

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, DECEMBER 16, 2004 AT 7:00 P.M.**

- 1) **CALL TO ORDER AND ROLL CALL.** Mayor Pfeifer called the regular meeting to order at 7:02 PM with Council Members Beyer, Logan, Carusi, Hildebrand, and Plumley in attendance; a quorum was present.
- 2) **CONSENT AGENDA:**
 - a) **FINANCIAL STATEMENTS FOR THE MONTHS OF AUGUST AND SEPTEMBER.**

Councilman Plumley made a motion to accept the financial statements for the months of August and September. Councilwoman Beyer seconded the motion and passed.

- 3) **PRESENTATION BY MR. MARLEY PORTER IN REGARDS TO PLANNING A STATEMENT OF INTENT FOR THE CITY OF COTTONWOOD SHORES, TEXAS.**

Mr. Marley Porter detailed the length of time that the committee had been working on the plan for the zoning of Cottonwood Shores. Mr. Porter asked his fellow committee members to stand and introduced the members that had been regularly attending the meetings: Leif Anderson, Sylvia Breen, Billie Parker, Keith Patschke, Curtis Rittman, and Janet Taylor-Carusi. Mr. Porter stated that no action was required at this meeting.

Mr. Porter explained how the committee was working to adopt building regulations to improve the city's building codes, annexation plans and proposed re-zoning map for the council to approve for the betterment of Cottonwood Shores, Texas. Mr. Porter presented a slide presentation.

- 4) **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION ACCEPTING SAMCO CAPITAL MARKETS, A DIVISION OF PENSON FINANCIAL SERVICES, INC. AS FINANCIAL ADVISOR FOR THE CITY OF COTTONWOOD SHORES, TEXAS.**

Ms. Chris Lane introduced herself and stated that she specialized in small growing cities and stated that she had been in business for over 20 years and named cities that the company had worked with in the proposal. Councilman Plumley asked if the cities listed are the ones that the company had helped acquire financing and she reported that they were. Councilwoman Logan asked if the services work in the same manner as the grant program where you help us apply for them and if we do not get them, then your company does not get paid and the service is paid on the contingency plan. Ms. Lane stated that the service gets paid out of the bond proceeds.

Councilwoman Logan made a motion to accept adopting a resolution accepting Samco Capital Markets, a division of Penson Financial Services, Inc. as financial advisor for the City of Cottonwood Shores, Texas. The motion was seconded by Councilman Plumley and passed.

- 5) **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST FROM MR. TOM ROBERTS WITH ROBERTS AND ASSOCIATES REAL ESTATE TO ENTER INTO AN AGREEMENT FOR LEASING AND/OR PURCHASING THE CITY OF COTTONWOOD SHORES CIVIC CENTER BUILDING.**

Mayor Pfeifer stated that he looked into this proposal with the attorneys and it can not be done without taking bids and bid opening. Mayor Pfeifer recommended to deny the agreement.

Councilman Hildebrand made a motion to deny the request from Mr. Tom Roberts with Roberts and Associates Real Estate to enter into an agreement for leasing and/or purchasing the City of Cottonwood Shores Civic Center Building. Councilman Plumley seconded the motion and passed.

- 6) **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST FROM MR. JIM KENNEDY WITH BLUEBONNET HOMES ON A REQUEST FOR A VARIANCE TO THE 30 FT. FRONT YARD SETBACK REQUIREMENT AS RECORDED IN ORDINANCE NO. 022602, AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES PROVIDING ZONING REGULATIONS AND STANDARDS FOR THE DEVELOPMENT AND USE OF LAND WITHIN THE CITY, ON LOT 439, YELLOWSTONE SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 188, BURNET COUNTY PLAT RECORDS, 803 FIR LANE, COTTONWOOD SHORES, TEXAS.**

Councilman Hildebrand asked why Bluebonnet Homes was requesting the variance rather than the owner. It was explained that Bluebonnet Homes still owned the property. Discussion was held on the washing of the property and what was going to be done. It was explained that stone would be used as a retaining wall and would have grass planted along with putting guttering on the sides to prevent further washing.

Councilman Plumley made a motion to grant the request from Mr. Jim Kennedy with Bluebonnet Homes on a request for a variance to the 30 Ft. front yard setback requirement as recorded in Ordinance No. 022602, an ordinance of the City of Cottonwood Shores, providing zoning regulations and standards for the development and use of land within the city, on Lot 439, Yellowstone Section, Cottonwood Shores, Texas, as recorded in volume 1, Page 188, Burnet County Plat Records, 803 Fir Lane, Cottonwood Shores, Texas. Councilman Hildebrand seconded the motion and passed.

- 7) SECOND READING OF AN ORDINANCE ENACTING PERMANENT ZONING OF 11.55 ACRES, MORE OR LESS, AND 3.54 ACRES, MORE OR LESS, OF LAND TO A MIXED USE PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A MIXTURE OF MULTI-FAMILY RESIDENTIAL – DISTRICT "R-3" AND LIGHT COMMERCIAL – DISTRICT "C-1", PURSUANT TO THE MAPS ON FILE WITH THE CITY OF COTTONWOOD SHORES, TEXAS.

Councilman Plumley asked whether or not the ordinance should be voted on. Mayor Pfeifer stated that the attorney said that all that was necessary was to read the ordinance as the original ordinance had already been voted on. Mayor Pfeifer read the ordinance and stated that no motion was necessary. Councilwoman Logan wanted the record to show that the council was acknowledging the second reading of the ordinance and that the council was acting on the attorney's advice.

