

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: Cheri Trinidad
 Councilmember: Vacant



Councilmember: Vacant
 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, March 1, 2018 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 Trinidad	✓		
Vacant			
Vacant			
Councilmember Thomas	✓		
Councilmember Wayson	✓		

City Administrator/City Secretary Sheila 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 – Linda Davenport addressed the City Council requesting information about her water bill and the voluntary fees on it. She was informed they were optional and could be removed if she did not want to pay them. It was explained that the fees went entirely to the Cottonwood Shores Volunteer Fire Department and Marble Falls EMS.

5. Mayor's Report:

Mayor Orr addressed the City Council pointing out the status of the development that was occurring in the west side of the City. He explained that he had received several reports and other data in relation to this development. He commented on several areas to be developed and addressed how the new development could possibly effect the City. He stated that the agreements that are in the process of being developed still needed some additional work on the infrastructure side. It was stated that the development would require a new lift station placed in the area to handle the outflow of wastewater to Horseshoe Bay.

6. Consent Agenda:

6.1. Minutes from a Regular Meeting of the City Council held on February 22, 2018.

6.2. Discuss and consider action on PUE relinquishment of the 5' easement south on lot 547, Scarlet Oaks Section, 647 Birch Lane. *As requested by Stanley R. Miller for Karen Dittman*

It was stated that this request was not for a lot combination but only an easement relinquishment. Councilmember Wayson questioned exactly what lot easements were to be relinquished. He asked if the property owner on the adjacent lot had been notified and if so what was their opinion. It was determined that the only lot easement to be relinquished was on the one lot (647 Birch Lane) consisting of 5 feet and the easement on the other lot will still remain in effect.

6.3. Discuss and consider action on PUE relinquishment between lots 27 and 28, Castle Terrace 2. *As requested by Donald Sherman, RPLS for Michael Hibdon*

6.3.1. Motion to approve the consent agenda

6.3.1.1. Motion: Mayor Pro Tem Trinidad

6.3.1.2. Second: Councilmember Thomas

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

6.3.2. Vote: Yea: 3 Nay: 0 Abstain: 0

6.3.3. Motion: **Passed**

Motion to move item 8.1 up above item 7.1

Motion: Mayor Pro Tem Trinidad

Second: Councilmember Thomas

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

Vote: Yea: 3 Nay: 0 Abstain: 0

Motion: Passed

8.1. Discussed and considered action on accepting the 2016-2017 Audit. *As presented by Neffendorf & Knopp, P.C.*

Mr. Neffendorf addressed the City Council and audience covering the 2016-2017 Audit. He explained each page of the audit and answered questions from the City Council and audience. It was declared a clean audit.

8.1.1. Motion to accept the 2016-2017 Audit

8.1.1.1. Motion: Mayor Pro Tem Trinidad

8.1.1.2. Second: Councilmember Thomas

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

8.1.2. Vote: Yea: 3 Nay: 0 Abstain: 0

8.1.3. Motion: Passed

7. Old Business:

7.1. Discussed and considered action on adopting Ordinance 11098 (Budget Amendment 2018). *As requested by Staff*

Mayor Orr covered the budget amendment pointing out the changes he made that allowed it be balanced. Councilmember Wayson was in agreement with the corrections.

7.1.1. Motion to adopt Ordinance 11098 (Budget Amendment 2018).

7.1.1.1. Motion: Councilmember Wayson

7.1.1.2. Second: Councilmember Thomas

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

7.1.2. Vote: Yea: 3 Nay: 0 Abstain: 0

7.1.3. Motion: Passed

7.2. Discussed and considered action on tiered wastewater rates. *As requested by Staff*

Mayor Orr opened the discussion by asking the City Council to decide if the City should go to a tiered rate system or stay with a fixed rate system.

Councilmember Wayson presented an excellent presentation regarding the process of the two choices. Covering from percentages of increase, base rates, total monies that could be collected to other areas of concerns.

