

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: Brigitte Thomas
 Councilmember: Roger L. Wayson

People, Parks and Prosperity

REGULAR CITY COUNCIL MEETING MINUTES

**** NOTICE ****

The City Council held a regular meeting on Thursday, February 2, 2017 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
2. Roll Call

NAME	PRESENT	ABSENT EXCUSED	ABSENT UNEXCUSED
Mayor Orr	✓		
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad	✓		
Councilmember Thomas	✓		
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 – Cheri Trinidad addressed the City Council and audience with some information on the Burnet County Hunger Alliance. She stated that this was also a food bank and could be very helpful to the citizens of Cottonwood Shores and surrounding areas. She informed the City Council and audience they have a website and suggested people to check it out. The Burnet County Hunger Alliance always needs volunteers as well as donations. Mayor Orr advised Ms. Trinidad that if she could give him some flyers or information the city could put them in the front lobby of city hall.

Citizen – Keith Patschke addressed the City Council in regards to people trespassing on his properties by the lake, and indicated he had to take care of the situation. He implied the local law enforcement did not help.

Citizen – Sylvia Breen addressed the City Council in reference to signage that was to be installed in various highway locations. Mayor Orr stated he has been in communication with the Texas Department of Transportation and will be following up on the signs.

5. Mayor’s Report

City Administrator / City Secretary Sheila C. Moore stated that this being Groundhog Day, the results were we would possibly have 6 more weeks of winter.

She also advised the City Council several realtors have contacted the city indicating they possibly wanted to buy and build more storage buildings. They were informed that they would have to bring their requests to the Development Committee.

City Administrator / City Secretary Sheila C. Moore stated that a Castle Terrace Section beautification process needed to be addressed. One item was that the Water Treatment Plant needed to be fenced with a solid fence.

Councilmember Wayson stated that in the original plans there was to be a sign and vegetation across the front or street side of the plant which should hide quite a lot of the problems.

In addition it was addressed that quite a few of the business owners on Cottonwood Drive have improved the fences or barriers around their properties which have improved the looks and assisted in a beautification process for the city.

Councilmember Wayson stated that some of the fences or barriers still need to be repaired, which was addressed.

City Administrator / City Secretary Sheila C. Moore stated that an error in the billing of alcohol permits was found. It will affect the proposed budget and there may need to be some adjustments. The city had to make some reimbursements of payments to a couple of businesses. The budgeted amount is approximately \$8,700.00. The city will be required to reimburse back to the businesses approximately \$3,000.00. As far as the budget the amount the city will be short will be approximately \$9,000.00 dollars. This will possibly need to be addressed in the mid-year budget.

Parks and Recreation report was given by Vice Chair Holloway. He stated that the parks grant has now been completed and signed off on through documentation. Vice Chair Holloway stated that the commission has agreed to request the city to change their status from commission to committee.

It was stated that commissioners Breen, Wayson, Bristow and Whitis have submitted resignations to the commission.

A new Parks and Recreation Commission member has been accepted, Justin King.

The Parks and Recreation Commission stated that the yellow marking stripe at the park was needed. Further it was stated that there was a lot of erosion at the Noah Thompson Park.

6. Consent Agenda

- **Minutes from a Regular Meeting of the City Council held on January 19, 2017**
- **Minutes from a Special Workshop Meeting of the City Council held January 25, 2017**

6.1.1. Motion to accept consent agenda with 1 change

6.1.1.1. Motion: Mayor Pro Tem Sherry

6.1.1.2. Second: Councilmember Trinidad

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

6.1.2. Vote: Yea: 5 Nay: 0 Abstain: 0

6.1.3. Motion: Passed

7. New Business

7.1. Discussed and considered action on amending Ordinance 8009 (Dark Sky) in regard to security lighting. *As requested by Staff*

Mayor Orr presented to the City Council a problem that was addressed by an electrical contractor in reference to the Lighting Curfews portion of the Dark Sky Ordinance. Councilmember Wayson advised the City Council he would check into the matter and bring a video and brochures back to the next City Council meeting.

