434, BURNET COUNTY DEED RECORDS ON LOT 66, DRIFTWOOD SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 190, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE PLACEMENT OF A MOBILE HOME OVER AND UPON SAID UTILITY EASEMENT.

Commission Hildebrand made the motion to approve the request by Mr. Roger Van Voorhees for a variance to the five foot utility easement and setback requirement as recorded in Volume 141, Page 434, Burnet County deed records on Lot 66, Driftwood Section, Cottonwood Shores, Texas, as recorded in Volume 1, Page 190, Burnet County plat records to allow for the placement of a mobile home of one (1) foot variance over and upon said utility easement. Commission Pfeifer seconded and passed.

8. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ADRIAN PYLYPEC FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 362, PAGE 742, BURNET COUNTY DEED RECORDS ON LOTS 43 AND 66, BLUFFVIEW SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1,

PAGE 200, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE CONSTRUCTION OF A COMMERCIAL BUILDING OVER AND UPON SAID UTILITY EASEMENT.

Commission Hildebrand made a motion to approve the request by Mr. Adrian Pylypec for a variance to the five foot utility easement and setback requirement as recorded in Volume 362, Page 742, Burnet County Deed Records on lots 43 and 66, Bluffview Section, Cottonwood Shores, Texas, as recorded in Volume 1, Page 200, Burnet County plat records to allow for the construction of a commercial building over and upon said utility easement. Commission Pfeifer seconded the motion and was passed.

9. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. ADRIAN PYLYPEC FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AND SETBACK REQUIREMENT AS RECORDED IN VOLUME 362, PAGE 742, BURNET COUNTY DEED RECORDS ON LOTS 43 AND 66, BLUFFVIEW SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 200, BURNET COUNTY PLAT RECORDS TO ALLOW FOR THE PLACEMENT OF A CONCRETE DRIVE OVER AND UPON SAID UTILITY EASEMENT.

The plan of the property was shown.

Commission Pfeifer made a motion to approve the request by Mr. Adrian Pylypec for a variance to the Five foot utility easement and setback requirement as recorded in Volume 362, Page 742, Burnet County Deed Records on lots 43 and 66, Bluffview Section, Cottonwood Shores, Texas, as recorded in Volume 1, Page 200, Burnet County plat records to allow for the construction of a commercial building over and upon said utility easement with the stipulation that there will be an expansion joint on the edge of the five foot easement.

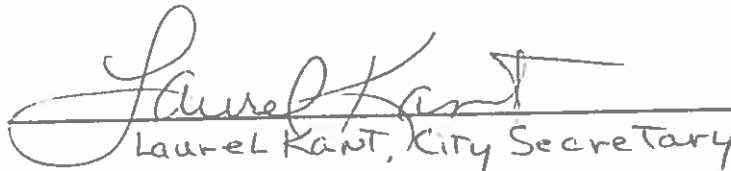
10. CITIZEN COMMENTS. It was noted that there was no item 4 on the agenda.

Euclid Phipps stated that he did not understand the negotiation with Ms. Connie Capone. Mayor Pickens explained that the representatives of the city would do mediation which the judge ordered. Mr. Phipps then questioned what would happen if there was no satisfaction. Mayor Pickens stated that if mediation was not satisfactory then the trial would be set in November. Mrs. Janet Taylor-Carusi asked what the city would be willing to do and Mayor Pickens told her that it was not the city's decision to make.

11. ADJOURNMENT. Mayor Pickens adjourned the meeting at 6:45 PM.

ATTEST:

TENA COLLIER, CITY SECRETARY

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



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AGENDA

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10. CITIZEN COMMENTS.
11. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 30<sup>TH</sup> DAY OF APRIL, 2004 AT 5:00 P.M.

ATTEST:

TENA COLLIER, CITY SECRETARY



# City of Cottonwood Shores

Chartered 1987

3915 Cottonwood Drive  
Marble Falls, Texas 78654  
830/ 693-3830  
Fax 830/ 693-6436

Dale Pickens - Mayor

Tena Collier - City Secretary

## AGENDA ITEM REQUEST

I hereby request the following subject to be placed on the Agenda for the next Regular Meeting of the City Commissioners of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: \_\_\_\_\_

Subject to be addressed: Speeding (Please see Attachment)

Thank You.

Informational Presentation: Yes \_\_\_\_\_ No \_\_\_\_\_

Requires Action by Commission: Yes \_\_\_\_\_ No \_\_\_\_\_

Name(s) of requester: Patricia Pugh

Address: 657 Pecan Lane

Phone No.: 693-4389

Requester \_\_\_\_\_ Date \_\_\_\_\_

Received by City Employee \_\_\_\_\_ Date 05 / 04 Time \_\_\_\_\_ a.m./p.m.

I am writing in reference to people speeding while along Peconic Lane. I know we all get in a hurry at times and may be go a little above the 30 mph limit, but there are many who are going double this limit. I am furious that I have always been told that I just need to identify the vehicle. I did. A young man has repeatedly disobeyed the speed limit. I wrote his license plate # down + reported the info to CWPD. Nothing was done about this after being told he would be given a warning. Many residents in CW end up trying to take care of these matters themselves by asking people who are speeding to stop. This is dangerous + they should not have to ~~take~~ <sup>take hold</sup> the law in their own hands. It is not even

the residents job. Because it is not being taken care of by those who are paid to uphold the law.

Lastly, I have read in the past CW newspapers that there are known homes where there is drug abuse, but apparently nothing can be done about this either. I have found out that what people have told me prior to moving here is true

"Cottonwood Shores is where all the crime is." ~~etc~~

I feel I should write a letter to the Editor of the Tribune saying you all can say I told you so! Move to Cottonwood Shores and do drugs, speed, whatever, it's O.K.

I am not trying to hurt anyone  
I just want to try & wake  
people up & realize we have  
to all do our jobs before  
it is too late & someone  
child or ~~adult~~ gets  
hurt or killed!

Patty Pugh