

MINUTES OF REGULAR CITY COUNCIL MEETING
FOR THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS
4100 WILLOW DRIVE – CHRISTOPH COMMUNITY CENTER
THURSDAY, NOVEMBER 3, 2005 AT 7:00 P.M.

1. Call to Order at 7:00 p.m.
2. Invocation given by Brother Bentley Martin
3. Roll Call: Councilman Hildebrand, Councilman Plumley, Councilman Carusi, Councilwoman Beyer, Councilwoman Logan and Mayor Breen all present.
4. Department Reports:
 - a) Water and Wastewater Report: None given
 - b) Police Department Report: Given by Sgt.
 - c) Fire Department Report: Given by Fire Marshal Lanny Atchley
 - d) Treasurer's Report: Given by Jerrial Wafer, Financial Officer
 - e) City Secretary's Report: Given by Jerrial Wafer, Financial Officer
 - f) Mayor's Report: Given by Mayor Breen
 - g) Special Committee Reports: Councilman Plumley on Ordinance Committee
 - h) Community Organization Reports:
 - Janet Taylor for Cottonwood Pride
 - Bentley Martin for Cottonwood Community Church
 - i) Fire Marshal's Report: Given by: Lanny Atchley
5. Citizens Comments:
 - Donald Orr spoke on his concerns about the water and taxes.
6. Consent Agenda:
 - a) Financial Reports
 - Councilman Plumley made a motion to Accept Items a) 1, 2, & 3; Councilwoman Logan seconded the motion. Vote passed 4 ayes and Councilwoman Logan requested a Roll Call Vote because Councilman Hildebrand did not vote. Motion passes 4 ayes and 1 abstention.
 - b) Minutes
 - Councilman Plumley made a motion to accept items b) 1, 2, & 3; Councilman Carusi seconded; Motion passes 4 ayes and 1 abstention by Councilman Hildebrand.
7. Old Business:
 - a) Consider and Possibly take action on the contract between the City of Cottonwood Shores and the Thompson Trust for the Purchase of the City

Hall located at 3808 Cottonwood Drive in the City of Cottonwood Shores, Texas. As requested by Jerrial Wafer, Financial Officer.

Councilman Plumley made a motion to table the contract until received by City Hall and then placed back on the agenda for the next meeting thereafter. Councilman Carusi seconded the motion. Passes Unanimously.

b) Consider and possibly take action on a presentation by Mike Butler concerning a communication Agreement with the City of Cottonwood Shores.

Councilwoman Logan made a motion to take no action; Councilman Plumley seconded and passes unanimously.

c) Consider and Possibly take action on Amending the Meetings & Decorum Policy for the City Council of the City of Cottonwood Shores, Texas. As Requested by Councilwoman Martha Logan.

Councilman Plumley made motion to accept the Policy; Councilman Carusi seconded the motion; Passes Unanimously.

d) Executive session for personnel matters:

1) Convene into executive Session pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment and duties of City Secretary.

Convene into Executive Session at 7:42 p.m.

2) Reconvene into Public Session and possibly take action on matters discussed in Executive Session listed under item 7. d) including possibly adopting an ordinance Appointing City Secretary.

Reconvene into Open Session at 8:16 p.m.

Councilwoman Logan made motion to hire Laurel Kant as City Secretary for the City of Cottonwood Shores. Councilman Carusi seconded the motion. Passes Unanimously. Start date of November 11, 2005 is set.

8. New Business:

Councilman Hildebrand made a motion to move items 8 b, c, & d in front of item a); Councilman Carusi seconded the motion; passed unanimously.

b) Consider and possibly take action on Officially closing the Civic Center for use by the public until the necessary repairs can be made. As requested by the Fire Marshal.

The Fire Marshal stated that the doors needed to be enlarged, panic door buttons installed and made handicap accessible.

Councilman Hildebrand made a motion to close the Civic Center effective November 9, 2005; Councilman Carusi seconded the motion; passes unanimously.

d) Consider and possibly take action on allowing the SPCA to use the Civic Center for the dates: November 18-19 and December 2-3, 2005. As requested by Alice Rudenstein.

