



# **CITY COUNCIL MEETING NOTICE**

The City Council held a Regular meeting  
March 17, 2011 at 6:30 pm  
Cottonwood Shores City Hall, 3808 Cottonwood Dr.  
Cottonwood Shores, TX 78657

## **MINUTES**

1. **Call to Order** at 6:30 pm by Mayor Long.
2. **Roll Call** by City Secretary Schwertner.

Mayor Long	Present
Councilmember Chavez	Present
Councilmember Plumley	Present
Councilmember Pace	Present
Councilmember Sherry	Present

City Secretary Schwertner announced a quorum was present.

3. **Pledge of Allegiance** led by Mayor Long.
4. **Invocation** led by Rick Copple.
5. **Consent Agenda:**
  - 5.1 **Minutes; March 2<sup>nd</sup> 2011**
  - 5.2 **Financial; January 2011**
  - 5.3 Councilmember Plumley motioned to accept minutes of March 2<sup>nd</sup>.
  - 5.4 Councilmember Chavez seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

5.5 Votes 4 ayes, 0 nays, 0 abstains. Motion carried.

5.6 Councilmember Pace motioned to table the January Financials for more time to review.

5.7 Councilmember Chavez seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**5.8** Votes 4 ayes, 0 nays, 0 abstains. Motion carried.

**6 . Departmental Reports:**

**6.1 Municipal Court Report:** Reported by Court Clerk Schwertner report attached.

**6.2 Police Department Report:** Reported by Police Chief Johnson report attached.

**6.3 Fire Department Report:** Reported by Fire Chief Atchley report attached.

**6.4 Mayor/Administration Report:**

**6.4.1 City Administrator Report:** Report by City Administrator Cummings report attached.

**6.4.2 Councilmember Project Updates:** No reports.

**6.5 Special Commission/Committee Reports:**

**6.5.1 Parks and Recreation Commission:** Reported by Janet Taylor-Carusi – Community Park started and Fazzone has began work. We have received the bond for the Skate and Bike Park. Boat Ramp Park is 1 step closer. Members of the Park Construction Team will be going to Marble Falls High School to see the work the students have done.

**7 . Civic Organization Reports:** Report by Janet Taylor-Carusi – Easter at the Park on April 16<sup>th</sup>, parking will be at the fire department. There will be shuttles running between fire hall and Park. Handicap parking will be at the Park itself.

**8 . Community Input, Citizen's Comments**

*This is the opportunity for the public to address the City Council on any issue. Please sign up to speak and indicate the subject you intend to address. Speakers will be recognized in their order of sign-up. City Council may not discuss or act on any issue not posted on the agenda for this meeting. (Attorney General Opinion JC-0169)*

>> Frank Smith, Sr. spoke that he had (2) two items to address. First, was the rumor that change would be to modify Personnel Policy to remove the part about felons. Second, not appreciating the push to elect family members.

>> Roger Wayson spoke to hold off on appointing someone tonight. Consider what you do with the changes.

>> Don Orr spoke about if someone gets appointed tonight when they may want to run for that place. Politics has been played here.

>> Sylvia Breen reported she found out what happened with the emails, and noted correction.

**9 . City Commission Request:**

**9.1 Discuss & consider action to name and appoint Elizabeth Matthews as Crime Control & Prevention District Board member. Requested by City Secretary Schwertner**

**9.1.1 Councilmember Pace motioned to appoint Elizabeth Matthews.**

**9.1.2 Councilmember Sherry seconded the motion.**

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**9.1.3 Votes 4 ayes, 0 nays, 0 abstains. Motion carried.**

**10 . Old Business:**

**10.1 Discuss & consider action on naming and appointing a person to fill the vacant position of Councilmember Seat Place 3 until such seat is filled by Special Election. Requested by City Secretary Schwertner**

**10.1.1 Swearing in of Appointed Councilmember.**

**10.1.1.1** City Secretary announced names of Rick Carusi and Mary Ann Houser received.

**10.1.1.2** Councilmember Sherry motioned to table item 10.1.

**10.1.1.3** Motion died for lack of second.

**10.1.1.4** Councilmember Sherry motioned to accept name of Susan Hartline.

**10.1.1.5** Councilmember Plumley seconded the motion.

Councilmember Chavez	Vote - Aye
Councilmember Plumley	Vote - Aye
Councilmember Pace	Vote - Aye
Councilmember Sherry	Vote – Aye

**10.1.1.6** Votes 4 ayes, 0 nays, 0 abstains. Motion carried.

**10.1.1.7** Call for appoinment of Councilmember Seat Place 3.

Councilmember Chavez	Susan Hartline
Councilmember Plumley	Susan Hartline
Councilmember Pace	MaryAnn Houser
Councilmember Sherry	Susan Hartline

**10.1.1.8** Votes 3 Susan Hartline, 1 MaryAnn Houser.

**10.1.1.9** City Secretary Schwertner swore in Susan Hartline.

**10.2** Review and discussion on potential changes or adoption of Personnel Policy.  
*Requested by Council*

**10.2.1** Mayor Long has stricken Item 10.2.

**11 . New Business:**

**Councilmember Plumley motioned to move Item 11.2 before Item 11.1.**

**Councilmember Chavez seconded the motion.**

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote – Aye
Councilmember Hartline	Vote - Aye

**Votes 5 ayes, 0 nays, 0 abstains. Motion carried.**

**11.1** Discuss & consider action on amending the Burnet County Elections contract to include the Special Election. *Requested by Burnet County Elections Administrator Barbara Agnew*

