

**REGULAR MEETING OF THE CITY COUNCIL
CITY OF COTTONWOOD SCHORE
THURSDAY, SEPTEMBER 21, 2006 AT 7:00 PM
CWS CIVIC CENTER, 4111 COTTONWOOD DRIVE**

MINUTES

1. Call to Order by Mayor Sylvia Breen at 7:01 p.m.
2. Invocation was lead by Margie Phipps
3. Pledge of Allegiance was lead by Mayor Breen
4. Roll Call by City Secretary Capps. He reported the following members present and constituting a quorum: Sylvia Breen, Mayor Frank Pfeifer, Councilmember; Shirley Adams, Councilmember; Lee Hildebrand, Councilmember; Ray Whitis, Councilmember; Niki Lauby, Councilmember.
5. Consent Agenda
 - a) Minutes of the meetings of August 17th (Regular and Special), August 24th (Special—Budget Workshop), and September 11th (Special—Budget and Tax Adoption)
 - b) Financial Statement (s)
 - c) Budget Amendments (s)
 - d) Adopt Local Government Records Control Schedule, Presented by Mr. Capps, Records Manager, Schedules: “Workplace Safety Records”, “Utility Service Records”, “Taxation Records”, “Planning and Zoning and Building Permit and Inspections Records”, and Records of Governing Body”.
 - e) Authorize the Mayor to sign Memorandum of Understanding: CAPCOG Regional Interoperability NPSPAC Mutual Aid Channel Agreement
 - f) Authorize the Mayor to sign Cooperative Agreement between the City of Cottonwood Shores and Commissioners’ Court and Sheriff of Burnet County for Dispatch Service—Mayor Breen
 - g) Authorize the Mayor to sign the Texas Municipal League Intergovernmental Employee Benefit Pool—Non-Risk Participating Member and Risk Participating Member—Agreement
 - h) Authorize the Mayor to sign the Marble Falls Area EMS Service Agreement
 - i) Motion by Councilmember Adams, seconded by Councilmember Lauby that we adopt items 5a-5h on the Consent Agenda. The Vote: Ayes—All, Nays—None, Motion carried
6. Department Reports
 - a) Water and Wastewater Report—written report submitted by Tim McClain
 - b) Police Department Report—written report submitted that 67 calls were made by the department, in which 60 were miscellaneous calls; of those, 1 suspicious person or vehicle, 1 sexual assaults, 2 thefts, and other agency assists, EMS, & Fire.
 - c) Fire Department—Fire Chief reported 9 calls and gained two new members.
 - d) Fire Marshall Report—None

- e) Animal Control Report—written report submitted by Belinda Gonzalez showing: 12 Dogs and 6 Cats picked up; 4 Dogs and No Cats returned; two warnings written.
- f) City Secretary’s Report—submitted by Mr. Capps pointing out several Open Records Request made during this period,
- g) City Attorney’s Report—None; City Attorney was not present.
- h) Mayor’s Report—she spoke on grant surveys
- i) Special Committee Reports—Mayor Breen stated that the Ordinance Committee could not convene last Monday due to a lack of a quorum , but will meet next Monday. Councilmember Lauby stated that the Parks Committee will meet also next Monday, too.
- j) Community Organizations Reports—None

7. Citizens’ Comments—Mr. E. Phipps spoke that Code Enforcement Officer is not doing enough to enforce city codes and Police Department still fails to remove Garbage Container from curb. Mr. Bob Hughes said the street in front of his house in LBJ Estate was not properly patched. Comments on grinder pumps were also made.

8. Presentation by Glenn Graham, Business Manager, Marble Falls ISD, in the absents of Superintendent Ryder Warren, on the upcoming School Bond Issue.

9. Executive Session for Personnel Matters: Annual Evaluation of Belinda Gonzales. Motion by Councilmember Adams, seconded by Councilmember Hildebrand that we table Executive Session on Personnel Matters until October. The Vote: Ayes—All, Nays—None; Motion carried.

10. Old Business

- a) Discussion and possible action on an Ordinance, to set up landlord accounts for the Water and Wastewater services. Motion by Councilmember Adams, seconded by Councilmember Hildebrand that we approve Ordinance No 092106 for Landlord Accounts:

ORDINANCE NO. 092106

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, AMENDING ORDINANCE NO. 091505, PROVIDING RULES, REGULATIONS, AND REQUIREMENTS FOR WATER, WASTEWATER, AND SOLID WASTE SERVICES WITHIN THE CITY; SPECIFICALLY PROVIDING FOR LANDLORD ACCOUNTS WITH THE CITY OF COTTONWOOD SHORES, TEXAS

The Vote: Ayes—All, Nays—None; Motion carried.