Councilman Hildebrand made a motion to take no action;
Councilwoman Logan seconded the motion; passed unanimously.

d) consider and possibly take action on the bids for the appraisal of the property known as BWD. As instructed by Council.

Councilwoman Logan made a motion to award the bid to Highland Lakes Appraisal for the property known as BWD. Councilman Carusi seconded the motion. Passed unanimously.

a) Executive Session for personnel matters:

1) Convene into Executive session pursuant to Section 551.074, Texas Government Code, to deliberate the appointment and duties of Alan P. Petrov as City Attorney for the City of Cottonwood Shores, Texas.

Convene into Executive Session at 8:39 p.m.

2) Reconvene into Public Session and possibly take action on matter discussed in Executive Session listed under item 8. a), including possibly adopting an Ordinance Appointing City Attorney. As requested by Councilman Plumley.

Reconvene into Public Session at 9:37 p.m.

Councilman Plumley makes a motion to accept Alan P. Petrov as city Attorney for the City of Cottonwood Shores. As discussed in executive session. Councilman Carusi seconded the motion and it passes unanimously.

9. Future Agenda Items

- a) Mike Kelly
- b) Krum Ranch Property
- c) Grand Marquis
- d) City Secretary Ordinance
- e) Alan Petrov Ordinance

10. Adjournment

Councilman Hildebrand makes a motion to adjourn; Councilman Carusi seconds the motion; passes unanimously. Meeting adjourns at 9:40 p.m.

Attest:



Jerral Wafer, Financial Officer



**Rules of Procedure, Conduct, and Decorum for
Meetings of the
Cottonwood Shores City Council**

Adopted July 15, 2004
Amended May 19, 2005
Amended July 7, 2005
Amended November 3, 2005

**Rules of Procedure, Conduct and Decorum for
Meetings of the Cottonwood Shores City Council**

- I. All Regular, Special, Emergency and Executive Session Meetings of the City of Cottonwood Shores City Council will be called and conducted in accordance with the provisions of the Texas Open Meeting Act, Chapter 551, Government Code.
- II. Regular, Special and Emergency Meetings of the City of Cottonwood Shores are open to the public and to representatives of the press and media. Executive Sessions of the City Council are not open to the public, the press or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Session.
- III. The City of Cottonwood Shores City Council meets in regular session on the first and third Thursday of each month. In order for a matter or an issue to appear as an agenda item on the Agenda of any Regular Meeting of the City Council, a request must be filed with the City Secretary by 12:00 p.m. (noon) on the Thursday immediately preceding the Regular Meeting of the Council.

The agenda will be prepared by the City Secretary no later than 5:00 p.m. on that same Thursday to be emailed to be approved as to form by the City Attorney. This allows the interaction of suggestions and corrections to be made by the City Attorney. The agenda is then to be returned to the City Secretary to be posted no later than 5:00 p.m. on Monday preceding the regular meeting on Thursday.

In order for an item to appear on the Agenda for the City Council's attention the agenda request will include the name of the person requesting action. All necessary documentation and evidence should accompany any request made to be placed on the agenda. This sponsorship is also required for items such as variances, re-plats, and requests for annexation where a property owner is asking for issues dealing with their land holdings. (i.e. Discussion and Possible action on the City of Cottonwood Shores being involved in the Annual Easter Egg Hunt with the Cottonwood Community Church; by (persons name)

1. The Agenda shall be styled in the following manner for the 1st Thursday meeting of the month:
 - a. Call to Order
 - b. Invocation
 - c. Roll Call
 - d. Consent Agenda
 1. Minutes
 2. Financial statements
 - e. Citizen's Comments
 - f. Old Business (tabled items, excluding tabled Executive Session items)
 - g. New Business

- h. Executive Sessions (tabled and new)
- i. Future Agenda Items
- j. Adjournment

2. The Agenda shall be styled in the following manner for the 3rd Thursday meeting of the month:

- a. Call to Order
- b. Invocation
- c. Roll Call
- d. Consent Agenda
 - 1. Minutes
 - 2. Financial Statements
- e. Departmental Reports
 - 1. Water and Wastewater
 - 2. Police
 - 3. Fire Department
 - 4. Fire Marshal
 - 5. City Secretary's Report
 - 6. Treasurer's Report
 - 7. City Attorney's Report
 - 8. Mayor's Report
 - 9. Special Committee Reports
 - 10. Community Organization Reports
- f. Citizen's Comments
- g. Old Business (tabled items, excluding Executive Session items)
- h. New Business
- i. Executive Sessions (tabled and new)
- j. Future Agenda Items
- k. Adjournment

IV. The business of the City of Cottonwood Shores is conducted by and between the members of the City Council and by those members of the Cottonwood Shores City staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate.