- 8) CONSIDER AND POSSIBLY TAKE ACTION ON THE WATER TANK LEASE AGREEMENT WITH ZEECON WIRELESS.

Mayor Pfeifer read the agreement. Councilman Hildebrand asked how the 5-year agreement could be terminated. Mrs. Janet Taylor-Carusi stated that the city can give them a 90-day notice that they would like to terminate the agreement and then open for bids. Zeecon has the same contract with the City of Burnet and Burnet receives franchise money. Mrs. Taylor-Carusi reported that several of the companies would like to have a place on the water tower. Mrs. Taylor-Carusi reported that Zeecon and Northland Cable are both making money off the City of Cottonwood.

Councilman Plumley made a motion to give a 90-day notice to Zeecon and open negotiations with anyone that is interested in putting their service up on the water tower. Councilman Hildebrand seconded the motion and passed.

- 9) CONSIDER AND POSSIBLY TAKE ACTION ON FILLING THE VACANCY OF PUBLIC WORKS DIRECTOR FOR THE CITY OF COTTONWOOD SHORES, TEXAS.

City Secretary Tena Collier made the recommendation that Wes Aiken be hired. Ms. Collier presented Mr. Aiken's credentials: certified in code enforcement; certified in animal control; worked in a little city in Ingram, and use to working with old equipment; flood plain control and he has moved to Horseshoe Bay. Councilman Plumley verified that he was overly qualified.

Councilman Plumley made a motion to hire Wes Aikens to fill the vacancy of public works director for the city of Cottonwood Shores, Texas. The motion was seconded by Councilman Hildebrand and passed.

- 10) CONSIDER AND POSSIBLY TAKE ACTION ON FILLING THE VACANCY IN THE PUBLIC WORKS DEPARTMENT OF THE CITY OF COTTONWOOD SHORES, TEXAS.

City Secretary Tena Collier recommended Bobby Hawkins for a full-time position. His primary job would be the mowing, weed eating, replacing the stop signs, setting up the Civic Center. Mrs. Collier reported that he has run a maintainer, a backhoe; he had his own lawn service so he is familiar with that type of equipment, and he also has his "C" water and his "C" wastewater license which would enable him to assist Nathan Cantrell and Matt McClinton in the water and wastewater department and could go on rotation for on-call which would enable Matt and Nathan to get two (2) weekends off in a row instead of every other weekend on-call. Councilman Hildebrand stated that he did not feel the position should be a full-time position and wanted to know if his references were called. Councilwoman Logan stated that she would vouch for Mr. Bobby Hawkins and his work record.

Councilman Plumley made a motion to hire Bobby Hawkins as a full-time employee to fill the vacancy in the Public Works Department of the City of Cottonwood Shores, Texas. Councilwoman Logan seconded the motion and passed. Councilman Carusi and Councilman Hildebrand voted against.

- 11) MONTHLY ACTIVITY REPORTS:

A. POLICE DEPARTMENT:

(1) ACTIVITY LOG. Mayor Pfeifer read the report from the police department.

B. PUBLIC WORKS:

(1) WATER & SEWER SYSTEM PERFORMANCE & USAGE.

Mr. Nathan Cantrell reported that the waste water to MUD was 1 million gallons; the lift stations were under water; that there was a mailbox in the street and it should not be the responsibility of the city to replace; and reported the condition of the water.

(2) ANIMAL CONTROL. No report.

C. CIVIC PRIDE:

(1) UPCOMING MEETING DATES & FUTURE PROJECTS. Mrs. Sylvia Breen invited everyone to the Christmas party on Saturday, at 5:30 PM. It was also reported that Councilwoman Beyer had met with park coordinator.

D. VOLUNTEER FIRE DEPARTMENT. A report was read by Ernesto.

- 12) CITIZEN COMMENTS. None.

- 13) ADJOURNMENT. A motion was made by Councilwoman Logan to adjourn the meeting. Councilman Plumley seconded the motion and passed. Mayor Pfeifer adjourned the meeting at 8:53 PM.

ATTEST:

TENA COLLIER, CITY SECRETARY

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

Weller

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78654
(830) 693-3830 FAX: (830) 693-6436



ATTENDANCE RECORD CITY COMMISSIONERS MEETING CITY OF COTTONWOOD SHORES, TEXAS

DATE: 12.16.04

PLEASE SIGN IN:

<u>Paula Weifer</u>	_____
<u>Chris Lane - SAMCO</u>	_____
<u>John Lane</u>	_____
<u>M Weif</u>	_____
<u>David Taylor</u>	_____
<u>Essarhito</u>	_____
<u>Debra</u>	_____
<u>Paul Pettigrew</u>	_____
<u>Tracy</u>	_____
<u>Margie Phypers</u>	_____
<u>Eula Phypers</u>	_____
<u>Dorlene Day</u>	_____
<u>Suzi Breen</u>	_____
<u>Bruce Barber</u>	_____
<u>Cathy Wainwright</u>	_____
<u>B. J.</u>	_____

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 - A. POLICE DEPARTMENT:
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 - (1) WATER & SEWER SYSTEM PERFORMANCE & USAGE.
 - (2) ANIMAL CONTROL.
 - C. CIVIC PRIDE:
 - (1) UPCOMING MEETING DATES & FUTURE PROJECTS.
 - D. VOLUNTEER FIRE DEPARTMENT.
- 12) CITIZEN COMMENTS.
- 13) ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 13TH DAY OF DECEMBER, 2004 AT 5:00 P.M.

ATTEST:


TENA COLLIER, CITY SECRETARY




FRANK J. PFEIFER, MAYOR