

CITY OF COTTONWOOD SHORES

3808 Cottonwood Drive, Cottonwood Shores, Texas 78657
 Office: (830) 693-3830 www.cottonwoodshores.org Fax: (830) 693-6436

Mayor: Donald Orr
 Mayor Pro-Tem: Stephen Sherry
 Councilmember: Tony Satsky



Councilmember: Cheri Trinidad
 Councilmember: Marley Porter
 Councilmember: Roger L. Wayson

People, Parks and Prosperity

SPECIAL CITY COUNCIL MEETING MINUTES

**** NOTICE ****

The City Council held a special meeting on Thursday, November 10, 2016 at 6:00 p.m.
 The meeting was held at the Cottonwood Shores City Hall,
 located at: 3808 Cottonwood Drive in Cottonwood Shores, TX 78657

AGENDA

1. Call to Order: 6:00 p.m.
2. Roll Call:

NAME	PRESENT	ABSENT EXCUSED	ABSENT UNEXCUSED
Mayor Orr	✓		
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad		✓	
Councilmember Porter	✓		
Councilmember Wayson	✓		

City Administrator/City Secretary Sheila C. Moore announced that a quorum was present.

3. Pledge of Allegiance to U.S. Flag and Texas Flag: Led by Mayor Donald Orr

Texas Flag Pledge: Honor the Texas Flag. I pledge allegiance to Thee, Texas, one state under God, one and indivisible.

4. Citizen's Comments:

This is the opportunity for the public to address the City Council. 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). Citizen's comments will be limited to 3 minutes after they have been acknowledged to speak by the chair of the meeting. If the Citizen wishes to make comments about an item that is already on the agenda, discussion will be deferred until the item comes up.

Citizen – Keith Patschke – Addressed the council and commented on the election of the new president elect Donald Trump, he commented that the country would be heading for a new era and there should be prosperity and jobs opening up with the new elect.

5. Mayor's Report:

Mayor Orr presented information regarding the Project Funding Request that TWDB staff will present to the Board on November 17, 2016. The compiled data to be presented is very favorable in regards to our loan request. Mayor Orr will attend the board meeting in Austin on the 17th.

Mayor Orr extended praise towards the staff in obtaining the data thus compiling the paperwork and follow up regarding the loan process.

6. Consent Agenda:

6.1. Minutes from a Regular Meeting of the City Council held on October 20, 2016.

6.1.1. Motion to approve the October 20, 2016 minutes

6.1.1.1. Motion: Mayor Pro Tem Sherry

6.1.1.2. Second: Councilmember Porter

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

6.1.2. Vote: Yea: 4 Nay: 0 Abstain: 0

6.1.3. Motion: **Passed**

7. Unfinished Business:

7.1 Discussed and considered action on approving CWSVFD \$5,000.00 invoice for contract goal of Item 13.a, signing of 2016-2017 Contract. *As requested by CWSVFD*

City Liaison Stephen Sherry addressed the council and stated the fire department had met the goal and payment could be authorized.

7.1.1. Motion to approve and release check for CWSVFD \$5,000.00 invoice for contract goal of Item 13.a, signing of 2016-2017 Contract.

7.1.1.1. Motion: Mayor Pro Tem Sherry

7.1.1.2. Second: Councilmember Porter

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

7.1.2. Vote: Yea: 4 Nay: 0 Abstain: 0

7.2.3. Motion: **Passed**

7.2 Discussed next steps for a provisional Dark Sky Community designation. *As requested by Councilmember Wayson*

Councilmember Wayson opened discussion covering some information within the letter from last meeting. He stated the city must show 10 examples of what it has accomplished towards the implementation.

It was discussed we have only accomplished about 3 -4 at this time. The committee will meet with

the representative from Dark Skies on December 13.

It was also discussed that the council had mentioned this to the newspaper requesting an article which they might run.

It was mentioned about several lights in the city that could possibly be changed by putting reflectors on them.

It was decided that bringing any lights installed before the ordinance went into effect into compliance will be considered voluntary and after the ordinance will be mandatory and must comply with the dark sky ordinance.

7.3. Discussed status of CWS Public Library. *As requested by Staff*

City Administrator / City Secretary Sheila C. Moore submitted the council a report indicating the number of books in the library was approximately 5,918. She informed the council of correspondence she had with the Texas State Library Association and the methods they suggested for the disposal of the books.

It was asked if the library was operated under the Cottonwood Pride 501 3 c and or the Friends of the Library. It was determined that it was in the past operated by both. It was also determined that as of this date no new contracts have been established or reestablished with Cottonwood Pride or the Friends of the Library.

It was mentioned to possibly have a book sale and then consider donation.

Ms. Moore informed them of a company (Better World Books) that will furnish the packing supplies for the books and if Better World Books sells any of them the city will get a percentage of the sale. The remainder would be donated to those in need around the world.

The issue of the surface water entering into the building will also have to be addressed as well.

Mayor Orr stated he would like to have something finalized by the January council meetings in regards to what is to be done.