1 It is the intention of the Council to provide an open access to the citizens of Cottonwood Shores to address the City Council and express themselves on issues of City Government. Members of the public are reminded that the Cottonwood Shores city council possesses the power to issue a citation under Section 42.05 (Class B) and section 38.13 (Class A) of the Texas Penal Code. Accordingly, members of the public in attendance at any Regular, Special and/or Emergency Meeting of the Council shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Council in participating in public discussions before the Council; and in all actions in the presence of the Council. Those members of the public who do not conduct themselves in

an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Council's Order and/or continued disruption of the meeting may result in a Contempt of Court Citation.

2. It is not the intention of the City of Cottonwood Shores to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Council to allow a member (or members) of the public to insult the honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence and/or racial, ethnic or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:

- A. Cancellation of the speaker's remaining time;
- B. Removal from the City Council room;
- C. A Contempt Citation; and/or
- D. Such other civil/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

3. Likewise, the Mayor, all Council Members, and City Staff/Employees are required to display the same appropriate behaviors as described in item B above, and to lead by example. Council Members, Mayor, and City Staff/Employees shall not insult the honesty and or integrity of any person, group, fellow elected official or City Staff/Employee, individually or collectively. Nor shall they use profane, insulting or threatening language. Racial, ethnic or gender slurs or epithets and comments of disrespectful, degrading, demeaning, demoralizing, or accusatory nature of anyone will not be tolerated. Elected officials are required and charged by the Oath of Office they are administered to conduct themselves and or perform their duties in an ethical and professional manner at all times. Inappropriate or disruptive conduct of the Mayor, City Council Members, and City Staff/Employees may be discontinued upon the majority vote of the remainder of the City Council as to a point of order. The disruptive Council Member, Mayor or City Staff/Employee may also be removed from the premises if the disruptive behavior continues, following a vote by Council to cease such behavior. Further outbursts or displays of disruptive conduct or inappropriate behavior may be addressed by the issuance of a Contempt Citation, and/or such other civil or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

- V. The Mayor is the presiding officer of the Cottonwood Shores City Council and is a fully participating member thereof. In the event of the absence of the Mayor, the Mayor Pro-tem shall preside. However, nothing herein shall prevent the

Mayor Pro-tem of this Council from delegating this duty to another member of the City Council.

- VI. The Mayor (or the designated Mayor Pro-tem of the City Council), as presiding officer of the City Council, is responsible for conducting all meetings. All participating members of the Public must be recognized before they will be allowed to address the Council.
- VII. The Chief of Police of the City of Cottonwood Shores, Texas, or his/her designated Officer shall serve as the Bailiff at all Regular, Special and Emergency Meetings of the Council. However, in the event of the absence of the Chief, or in the event that there exists a conflict of interest between the Chief, any member of the Police Department, and the City Council, or in the event of an Executive Session of the Court in which the Chief is not an authorized participant, then in such event, the Council shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.
- VIII. From time to time, the City Council shall conduct public hearings. These rules of procedure, conduct and decorum shall also apply to such public hearings, however, the City Council may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.
 1. Public Hearings:
 - a. All Persons wishing to speak at a Public Hearing shall sign in prior to the hearing and be called in order of sign in to stand up and address the council and the issue at hand
 - b. After the Public Hearing is opened to comments the Applicant will be allowed 10 minutes to make a presentation concerning the required public hearing. At the end of the hearing the applicant will once again be allowed 10 minutes to make a summary of his/her presentation.
 - c. Each speaker that is signed in and recognized by the chair shall have 3 minutes to address the council.
 - d. Speakers will restrict their comments to new or different issues than have already been discussed. This will eliminate redundancy.
 - e. There will be no deferments of time to another speaker.
 - f. The council will not take questions from the speakers nor be required to defend their position as council in any way during a public hearing.