7.1.1. Motion to take no action until next meeting

7.1.1.1. Motion: Mayor Pro Tem Sherry

7.1.1.2. Second: Councilmember Satsky

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

7.1.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.1.3. Motion: Passed

7.2. Discussed and considered action on amending CWS Personnel Policy due to conflicting statements. *As requested by Staff*

Personnel Policy was discussed regarding to full time employees receiving holiday pay when they are called in to work.

7.2.1. Motion if a non-exempt full time employee is required to work on a holiday they will receive time and a half (1 ½) for hours worked in addition to the regular 8 hour holiday pay.

7.2.1.1. Motion: Councilmember Trinidad

7.2.1.2. Second: Councilmember Thomas

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

7.2.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.2.3. Motion: Passed

7.3. Discussed and considered action on accepting Commissioner Wendy Wayson's resignation from the Parks and Recreation Commission. *As requested by Wendy Wayson*

Mayor Orr requested for a decision of all of the resignations at one time.

7.3.1. Motion to accept the four Parks and Recreation Commission resignations (Items 7.3-7.6)

7.3.1.1. Motion: Mayor Pro Tem Sherry

7.3.1.2. Second: Councilmember Satsky

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

7.3.2. Vote: Yea: 4 Nay: 0 Abstain: 1

7.3.3. Motion: **Passed**

7.4. Discussed and considered action on accepting Commissioner Barbara Bristow's resignation from the Parks and Recreation Commission. *As requested by Barbara Bristow*

7.5. Discussed and considered action on accepting Alternate Commissioner Lynn Porter's resignation from the Parks and Recreation Commission. *As requested by Lynn Porter*

7.6. Discussed and considered action on accepting Chairperson Ray Whitis' resignation from the Parks and Recreation Commission. *As requested by Ray Whitis*

7.7. Discussed and considered action on accepting Boardmember Brigitte Thomas' resignation from the Board of Adjustment. *As requested by Brigitte Thomas*

7.7.1. Motion to accept Boardmember Brigitte Thomas' resignation from the Board of Adjustment.

7.7.1.1. Motion: Mayor Pro Tem Sherry

7.7.1.2. Second: Councilmember Trinidad

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

7.7.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.7.3. Motion: **Passed**

7.8. Discussed and considered action on the dissolution of the Parks and Recreation Commission and establishing a Parks and Recreation Committee. *As requested by Parks & Recreation Commission*

Mayor Pro Tem Sherry asked P&R Vice Chair Holloway what the current commission wanted. He felt that since neither was bound to the Open Meetings Act, there was little difference. Discussion regarding the ease of not worrying about quorums, meeting dates and places if it were a Committee.

7.8.1. Motion to dissolve the Parks and Recreation Commission and establish a Parks and Recreation Committee.

7.8.1.1. Motion: Councilmember Trinidad

7.8.1.2. Second: Councilmember Satsky

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

7.8.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.8.3. Motion: **Passed**

7.9. Discuss and consider action on adopting Ordinance 1129 (Parks and Recreation Committee).
As requested by Staff

7.9.1. Motion to adopt Ordinance 1129 (Parks and Recreation Committee) with 1 change.

7.9.1.1. Motion: Councilmember Wayson

7.9.1.2. Second: Mayor Pro Tem Sherry

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

7.9.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.9.3. Motion: **Passed**

7.10. Discuss and consider action on repealing Parks and Recreation Commission Ordinances 1010 and 1121. *As requested by Staff*

7.10.1. Motion to repeal Parks and Recreation Commission Ordinances 1010 and 1121.

7.10.1.1. Motion: Mayor Pro Tem Sherry

7.10.1.2. Second: Councilmember Satsky

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

7.10.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.10.3. Motion: **Passed**

Break at 7:29 p.m.

Reconvened at 7:35 p.m.

7.11. Discuss and consider action on reconciling Ordinance 5005 (Wildfire Prevention) and Ordinance 8007 (Nuisance) Section 4.2. as to intent, application and scope of enforcement. *As requested by Mayor Pro Tem Sherry*

Mayor Pro Tem Sherry opened the discussion regarding the intent of the ordinances and property rights for destruction of national habitat in undeveloped lots. He presented his requests for multiple changes to the ordinances.