Mayor Orr also explained several issues within the presentation as well.

The presentation also covered rates-verses-revenues-verses-budget requirements.

After further discussion it was decided that additional development was required and to bring this item back to the council at the March 15, meeting.

7.2.1. Motion continue discussion on the tiered rate system.

7.2.1.1. Motion: Mayor Pro Tem Trinidad

7.2.1.2. Second: Councilmember Thomas

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Trinidad	√		
Vacant			
Vacant			
Councilmember Thomas	√		
Councilmember Wayson	√		

7.2.2. Vote: Yea: 3 Nay: 0 Abstain: 0

7.2.3. Motion: **Passed**

7.3. Discussed and considered action on April Utility Rates. *As requested by Staff*

Mayor Orr requested this item should be postponed until next meeting.

7.3.1. Motion to postpone to next meeting

7.3.1.1. Motion: Mayor Pro Tem Trinidad

7.3.1.2. Second: Councilmember Thomas

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Trinidad	√		
Vacant			
Vacant			
Councilmember Thomas	√		
Councilmember Wayson	√		

7.3.2. Vote: Yea: 3 Nay: 0 Abstain: 0

7.3.3. Motion: **Passed**

8. New Business

8.2. Discussed and considered action on adopting Ordinance 14023 (Conveyance of Ridgeview Drive). *As requested by Staff*

Mayor Orr opened the discussion explaining the reasoning of Ordinance 14023. He stated the Castle Rock Development wanted to deed to the City the street (Castle Mountain) and wanted the City to relinquish the easements and rights for a portion of Ridgeview Drive.

He stated that the development group was under a contract to complete the project.

Councilmember Wayson showed concerns that if the City agreed to the relinquishment of Ridgeview Drive, the City would have no way of making them complete the construction on Castle Mountain.

Mayor Orr stated the contract was like any other and would bind them to the agreements. He also stated that the City was only relinquishing the upper portion of Ridgeview drive.

8.2.1. Motion to adopt Ordinance 14023 (Conveyance of Ridgeview Drive).

8.2.1.1. Motion: Mayor Pro Tem Trinidad

8.2.1.2. Second: Councilmember Thomas

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Trinidad	√		
Vacant			
Vacant			

Councilmember Thomas	✓		
Councilmember Wayson		✓	

8.2.2. Vote: Yea: 2 Nay: 1 Abstain: 0

8.2.3. Motion: **Passed**

8.3. Discussed land use concerns within the City. *As requested by Staff*

Mayor Orr addressed the City Council informing them of certain types of businesses (Storage Units or Facilities) located in the City that were in an abundance. He stated that the City actually did not receive any financial support from these types of businesses.

He informed the City Council that there had been a couple of developers wanting to establish or build additional storage units in the City however these businesses actually require C-2 zoning. The City does not have any areas zoned C-2 at this time.

The existing businesses of this type (Storage Units or Facilities) are grandfathered. However, if they are sold to a new owner, the property will not be considered as grandfathered.

8.4. Discussed short-term rentals. *As requested by Staff*

Mayor Orr addressed the City Council explaining the influx of companies and or property owners wanting to utilize their properties as short term rental structures.

He also informed the City Council and audience that the State Legislature was possibly going to implement a ruling that would affect short term rentals within the State of Texas in the very near future and the City will not have any choice but accept this ruling. Will not be able to prohibit short term rentals in R1 zoning nor be able to write an Ordinance to regulate.

It was stated that the short term rentals could be allowed in the PUD Development by Hozhoni on the Lakes.

9. Future agenda items:

- 9.1. Utility Rates – March 15
- 9.2. Ordinance 9002 (Chief of Police)
- 9.3. Tiered Water Rates – March 15
- 9.4. Waste Water Rates – March 15
- 9.5. Solid Waste Rates

9. Adjournment: 8:15 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 March 1, 2018



Attest:

Sheila C. Moore

 Sheila C. Moore

City Administrator / City Secretary