- g. It is at the discretion of the council should a city employee or city consultant respond to or speak on behalf of the city.
- h. After the close of the public hearing no further comments on the subject matter of the public hearing will be permitted.

IX. Agenda and Minutes of Meetings; Special, Regular Monthly and Workshops:

1. Minutes:

A. The City Secretary will make the minutes available for approval by the Council within 7 days after a Council Meeting. These minutes will be transcribed into a simplified format as follows:

- a. Agenda Item
- b. Motion made and by whom
- c. Motion seconded by
- d. Outcome of the vote

B. The minutes will be kept with a copy of the agenda and the original audio tape recorded minutes. Transcribed minutes will no longer be made in detail and depth.

2. Information requests for meeting minutes will be handled in accordance with Ordinance number MMDDYY.

3. Monthly Activity Reports listed on the Agenda in the section of the Agenda shall be no longer listed as detailed reports but as a consent agenda item and shall be made available to the council for their reading and any questions; otherwise they will not be read in detail but treated as a consent agenda item.

X. These rules of procedure, Conduct and Decorum at Meetings of the City of Cottonwood Shores City Council shall be efficient immediately upon adoption by the Council and shall remain in full force and effected until amended or repealed by a majority vote of the City Council.

Adopted July 15, 2004 by Majority Vote of the Cottonwood Shores City Council

Amended May 19, 2005 by Majority Vote of the Cottonwood Shores City Council

Amended July 7, 2005 by Majority Vote of the Cottonwood Shores City Council

Amended November 3, 2005 by Majority Vote of the Cottonwood Shores City Council

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



CITY OF COTTONWOOD SHORES
AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 11/3/05

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

all business

Subject to be Addressed: Present ^{doing the} bids on the appraisal fee
the BWD property.

Informational
Presentation: Yes No

Requires Action
By Council: Yes No

Name(s) of Requester: Dyami Breen

Address: _____

Phone No.: 693 3718

Dyami Breen 10/27/05
Requester Date

Received by City Employee _____ Date _____ Time _____ am/pm

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



AGENDA ITEM REQUEST

RECEIVED

OCT 26 2005

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

Date of next Regular Meeting: 11-3-05

Subject to be Addressed:

MAKING ALAN J. PETROV
~~Private~~ City ATTY + PRIMARY COUNCIL

Informational
Presentation: Yes No

Requires Action
By Council: Yes No

Name(s) of Requester: William Plumley

Address: _____

Phone No.: _____

William Plumley 10/26/05
Requester Date

Jenial Wafar 10-26-05 4:00 PM
Received by City Employee Date Time am/pm

AGENDA ITEM REQUEST

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

Date of next Regular Meeting: November 3, 2005

Subject to be Addressed: Restrictions which could prevent the opening of a veterinary clinic on FM 2147 in Cottonwood

Informational Presentation: Yes No

Requires Action By Council: Yes No

Name(s) of Requester: Eric Terrell / Katherine Terrell

Address: 1321 FM 1855
Marble Falls, TX 78654

Phone No.: 512 755-1972

Katherine Terrell 10/27/05
Requester Date

Jamil Wolfe 10-27-05 1:50 PM
Received by City Employee Date Time am/pm



AGENDA ITEM REQUEST

RECEIVED

OCT 27 2005

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

Date of next Regular Meeting: _____

Subject to be Addressed: SPCA use of Civic Center on
November 18-19
December 2-3

Informational Presentation: Yes _____ No _____

Requires Action By Council: Yes No _____

Name(s) of Requester: ALICE KUDENSTEIN

Address: 206 Deer Hollow Drive
HSB TX 78657

Phone No.: 598-9883

Alice Rudenstein 10-27-05
Requester Date

Jamal Wolfe 10-27-05 12:00 Noon
Received by City Employee Date Time am/pm

Highland Lakes SPCA Low Cost Spay and Neuter Program

For Scheduling or Additional Information Call

830 598-9883

Surgery Prices

<u>Dog Sterilization</u>		<u>Cat Sterilization</u>	
	Female	Female	\$35.00
Under 50 lbs.	\$45.00	Male	\$25.00
50-80 lbs.	\$50.00		
Over 80 lbs.	\$55.00		
	Male		
Under 50 lbs.	\$35.00		
Over 50lbs.	\$45.00		



