

**CITY OF COTTONWOOD SHORES**

3808 Cottonwood Drive, Cottonwood Shores, Texas 78657  
 Office: (830) 693-3830 [www.cottonwoodshores.org](http://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*

**REGULAR CITY COUNCIL MEETING MINUTES**

**\*\* NOTICE \*\***

The City Council held a regular meeting on Thursday, August 4, 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 Pro-Tem Sherry

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

4. Presentation of Citizen of the Year to Carlos Naumann
5. 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.*

*No Citizen Comments*

**6. Mayor's Report:**

Mayor Pro-Tem Sherry presented a mayors report.

He informed the council and audience that the paving of Aspen and Magnolia Lanes will take place on the 30<sup>th</sup> and 31<sup>st</sup> of August.

He announced the hiring of a new police officer Sergio Alvarado to the department and welcomed him aboard.

The ADA parking at the parks had been approved.

He also extended his appreciation to those that attended the last pot luck supper and wished to extend his encouragement to all citizens to attend the pot luck suppers in the future.

**7. Consent Agenda:**

**7.1. Minutes from a Regular Meeting of the City Council held on July 21, 2016.**

**7.1.1. Motion to approve the July 21, 2016 minutes as amended**

**7.1.1.1. Motion:** Councilmember Porter

**7.1.1.2. Second:** Councilmember Satsky

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: 1**

**7.1.3. Motion: Passed**

**8. New Business:**

**8.1 Discussed and considered action on Public Utility Easement for lots 383, 384, 411 and 412, Yellowstone Subdivision. As requested by Zach Ross.**

Mr. Ross presented his request for the abandonment of the Public Utility Easement for lots 383, 384, 411 and 412.

The easements were discussed, and it was noted that there were existing city utilities located in the easement between 411/412 and 383. After discussion it was decided that the easement between lot 383 and 384 would be relinquished and the easement between 411/412 and 383 would not be relinquished, however the Council agreed that the 4 lots could be combined as requested.

**8.1.1. Motion to allow applicant to re-plat with Burnet County combining all lots, but not relinquish the easement between 411/412 and 383.**

**8.1.1.1. Motion:** Councilmember Porter

**8.1.1.2. Second:** Councilmember Satsky

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

**8.1.2. Vote: Yea: 5      Nay: 0      Abstain: 0**

**8.2.3. Motion: Passed**

**8.2. Discussed and considered action on approving the CWS proposed FY 2016-2017 Budget. *As requested by Staff.***

Mayor Pro-Tem Sherry stated that Mayor Orr had delegated staff to assist and trained them to complete the proposed budget.

Financial Officer Karrie Cummings presented the budget with the most recent changes which resulted in a \$605.00 overage. She suggested moving the extra funds to the general government fund utilities/electric account which would balance the budget.

**8.2.1. Motion to approve the CWS proposed FY 2016-2017 Budget as presented adding the \$605.00 to the utilities/electric account.**

**8.2.1.1. Motion:** Councilmember Porter

**8.2.1.2. Second:** Councilmember Trinidad

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

**8.2.2. Vote: Yea: 5 Nay: 0 Abstain: 0**

**8.2.3. Motion: **Passed****

**8.3. Discussed and considered action on proposing a FY 2016-2017 Tax Rate. *As requested by Staff***

Mayor Pro-Tem Sherry presented a discussion on a proposed tax rate of 0.5438, and discussed the benefits of maintaining the same tax rate for the next four years.

Councilmember Wayson pointed out that the city would not be raising the tax rate, however if the county raised the value of appreciation on properties the individuals taxes may increase.

Councilmember Wayson made a motion in regards to the tax rate and withdrew his motion.

**8.3.1. Motion to propose a Tax Rate of 0.5438 for fiscal 2016-2017.**

**8.3.1.1. Motion:** Councilmember Porter

**8.3.1.2. Second:** Councilmember Satsky

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

**8.3.2. Vote: Yea: 5 Nay: 0 Abstain: 0**

**8.3.3. Motion: **Passed****

**8.4. Discussed and considered action on approving Marble Falls Area Emergency Services contract for Fiscal 2016/2017. *As requested by Staff***

Within the discussion of the contract Councilmember Wayson verified the contract amount was a minimal increase from last year and that MFAEMS was a good service for the City.

**8.4.1. Motion to approve MFAEMS contract**

**8.4.1.1. Motion:** Councilmember Trinidad

**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: 5      Nay: 0      Abstain: 0**

**8.4.3. Motion: **Passed****

**8.5. Discussed and considered action on amending Ordinance 1121 (Parks Commission) in regard to the Open Meetings Act. *As requested by Councilmember Wayson***

Councilmember Wayson handed out information and submitted a power point presentation indicating his finding regarding the Parks Commission following The Open Meetings Act requirements.

