

**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: 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, May 10, 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 – Becky Evans** addressed the City Council and asked for them to consider placing the new speed limit signs on the stop sign on Pecan Ln so people could see it. She was advised the City Council would take her request into consideration.

5. Swear in new Councilmembers:

Judge Don Adams swore in councilmembers: Michael Hibdon, Gary Parsons, Roger Wayson, Cheri Trinidad

**6. Mayor Pro Tem**

**6.1. Discussed and Considered action on electing a Mayor Pro Tem**

Councilmember Wayson commented that Cheri Trinidad has been the Mayor Pro Tem and doing a good job

**6.1.1. Motion to elect Cheri Trinidad as Mayor Pro Tem.**

**6.1.1.1. Motion:** Councilmember Wayson

**6.1.1.2. Second:** Councilmember Thomas

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

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

**6.1.3. Motion: Passed**

**7. Mayor's Report:**

Mayor Orr advised the City Council that the new budget process will possibly start around June 1. He advised that the staff and he will create some of the data required for the City Council.

He stated property tax assessment from Burnet County Appraisal District would come in soon.

He informed the City Council that the new budget would have to be finalized by September.

City Administrator / City Secretary Sheila C. Moore addressed the City Council and audience informing them of the upcoming Rumble at the River Car Show that the Cottonwood Shores Volunteer Fire Department was putting on scheduled for Saturday, May 19, 2018.

**8. Consent Agenda:**

**8.1. Minutes from a Regular Meeting of the City Council held on April 19, 2018.**

**8.1.1. Motion to approve the April 19, 2018 minutes with changes**

**8.1.1.1. Motion:** Mayor Pro Tem Trinidad

**8.1.1.2. Second:** Councilmember Thomas

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Trinidad	✓		
Councilmember Hibdon	✓		
Councilmember Parsons	✓		
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 Public Utility Easement Relinquishment between lots 44B and 43, 43 and 42, 42 and 41, 41 and 40, Yellowstone Section. *As requested by Marley Porter***

Paperwork submitted indicated no conflicts in the areas of the Public Utility Easement Relinquishment request.

**8.2.1. Motion to approve Public Utility Easement Relinquishment between lots 44B and 43, 43 and 42, 42 and 41, 41 and 40, Yellowstone Section.**

**8.2.1.1. Motion:** Mayor Pro Tem Trinidad

**8.2.1.2. Second:** Councilmember Thomas

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

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

**8.2.3. Motion: Passed**

**8.3. Discussed and considered action on Public Utility Easement Relinquishment between lots 81, 82, 83, 114, 115 and 116, Driftwood II Section. *As requested by Don Sherman***

Discussion of a water line running between the lots 81 thru 83 and 114 thru 116. It was decided to relinquish the easement between lots 82, 83, and 84, the easements between lots 114, 115, and 116 will be relinquished. The city will maintain the easements between the lots running north and south.

**8.3.1. Motion to accept the PUE between lots 81 – 83 and 114 – 116, but maintain easements running north to south between the lots.**

**8.3.1.1. Motion:** Mayor Pro Tem Trinidad

**8.3.1.2. Second:** Councilmember Thomas

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

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

**8.3.3. Motion: Passed**

**Motion to move items 10.5 and 10.6 before 9.1**

**Motion:** Mayor Pro Tem Trinidad

**Second:** Councilmember Thomas

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

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

**Motion: Passed**

**10.5. Discussed and considered action on opening the Splash Pad for Summer 2018. *As requested by the Parks Committee***

Sylvia Breen opened discussion for the Parks and Recreation Committee. She stated the committee would like to see the splash pad open starting May 26, and go through September 3, 2018.

They requested to open the park at 11:00am and close it at 6:00pm.

They wanted the daily opening of Saturday, Sunday and Wednesdays. Also on the holidays of Memorial Day and Labor Day.

They stated that they will possibly be holding a picnic on the opening day of the splash pad.

Councilmember Wayson questioned if the city employee would have to go and cut off the splash pad at 6pm.

City Administrator / City Secretary Sheila C. Moore advised a possible issue with water conservation.