Vaccination Prices

<u>Dog Vaccination</u>	<u>Cat Vaccination</u>
Rabies \$5.00	Rabies \$5.00
DHLPP \$10.00	FeLV \$10.00
Bordetella \$5.00	FVRCP \$10.00

- All pets must have written proof of a current rabies vaccine or receive the vaccine at the time of surgery for \$5.00.
- There is an additional \$20.00 fee for females in season or advanced pregnancy.
- There is an additional fee for male dogs that only have one testicle descended.
- All pets must have an appointment for surgery.

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4100 WILLOW DRIVE; CHRISTOPH COMMUNITY CENTER
THURSDAY, NOVEMBER 3, 2005 AT 7:00 P.M.**

AGENDA

1. Call to Order
2. Invocation
3. Roll Call
4. Department Reports
 - a) Water and Wastewater Report
 - b) Police Department Report
 - c) Fire Department Report
 - d) Treasurer's Report
 - e) City Secretary's Report
 - f) Mayor's Report
 - g) Special Committee Reports
 - h) Community Organization Reports
 - i) Fire Marshal's Report
5. Citizens Comments
6. Consent Agenda
 - a) Financial Reports
 - 1) Financial statement for July, 2005
 - 2) Financial Statement for August, 2005
 - 3) Financial Statement for September, 2005
 - b) Minutes
 - 1) Minutes from Regular Meeting August 25, 2005
 - 2) Minutes from Regular Meeting September 1, 2005
 - 3) Minutes from Regular Meeting September 15, 2005
7. Old Business:
 - a) Consider and possibly take action on the contract between the City of Cottonwood Shores and the Thompson Trust for the Purchase of the City Hall located at 3808 Cottonwood Drive in the City of Cottonwood Shores, Texas. As Requested by Jerrial Wafer, Financial Officer.
 - b) Consider and possibly take action on a presentation by Mike Butler concerning a Communications Agreement with the City of Cottonwood Shores.
 - c) Consider and possibly take action on Amending the Meetings & Decorum Policy for the City Council for the City of Cottonwood Shores, Texas. As Requested by Councilwoman Martha Logan.
 - d) Executive Session for personnel matters:
 - 1) Convene into Executive Session pursuant to Section 551.074, Texas Governmental Code, to deliberate the appointment, employment and duties of City Secretary.

- 2) Reconvene into Public Session and possibly take action on matters discussed in Executive Session listed under item 7.d), including possibly adopting an Ordinance Appointing City Secretary.

8. New Business:

a) Executive Session for personnel matters:

- 1) Convene into Executive Session pursuant to Section 551.074, Texas Governmental Code, to deliberate the appointment and duties of Alan P. Petrov as City Attorney for the City of Cottonwood Shores.
- 2) Reconvene into Public Session and possibly take action on matter discussed in Executive Session listed under item 8.a), including possibly adopting an Ordinance Appointing City Attorney. As requested by Councilman Plumley.

b) Consider and possibly take action on Officially Closing the Civic Center for use by the public until the necessary repairs can be made. As requested by Fire Marshal.

c) Consider and possibly take action on allowing the SPCA to use the Civic Center for the dates: November 18-19 and December 2-3, 2005. As requested by Alice Rudenstein.

d) Consider and possibly take action on the bids for the appraisal of the property known as BWD. As instructed by Council.

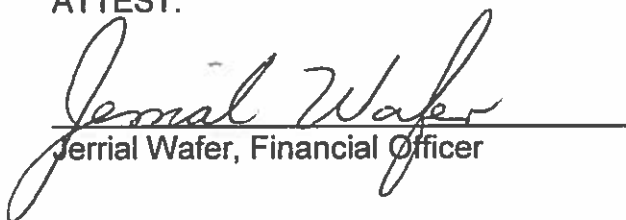
9. Future Agenda Items

10. Adjournment

I certify that the above notice was posted at City Hall, 3808 Cottonwood Drive, Cottonwood Shores, Texas on this the 31st day of October, 2005 at 5:30 p.m.


Sylvia H. Breen, Mayor

ATTEST:


Jerral Wafer, Financial Officer