After discussion he made a motion which died to lack of a second.

Further discussion determined more information was needed.

Councilmember Wayson stated he would like to get with Mayor Pro Tem Sherry and discuss options.

7.11.1. Motion to amend Ordinance 5005 as discussed by Mayor Pro Tem Sherry

7.11.1.1. Motion: Mayor Pro Tem Sherry

7.11.1.2. Second: Motion died for lack of a second

7.11.1a. Motion to take no action.

7.11.1.1. Motion: Mayor Pro Tem Sherry

7.11.1.2. Second: Councilmember Wayson

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

7.11.2. Vote: Yea: 4 Nay: 1 Abstain: 0

7.11.3. Motion: Passed

7.12. Discuss and consider action on amending Ordinance 3003 (Development Permits and Fees). *As requested by Staff*

City Administrator / City Secretary Sheila C. Moore presented documentation as to why the amendment of the fee portion of the ordinance was needed.

7.12.1. Motion to amend Ordinance 3003 (Development Permits and Fees) as modified.

7.12.1.1. Motion: Mayor Pro Tem Sherry

7.12.1.2. Second: Councilmember Trinidad

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

7.12.2. Vote: Yea: 4 Nay: 1 Abstain: 0

7.12.3. Motion: Passed

7.13. Discuss and consider action on approving CWSVFD \$1,000.00 invoice for completing contract goal 13.c. First Quarter Financials. *As requested by CWSVFD*

City Liaison Stephen Sherry advised the City Council that he did receive the budget for the fire department per the contract.

After discussion it was determined that the budget expenditures presented needed to be explained to the City Council.

It was decided approve the invoice for completing the contract goal but to put on the future agenda item for discussion regarding the financials.

7.13.1. Motion to approve CWSVFD \$1,000.00 invoice for completing contract goal 13.c. First Quarter Financials.

7.13.1.1. Motion: Councilmember Trinidad

7.13.1.2. Second: Mayor Pro Tem Sherry

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

Councilmember Wayson	✓		
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7.13.2. Vote: Yea: 5 Nay: 0 Abstain: 0

7.13.3. Motion: **Passed**

8. Unfinished Business

8.1. Discussed and considered action on adopting Ordinance 14019 (Heavy Equipment). *As requested by Staff*

City Administrator / City Secretary Sheila C. Moore presented information regarding the draft ordinance. After discussion Mayor Orr stated that this possibly needed to be defined within a workshop. After further discussion it was decided to schedule a workshop for this ordinance.

8.1.1. Motion to postpone to February 9, 2017 workshop meeting.

8.1.1.1. Motion: Mayor Pro Tem Sherry

8.1.1.2. Second: Councilmember Trinidad

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

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

8.1.3. Motion: **Passed**

8.2. Discussed and considered action on nominating and electing officers to fill vacancies on:

8.2.a. Board of Adjustment

8.2.b. Crime Control and Prevention District

8.3.c. Parks and Recreation Commission

Board of Adjustment – No Nominations until next meeting

Crime Control Prevention District – Ray Whitis

Parks and Recreation Commission – Removed – Dissolved commission

8.2.1. Motion to elect Ray Whitis to fill the Crime Control and Prevention District Board vacancy

8.2.1.1. Motion: Mayor Pro Tem Sherry

8.2.1.2. Second: Councilmember Satsky

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

8.2.2. Vote: Yea: 4 Nay: 0 Abstain: 1

8.2.3. Motion: **Passed**

9. Future agenda items

10.1. Workshop – Heavy Equipment Ordinance – February 9 – Special Meeting @ 5:30 p.m.

10.2. Fire Department Financials February 16

10.3 Call the General Election 2017 February 16

10.4 Solid Waste Rates February 16

10.5 Presentation on Granite Shoals Deer Management Program February 16

- 10.6 Board of Adjustment nomination – February 16
- 10.7 Dark Sky Ordinance – February 16
- 10.8 Library – February 16
- 10.9 Workshop – Police Policy – Set Date
- 10.11. Wildfire and Nuisance Ordinances

10. Adjournment 8:49 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 February 2, 2017.



Attest:

Bobby Herrin
Deputy City Secretary