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**10.5.1. Motion** open the splash pad from May 26 to September 3, from 11am until 6pm, on Saturdays, Sundays and Wednesdays and on Memorial Day and Labor Day.

**10.5.1.1. Motion:** Mayor Pro Tem Trinidad

**10.5.1.2. Second:** Councilmember Parsons

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

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

**10.5.3. Motion:** **Passed**

**10.6. Discussed and considered action on creating a Facebook page for the Parks' Committee. *As requested by the Parks Committee***

Bell with the Parks and Recreation Committee gave a presentation about Facebook Groups.

Mayor Orr advised the City Council that social media utilized by the city must be recorded and maintained in the records for public information

He stated the possibility of a group not officially attached to the City of Cottonwood Shores.

The Parks Committee said the Facebook page would be a closed group and member requests would be fully vetted before allowing to become a member.

Councilmember Wayson commented it was a good idea, however there could be some legal complications and he recommended them to put a disclaimer being not affiliated with the City of Cottonwood Shores.

**10.6.1. Motion** to take no action

**10.6.1.1. Motion:** Mayor Pro Tem Trinidad

**10.6.1.2. Second:** Councilmember Hibdon

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

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

**10.6.3. Motion:** **Passed**

**9. Old Business:**

**9.1. Discussed and considered action on adopting Ordinance 10002 (Subdivision Regulations). *As requested by Staff***

Councilmember Wayson requested the item to be postponed until next meeting due to the amount of documents that were involved and the new councilmembers need to read it.

It was stated that all City Council comments must be submitted to City Administrator / City Secretary Sheila C. Moore no later than Tuesday in order for her to implement changes and place in the Council's packets. Mayor Orr stated it may be an item that would need to be in a workshop.

**9.1.1. Motion to postpone until next meeting**

**9.1.1.1. Motion:** Councilmember Wayson

**9.1.1.2. Second:** Councilmember Parsons

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

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

**9.1.3. Motion: **Passed****

**9.2. Discussed and considered action on fence covering the water plant. *As requested by Staff***

Councilmember Wayson stated he needed a little more time to put a presentation together.

**9.2.1. Motion to postpone to next meeting**

**9.2.1.1. Motion:** Councilmember Wayson

**9.2.1.2. Second:** Councilmember Hibdon

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

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

**9.2.3. Motion: **Passed****

**10. New Business:**

**10.1. Discussed and considered action on adopting Ordinance 13006 (Right of Way Maintenance). *As requested by Staff***

Mayor Orr opened by addressing the problems of culverts versus payments and not all citizens invoiced having complied.

Councilmember Wayson stated that he thought this was covered in a meeting and that was previously discussed to have a cost per linear foot.

City Administrator / City Secretary Sheila C. Moore addressed the issues and referred the item to the Texas Transportation Code and what was legally stated. It indicated a 90% fee based on the cost.

- 10.1.1. Motion postpone to next meeting
  - 10.1.1.1. Motion: Councilmember Wayson
  - 10.1.1.2. Second: Councilmember Parsons

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

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

10.1.3. Motion: **Passed**

**10.2. Discussed and considered action on adopting Resolution 715 (Establishing Signatories) for the City's depository accounts. *As requested by Staff***

Mayor Orr opened stating this Resolution was to change the signatories at Security Bank in order to add the new Councilmembers.

He stated it was the duties and responsibilities of all Councilmembers to be able to sign checks when required.

**10.2.1. Motion adopt Resolution 715 (Establishing Signatories) for the City's depository accounts.**

10.2.1.1. Motion: Mayor Pro Tem Trinidad

10.2.1.2. Second: Councilmember Thomas

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

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

10.2.3. Motion: **Passed**

**10.3. Discussed and considered action on amending Ordinance 1109 (Meetings and Decorum). *As requested by Staff***

Mayor Orr addressed the City Council and new councilmembers explaining why the ordinance needed to be amended. He pointed out that due to the limited number of seated City Council the city had agreed to hold a regular meeting every week if needed. Now, due to the fully seated Council, there was no need to continue this process.