**11.1.1** Councilmember Chavez motioned to approve.

**11.1.2** Councilmember Pace seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote – Aye
Councilmember Hartline	Vote - Aye

**11.1.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**11.2** Discuss & consider action on amending Ordinance No. 1004 (General/Special Election) to include Special Election for vacant seat Place 3. *Requested by City Secretary Schwertner*

**11.2.1** Councilmember Sherry motioned to approve.

**11.2.2** Councilmember Chavez seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**11.2.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**Mayor Long called for break at 7:22 pm.**

**Mayor Long called Council back into Session.**

**Councilmember Pace motioned to move Item 11.7 to here.**

**Councilmember Plumley seconded the motion.**

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**Vote 5 ayes, 0 nays, 0 abstains. Motion carried.**

**11.3** Discuss & consider action on authorizing the Mayor to sign a contract with Langford Community Management to administer the SECO grant that the city has already received for replacing the roof, lighting and possible new refrigerator at the Library. *Requested by City Administrator Cummings*

**11.3.1** Councilmember Pace motioned to authorize Mayor to sign contract.

**11.3.2** Councilmember Hartline seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**11.3.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**11.4** Discuss & consider action on Ordinance No. 4001 (Rules of Procedure, Conduct and Decorum) *Requested by City Secretary Schwertner*

**11.4.1** City Secretary Schwertner requested item be stricken.

**11.5** Discuss & consider action on Ordinance No. 9003 (Coordinated Management) *Requested by City Secretary Schwertner*

**11.5.1** City Secretary Schwertner requested item be stricken.

**11.6** Discuss & consider action on a proposed change to Section 3 (Service Deposits Required) to Ordinance No. 238 (Water/Wastewater) that will refund the customer

service deposit after 12 months of continuous service. *Requested by Linda and Frank Smith*

**11.6.1** Councilmember Chavez motioned to take no action until we look into this Ordinance.

**11.6.2** Councilmember Pace seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**11.6.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**11.7** Discuss & consider action on a proposed change to the monthly City Utility Billing Statement. The proposal is to delete the entry for voluntary donations to the EMS/VFD and any other non-City organizations. To request City Council audit funds collected by this means to ensure funds collected by the City are properly accounted for and are deposited in a routine manner to the intended agency.

*Requested by Linda and Frank Smith*

**11.7.1** Councilmember Sherry motioned to take no action.

**11.7.2** Councilmember Plumley seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote - Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote - Aye
Councilmember Sherry	Vote - Aye

**11.7.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**11.8** Discuss & consider action on a waiver of extension which expires on March 17<sup>th</sup>, 2011 to stay in his RV. Mr. Gillis needs to complete work to repair his home. He needs to replace his walls, cabinets and floors from water damage after 16 broken pipes burst after last hard freeze. Requested by resident James Gillis at 205 Kings Way in Castle Terrace. *Requested by City Secretary Schwertner*

**11.8.1** Councilmember Plumley motioned to extend his stay in the motorhome and waive the extension.

**11.8.2** Councilmember Chavez seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye

Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**11.8.3** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**11.8.4** Councilmember Plumley motioned to amend stay to extend to 60 days.

**11.8.5** Councilmember Chavez seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**11.8.6** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**12 . Executive Session I: *Requested by Councilmember Pace***

**12.1** Convene in Executive Session pursuant to Section 551.074 of the Texas Government Code: deliberate the appointment, employment, evaluation, reassignment, duties, or dismissal of :

*Karrie Cummings, Rick Copple and Cynthia Schwertner*

**Open Session closed at 7:54 pm.**

**12.2** Reconvene into Open Session and take action on Item 12.1.

**12.3** Reconvened into Open Session at 8:57 pm.

**12.4** Councilmember Sherry motioned there are numerous and unresolved issues and ample ambiguity and the 90 day probation not complete. I motion to take no action.

**12.5** Motion died for lack of second.

**12.6** Councilmember Pace motioned to terminate City Administrator Karrie Cummings.

**12.7** Councilmember Plumley seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Abstain
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Nay

**12.8** Votes 3 ayes, 1 nay, 1 abstain. Motion carried.

**12.9** Councilmember Pace motioned to discontinue any action on Cynthia Schwertner or Rick Copple.

**12.10** Councilmember Plumley seconded the motion.

Councilmember Chavez	Vote – Aye
Councilmember Plumley	Vote – Aye
Councilmember Hartline	Vote – Aye
Councilmember Pace	Vote – Aye
Councilmember Sherry	Vote - Aye

**12.11** Votes 5 ayes, 0 nays, 0 abstains. Motion carried.

**13 . Future Agenda Items:**

**13.1** Councilmember Pace requested revisit with trash ordinance.

**13.2** Councilmember Hartline requested placement for employment ad with newspaper and thru TML for City Administrator.

**13.3** Councilmember Pace requested review of Animal Ordinance for chain law.

**14 . Adjournment at 9:05 pm by Mayor Long.**

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 this agenda, as authorized by the Texas Government Code including, but not limited to Sections: 551.074 (Consultation with Attorneys), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts & Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code.

I, Cynthia Schwertner, City Secretary for the City of Cottonwood Shores, Texas do hereby certify that this meeting notice was posted on the Official Public Notices Board at City Hall, a place readily accessible to the general public at all times, on \_\_\_\_\_, 2011 at \_\_\_\_\_ and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

\_\_\_\_\_  
Janelle Long, Mayor

Attest:  
\_\_\_\_\_



Cynthia Schwertner, City Secretary

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