- b) Discussion and possible action to authorize the Mayor to sign an agreement with a vendor to provide for the automatic draft and/or credit card payment of water/wastewater accounts, municipal court fines, and other municipal charges. Larry Elkins of Hill Country Merchant Services was allowed to address council on his company proposal that he submitted earlier to the City Treasurer. Motion by Councilmember Lauby, seconded by Councilmember Hildebrand that we approve the Mayor selecting the best vendor provided we get a report:

The Vote: Ayes—All, Nays—None; Motion carried.

- c) Discussion and possible action on an Ordinance amending the Personnel Policy to provide for Volunteers and Community Service Workers and definition of the terms related to the same. Motion by Councilmember Adams, seconded by

Councilmember Lauby that we pass a proposed amendment (Ordinance No. 092106B) to the Personnel Policy:

ORDINANCE NO 092106 B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, ADOPTING A PROPOSED AMENDMENT TO THE CITY OF COTTONWOOD SHORES PERSONNEL POLICY

The Vote: Ayes—All, Nays—None; Motion carried.

d) Discussion and possible action on an Ordinance to rezone 0.153 acres of land out of the F. Engicking Survey No. 611 in Burnet County, Texas, and more commonly referred as the BWD Property in the Cottonwood Shores Bluffview Section as recorded in Volume 1, Page 200 of the Plat Records of Burnet County, Texas, to zoning classification C-1. Councilmember Lauby announced that she would be abstaining from this vote.

Motion by Councilmember Adams, seconded by Councilmember Hildebrand that we pass the following Zoning Ordinance on the BWD property:

ORDINANCE NO. 092106 C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, REZONING 0.153 ACRES OF LAND OUT OF THE F. ENGLEKING SURVEY NO. 611 IN BURNET COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS THE BWD PROPERTY IN THE COTTONWOOD SHORES BLUFFVIEW SECTION AS RECORDED IN VOLUME 1, PAGE 200, OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, TO ZONING CLASSIFICATION C-1, LIGHT COMMERCIAL; AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF COTTONWOOD SHORES, TEXAS, TO EXECUTE AND ATTEST, RESPECTIVELY, A NEWLY UPDATED OFFICIAL MAP OF THE CITY OF COTTONWOOD SHORES, TEXAS, REFLECTING SUCH REZONING FOR SUBSEQUENT FILING WITH THE CITY SECRETAY, BUILDING OFFICIAL, AND PLANNING AND ZONING OFFICIAL IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED IN *ORDINANCE NO. 022602*

The Vote: Ayes—Four, Nays—None, Abstentions –One (Lauby); Motion carried.

11. New Business:

a) Discussion and possible action on raising Garbage Rates, requested by Steve Shannon of Allied Waste. Shannon presented a 7.6% CPI (Consumer Price Index) increase to keep up current operating cost Motion by Councilmember Lauby, seconded by Councilmember Adams that we table until October for further price investigation . The Vote: Ayes—All, Nays—None; Motion carried.

b) Discussion and possible action to start a community program to help clean up and pave city roads and streets, requested by Councilmember Lauby. Discussed some options. No actions taken.

c) Discussion and possible action on Public Nuisance-Code Enforcement for comments as requested by Councilmember Lauby. No action taken

d) Discussion and possible action on a variance to build carport at 3811 Willow, requested by Councilmember Adams, property owner. Mayor stated Building

Inspector approved. Motion by Councilmember Lauby, seconded by Councilmember Hildebrand

that we allow a variance at 3811 Willow for Shirley Adams. The Vote: Ayes—Four, Nays—None, Abstentions—One (Adams); Motion carried

e) Discussion and possible action on a Resolution from the City Council supporting the creation of a water district over the Krumm Ranch property, requested by Sealy-Krumm Ranch. Motion by Councilmember Adams, seconded by Councilmember Hildebrand that we adopt the following resolution:

RESOLUTION NO. 092106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS SUPPORTING THE CREATION OF A WATER DISTRICT OVER THE KRUMM RANCH PROPERTY

The Vote: Ayes—Four, Nays—One (Whitis); Motion carried.

f) Discussion and possible action on amending the Personnel Policy, Worker Compensation Section. Motion by Councilmember Hildebrand, seconded by Councilmember Whitis that we adopt an ordinance No 092106D amending Personnel Policy regarding Worker Compensation:

ORDINANCE NO. 092106 D

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, ADOPTING A PROPOSED AMENDMENT TO THE CITY OF COTTONWOOD SHORES PERSONNEL POLICY