7.4. Discussed and considered action on mowing of right of ways Ordinance. *As requested by Councilmember Porter*

Councilmember Porter opened discussion pointing out the need to mow all right-of-ways within the city and indicated the city needs to follow the same guidelines we set for the public.

Mayor Orr stated the city does mow our right-of-ways possibly more than some of the property owners. He also stated that the property owners could also take on mowing easements or right-of-ways in front of their property and thus helping to keep it maintained.

Mayor Orr pointed out that the city may want to develop a SOP to or possibly an Ordinance, stating how and when the right-of-ways are to be mowed. Mayor Orr stated in the spring, the city will be hiring a part-time person to mow like was done last year.

Mayor Pro Tem Sherry suggested having a street by street SOP establishing the right-of-ways and mowing procedures.

Councilmember Wayson stated this should be policy and not an ordinance.

7.4.1. Motion to authorize the staff to write an SOP to address. 7.4.

7.4.1.1. Motion: Councilmember Porter

7.4.1.2. Second: Councilmember Wayson

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

7.4.2. Vote: Yea: 4 Nay: 0 Abstain: 0

7.4.3. Motion: Passed

7.5. Discussed and considered action on a Community Garden. *As requested by Councilmember Wayson*

Councilmember Wayson suggested to the council requirements for a community garden. He indicated it needed have a section of about 30 feet by 100 feet in a rectangle for the garden. This could be located in the northern end of Aspen Park. He stated it needed to have each plat approximately 20 feet by 20 feet. By doing this it would be of size to host about 4 to 5 people. He also stated a fence would need to be placed around the project which would be at the city's expense. There is a water spigot on the property and the lines would just have to be extended to the garden area. Water would be supplied by the city through a drip irrigation system at the city's expense. It was then discussed that guidelines needed to be written and adopted to maintain the garden prior to approving construction. This issue could be something that the Parks and Recreation Committee could contribute input towards.

Councilmember Porter advised he would put together a drawing for the garden.

Councilmember Wayson and Mayor Pro Tem Sherry will get together and write some guidelines and bring them back to the council.

7.5.1. Motion to put plans and guidelines together to present at a future meeting

7.5.1.1. Motion: Councilmember Wayson

7.5.1.2. Second: Mayor Pro Tem Sherry

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

7.5.2. Vote: Yea: 4 Nay: 0 Abstain: 0

7.5.3. Motion: Passed

8. New Business

8.1. Discussed and considered action on approving CWSVFD \$1,000.00 invoice for contract goal of Item 13.b, Conflict of Interest Policy and \$2,000.00 invoice for Item 13.d, Membership Roster/Certification Levels. *As requested by CWSVFD*

City Liaison Stephen Sherry opened discussion stating the fire department did submit the Conflict of Interest policy. He also stated that before the check was released a statement from the fire department board would be needed stating whether or not any board member is being paid as per the contract in compliance with a rebuttable presumption of reasonableness in accordance with the IRS and treasury regulations cited within the original contract.

Liaison stated that they should approve the \$2,000.00 invoice for the Roster/Certification levels. He also advised the fire department liaison John Marr that the fire department needs to be aware they are one member down from last year. It was stated the person needed to be made up.

8.1.1. Motion to split item 13.b and 13.d to two separate motions.

8.1.1.1. Motion: Mayor Pro Tem Sherry

8.1.1.2. Second: Councilmember Wayson

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		

Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.1.2. Vote: Yea: 4 Nay: Abstain: 0

8.1.3. Motion: **Passed**

8.1.1.A. Motion to approve the CWSVFD \$1,000.00 invoice for contract goal of Item 13.b, of the contract of interest policy and hold until we receive a statement from the board that no board member is being paid anything and for any reason of if they are being paid it falls under a statement of rebuttable presumption of reasonableness.

8.1.1.A.1. Motion: Mayor Pro Tem Sherry

8.1.1.A.2. Second: Councilmember Porter

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.1.2.A. Vote: Yea: 4 Nay: Abstain: 0

8.1.3.A. Motion: **Passed**

8.1.1.B. Motion to approve \$2,000.00 invoice for Item 13.d, Membership Roster/Certification Levels.

8.1.1.B.1. Motion: Mayor Pro Tem Sherry

8.1.1.B.2. Second: Councilmember Satsky

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.1.2.B. Vote: Yea: 4 Nay: Abstain: 0

8.1.3.B. Motion: **Passed**

8.2. Discussed and considered action on approving CWSVFD \$500.00 invoice for contract goal of Item 11.b.iv, 4th Qtr. Financials. *As requested by CWSVFD*

City Liaison Stephen Sherry agreed the information was submitted that related back to the last year budget. It needs to be decided if this is to be retroactive or rolled over to current budget.

8.2.1. Motion to approve the CWSVFD \$500.00 invoice for contract goal of Item 11.b.iv, 4th Qtr. Financials to end last year's contract and does not come out of the 2017 contract.