**10.3.1. Motion to amend Ordinance 1109 (Meetings and Decorum) to 1<sup>st</sup> and 3<sup>rd</sup> Thursdays.**

10.3.1.1. Motion: Mayor Pro Tem Trinidad

10.3.1.2. Second: Councilmember Thomas

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

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

**10.3.3. Motion: Passed**

**10.4. Discussed and considered action on bus stops and bus stop parking. *As request by Chief of Police Liendo***

Police Chief Johnny Liendo addressed the City Council giving them information and requesting to move the bus stop from the corner of Driftwood Lane and Lakeview Drive on the Boat Ramp upper parking area thus making more parking for parents and children to gather in a safe manner.

Mayor Orr stated the Chief Liendo and he were going to meet with the Marble Falls ISD Superintendent and request moving the bus route to accommodate the new bus stop area.

Councilmember Wayson gave a presentation showing that there was a cut through road and the city could possibly purchase the lots the “cut through” road was on and build a City road.

**10.4.1. Motion** approve Mayor Orr and Chief Liendo to discuss moving the bus stop with Marble Falls School Officials.

**10.4.1.1. Motion:** Councilmember Wayson

**10.4.1.2. Second:** Councilmember Hibdon

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

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

**10.4.3. Motion: Passed**

**10.7. Discussed and considered action on amending Ordinance 4004 (Alcohol Sales) as it pertains to permit fees payment policy. *As requested by Staff***

City Administrator / City Secretary Sheila C. Moore addressed the City Council requesting Council amend the Ordinance as presented so that mixed beverage license holders would pay their fees annually on January 1<sup>st</sup> of each year, regardless when their renewal date was.

**10.7.1. Motion** amend Ordinance 4004 (Alcohol Sales) as it pertains to permit fees payment policy as stated.

**10.7.1.1. Motion:** Mayor Pro Tem Trinidad

**10.7.1.2. Second:** Councilmember Thomas

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

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

**10.7.3. Motion: Passed**

**10.8. Discussed and considered action on adopting Ordinance 3016 (Residential Rental Property Inspection) and Certificate of Habitability. *As requested by Staff***

Mayor Orr opened and presented the reasoning behind the ordinance which will help the community, tenants and citizens of the City. He stated that there would be no fee attached to this process. It was stated the turning on of our utilities would be a controlling method. The house or rental property would have to be inspected prior to any new water connection.

Chief Liendo stated that not all of the landlords but a few are not correcting serious problems within the rental structures.

City Administrator Moore stated that some of the rental property conditions were tragic and renters had a right to have a safe place to live. She presented a check list which would be a guideline for code enforcement to use. It was discussed this list may be changed or modified in the future.

**10.8.1. Motion** adopt Ordinance 3016 (Residential Rental Property Inspection) and Certificate of Habitability.

**10.8.1.1. Motion:** Mayor Pro Tem Trinidad

**10.8.1.2. Second:** Councilmember Hibdon

NAME	Yea	Nay	Abstain
Mayor Pro-Tem Trinidad	✓		
Councilmember Hibdon	✓		
Councilmember Parsons	✓		
Councilmember Thomas	<b>No Vote</b>		
Councilmember Wayson		✓	

**10.8.2. Vote:** Yea: 3      Nay: 1      Abstain:

**10.8.3. Motion:** **Passed**

**10.9. Discussed and considered action on adopting Ordinance 1108 (Flood Damage Prevention) – codification of existing Ordinance 216. *As requested by Staff***

**STRUCK BY MAYOR ORR**

**11. Future agenda items:**

- 11.1. Master Plan
- 11.2. Land Use (City Owned Property)
- 11.3. Ordinance 10002 (Subdivision Regulations)
- 11.4. Ordinance 13006 (Right of Way Maintenance)
- 11.5. Fencing at Water Plant
- 11.6. Bus Stop and Bus Stop Parking

**12. Adjournment:** 7:51 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 May 10, 2018



Attest:

*Sheila C. Moore*

Sheila C. Moore

City Administrator / City Secretary