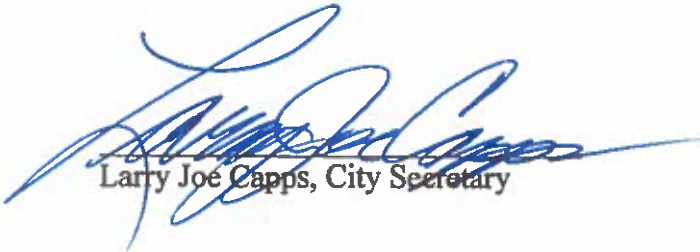
The Vote: Ayes—All, Nays—None; Motion carried.

g. Discussion on grinder pumps requested by Mrs. Basham. Mayor Breen gave five minutes to speak on the topic.

12. Future Agenda Items—Personnel Matter

13 Adjournments

Motion by Councilmember Adams, seconded by Councilmember Hildebrand that we adjourn (9:11p.m.)



Larry Joe Capps, City Secretary



Sylvia Breen, Mayor

CITY OF COTTONWOOD SHORES

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



CITY COUNCIL MEETING
ATTENDANCE RECORD

Sept 21, 2006

PLEASE SIGN IN:

| | |
|--------------------------------|----------------------|
| <i>Cynthia Schweitzer</i> | <i>Mike Butler</i> |
| <i>Pauline Schweitzer</i> | <i>MARCEY PORTER</i> |
| <i>Tina Deneill</i> | <i>Glenn Graham</i> |
| <i>Pauline Schweitzer</i> | <i>Curio Korman</i> |
| <i>Bob/Nancy Hughes</i> | <i>Lori Dennis</i> |
| <i>Jamy Collins</i> | <i>Kelly McBeth</i> |
| <i>Steve Shannon</i> | |
| <i>Billie Parker</i> | |
| <i>Waris & Bill Barkem</i> | |
| <i>Doris J Cook</i> | |
| <i>Marjorie Phipps</i> | |
| <i>Evelyn Duff</i> | |
| <i>Keith Phipps</i> | |
| <i>Bill Warner</i> | |
| <i>[Signature]</i> | |
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CWS CIVIC CENTER
4111 COTTONWOOD DRIVE
COTTONWOOD SHORES, TEXAS**

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2. Invocation
3. Pledge of Allegiance
4. Roll Call
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 - b. Police Department Report
 - c. Fire Department Report
 - d. Fire Marshall Report
 - e. Animal Control Report
 - f. City Secretary's Report
 - g. City Attorney's Report
 - h. Mayor's Report
 - i. Special Committee Reports
 - j. Community Organizations Reports
7. Citizens' Comments
8. Presentation by Dr. Ryder Warren, Marble Falls ISD Superintendent, Annual Progress Report

9. Executive Session for Personnel Matters
 - a. Convene in Executive Session at the City Offices, 3808 Cottonwood Drive, pursuant to *Section 551.074 of the Texas Government Code*, to hear a complaint against or deliberate the appointment, employment, evaluation of Belinda Gonzalez, annual review
 - b. Reconvene into Open Session at the CWS Civic Center, 4111 Cottonwood Drive, and take action on Item No. 9.a., as necessary
10. Old Business
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 - e. Discussion and possible action on a Resolution from the City Council supporting the creation of a water district over the Krumm Ranch property, requested by Sealy-Krumm Ranch
 - f. Discussion and possible action on amending the Personnel Policy, Worker Compensation Section
 - g. Discussion on grinder pumps requested by Mrs. Basham
12. Future Agenda Items. City Council may request future agenda items, but in compliance with the Texas Open Meetings Act, will not discuss items not listed on the current agenda.
13. Adjournment

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the *Texas Government Code* including, but not limited to Section: 551.071 (*Consultation with Attorney*), 551.072 (*Deliberations about Real Property*), 551.073 (*Deliberations about Gifts and Donation*), 551.074 (*Personnel Matters*), 551.076 (*Deliberations about Security Devices*), 551.087 (*Economic Development*), 418.183 (*Deliberations about Homeland Security Issues*) and as

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authorized by the *Texas Tax Code* including, but not limited to *Section 321.3022 (Sales Tax Information)*.

I certify that the above notice was posted at City Hall, 3808 Cottonwood Drive, Cottonwood Shores, Texas, on this the 15th day of September, 2006, at 5:00 p.m.

Sylvia H. Breen

Sylvia H. Breen, Mayor

ATTEST:

Larry Joe Capps
Larry Joe Capps, City Secretary