8.2.1.1. Motion: Councilmember Wayson

8.2.1.2. Second: Mayor Pro Tem Sherry

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		

Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.2.2. Vote: Yea: 4 Nay: 0 Abstain: 0

8.2.3. Motion: **Passed**

8.3. Discussed and considered action on plan check and inspection services. *As requested by Councilmember Porter*

Councilmember Porter gave some examples regarding ways other cities performed their plan checks and inspections. He stated the staff at most of them approved building plans. He stated the staff stamped the plans and then they were followed up by the inspections required at the different stages of construction. Councilmember Porter did indicate that all construction or projects must be built to code. He commented that a fast track could be used.

He stated the city did not follow the rules that the general public must follow, example road construction in the city was not performed by and engineer.

Mayor Orr presented information in regards to the inspection and review process. It showed times and dates for our inspection service. The times given did not show delays in the process. The delays were caused by the builder/contractor/owner not submitting the proper information required or needed to complete the process.

Mayor Pro Tem Sherry presented his theory in regards to plan check and inspections.

Councilmember Wayson stated there were many difference in building a roadway verses a building. He stated items must be completed before the next stage of construction. Councilmember Wayson did agree that there could be an area of improvement to the process.

8.3.1. Motion to postpone until a determination is made in regard to what other cities have done with 2012 IBC exemptions

8.3.1.1. Motion: Councilmember Wayson

8.3.1.2. Second: Councilmember Porter

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter			✓
Councilmember Wayson	✓		

8.3.2. Vote: Yea: 3 Nay: 0 Abstain: 1

8.3.3. Motion: **Passed**

8.4. Discussed and considered action on an official fast track permitting Ordinance. *As requested by Councilmember Porter*

Councilmember Porter suggested this process could help in getting construction started as well as construction plans approved faster. He addressed the steps in the process of a fast track system and its benefit to the process.

It was discussed to possible have an extra fee for a fast track permit.

Mayor Orr stated he would take the lead and work with Councilmember Porter to come up with a rational plan and put the information into a SOP.

8.4.1. Motion to postpone 8.4 and consider with 8.3 to come up with a uniform plan to go forward.

8.4.1.1. Motion: Councilmember Wayson

8.4.1.2. Second: Councilmember Satsky

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter			✓
Councilmember Wayson	✓		

8.4.2. Vote: Yea: 3 Nay: 0 Abstain: 1

8.4.3. Motion: **Passed**

8.5. Discussed and considered action on publishing Council's backup packets on the website. *As requested by Staff*

Mayor Pro Tem Sherry stated we need to do this, and indicated that it should not be any more trouble to implement or carry out as the files for the councilmembers.

8.5.1. Motion to publish the Council's backup packets on the website without the PI.

8.5.1.1. Motion: Mayor Pro Tem Sherry

8.5.1.2. Second: Councilmember Satsky

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.5.2. Vote: Yea: 4 Nay: 0 Abstain: 0

8.5.3. Motion: **Passed**

8.6. Discussed and considered action on approving purchase of replacement pump for lift station #3 to be in compliance with TCEQ rules and regulations at a cost of \$14,940.00. *As requested by Staff*

8.6.1. Motion to approve the purchase of replacement pump for lift station #3 to be in compliance with TCEQ rules and regulations at a cost of \$14,940.00

8.6.1.1. Motion: Councilmember Porter

8.6.1.2. Second: Mayor Pro Tem Sherry

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

8.6.2. Vote: Yea: 4 Nay: 0 Abstain: 0

8.6.3. Motion: **Passed**

- 9. Future agenda items
 - 9.1 Workshop for Police Policy Manual
 - 9.2 Library
 - 9.3 Plan Check
 - 9.4 Liaison Report
 - 9.5 Engineering of City Streets

Closed regular session at 08:00 p.m. and convened into Executive Session 10. at 8:05 p.m.

10. Convened into Executive Session of the City Council of the City of Cottonwood Shores:

- 10.1 Convened into executive session, pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, or reassignment of: City of Cottonwood Shores City Administrator/City Secretary

8:43 p.m. Re-convened into open session and took action on Item 10.1

10.1.1. Motion to retain Sheila Moore as City Administrator/City Secretary with salary increase as agreed upon

10.1.1.1. Motion: Councilmember Wayson

10.1.1.2. Second: Mayor Pro Tem Sherry

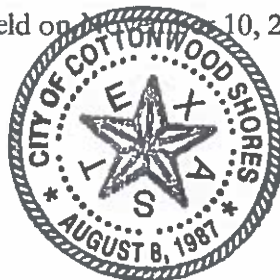
NAME	Yea	Nay	Abstain
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad			
Councilmember Porter	✓		
Councilmember Wayson	✓		

10.1.2. Vote: Yea: 4 Nay: 0 Abstain: 0

10.1.3. Motion: **Passed**

11. Adjournment: 8:44 p.m.

The preceding document is a true and accurate reflection of the minutes of the Special Council Meeting of the City of Cottonwood Shores, held on November 10, 2016.



Attest:

Bobby Herrin

Bobby Herrin
Deputy City Secretary