He suggested that the Parks and Recreation Commission not be bound to the Open Meetings Act as they were more of an advisory committee and to remove it from the Ordinance.

The council agreed that the commission must still follow guidelines as set in the ordinance with slight changes as discussed. They must post an agenda if it is a formal meeting. They must still take minutes.

It was also determined the need to define "formal" as used in the ordinance.

**8.5.1. Motion to amend Ordinance 1121 (Parks Commission) as suggested by Councilmember Wayson, defining formal meeting as a posted meeting and follow Roberts Rules of Order or similar parliamentary procedures at formal meetings.**

**8.5.1.1. Motion:** Councilmember Porter

**8.5.1.2. Second:** Councilmember Trinidad

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

**8.5.2. Vote: Yea: 5      Nay: 0      Abstain: 0**

**8.5.3. Motion: **Passed****

**8.6. Discussed and considered action on International Dark Sky application process. *As requested by Councilmember Wayson***

Councilmember Wayson submitted a draft letter that he proposed sending to the International Dark Sky Association. The letter included an action plan for the city. At this time Councilmember Wayson was suggesting to submit for Provisional Status only indicating full compliance within a three year period.

Councilmember Wayson also indicated the city needed letter of support.

Councilmember Wayson suggested appointing City Administrator / City Secretary Sheila Moore the contact person for the process.

**8.6.1. Motion to approve the International Dark Sky application process for provisional status.**

**8.6.1.1. Motion:** Councilmember Trinidad

**8.6.1.2. Second: Councilmember Satsky**

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

**8.6.2. Vote: Yea: 5      Nay: 0      Abstain: 0**

**8.6.3. Motion: Passed**

**8.7. Discussed and considered action on adopting Resolution 690 (Sale of Property at Delinquent Tax Sale) Lot 167, Scarlet Oaks Subdivision. *As requested by Burnet County Central Appraisal District (3<sup>rd</sup> lot up on right side of 600 Fir)***

The results of the auction held by Burnet County Appraisal District in regards to Lot 167, Scarlet Oaks Section for sale of property at delinquent tax sale was discussed. There was no bid on said property sufficient to meet the amount owed on delinquent taxes. Burnet County requested permission to sale the property for a bid of \$1,000.00..

**8.7.1. Motion to adopt Resolution 690 (Sale of Property at Delinquent Tax Sale) Lot 167, Scarlet Oaks Subdivision.**

**8.7.1.1. Motion: Councilmember Wayson**

**8.7.1.2. Second: Councilmember Trinidad**

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

**8.7.2. Vote: Yea: 5      Nay: 0      Abstain: 0**

**8.7.3. Motion: Passed**

**8.8. Discussed and considered action on Council presenting awards to police officers. *As requested by Councilmember Porter***

After discussion, it was indicated further research was required.

**8.8.1. Motion to take no action.**

**8.8.1.1. Motion: Councilmember Porter**

**8.8.1.2. Second: Councilmember Satsky**

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

**8.8.2. Vote: Yea: 5      Nay: 0      Abstain: 0**

**8.8.3. Motion: Passed**

Closed regular session at 7:14 p.m.

Nathan Dodd requested an open session.

**9. Executive Session of the City Council of the City of Cottonwood Shores:**

9.1. 7:20 p.m. Convened into Executive Session pursuant to Section 551.074 of the Texas Government Code for discussion of personnel matters; deliberated on grievance hearing requested by Police Officer Dodd.

9.2. Re-convened into open session at 7:45 pm and took action of Item 9.1:

9.2.1. Motion to uphold termination

9.2.1.1. Motion: Councilmember Porter

9.3.1.2. Second: Councilmember Satsky

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

9.2.2. Vote: Yea: 4      Nay: 1      Abstain:

9.2.3. Motion: **Passed**

**10. Future agenda items**

- 10.1. Discussion on cargo storage containers, PODS, Conex, heavy equipment etc. in R-1 Zoning
- 10.2. Approval of RFQs for TWDB procurement – August 18 Council meeting
- 10.3. Cottonwood Shores Volunteer Fire Department Contract – August 18 council meeting
- 10.4. Public Hearing to approve CCPD Budget – August 18 council meeting
- 10.5. Police Awards
- 10.6. Community Garden

**11. Adjournment: 7:49 p.m.**

The preceding document is a true and accurate reflection of the minutes of the Regular Council Meeting of the City of Cottonwood Shores, held on August 4, 2016.



Attest:

*Bobby Herrin*  
 Bobby Herrin  
 Deputy City Secretary