

√ 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

REGULAR CITY COUNCIL MEETING MINUTES

**** NOTICE ****

The City Council held a regular meeting on Thursday, August 6, 2015 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 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.

Ms. Jean Langendorf addressed the council indicating some concerns regarding the zoning ordinance. She suggested the city has not been following the ordinance properly. She commented there have been manufactured homes being allowed in a non-manufactured R-1 zone.

5. Mayor's Report:

Minutes of the Regular Meeting of the City Council held on August 6, 2015

Mayor Orr presented an update on the Krumm Ranch Partners Development agreement. The council was reminded of the original agreement and request set for the dissolution of the original contract. Originally it was agreed that the company would provide the city with a letter of agreement of the terms set by the council. Conditionally on receiving a signed and notarized copy of an agreement from Scott Seaby or authorized signatory for the W.C.I.D. stating that the W.C.I.D. will be dissolved within two years, the city would formally dissolve and nullify the Krumm Ranch Partners Development agreement. The letter the city received from Scott Seaby did not fulfill the requirements the city had placed on the agreement. It was decided that the agreement will remain until such time the city's terms are met.

The city is prepared to pave pine and fir lanes on time. Burnet County has moved the starting date to the 24th instead of the 18th. This may have to be changed.

6. Consent Agenda:

6.1. Minutes from a Regular Meeting of the City Council held on July 16, 2015.

6.1.1. Motion to approve the July 16, 2015 minutes

6.1.1.1. Motion: Councilmember Porter

6.1.1.2. Second: Councilmember Satsky

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: 1

6.1.3. Motion: **Passed**

7. Old Business:

7.1. Discussed and consider action on amending Ordinance 8005 (Noise). As requested by Staff

Councilmember Wayson presented the changes he made to the noise ordinance. Councilmember Porter commented he was in favor of the proposal. Councilmember Satsky suggested a need for more information. Councilmember Wayson indicated that the police department may want to consider and purchase a decibel meter in the future to assist in the enforcement of the ordinance. Mayor Pro Tem Sherry questioned where a decibel level reading would be taken. It was determined at the nearest property line of the complainant. After further discussion a motion was made.

7.1.1. Motion to amend Ordinance 8005 (Noise) with modifications.

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: 5 Nay: 0 Abstain: 0

7.1.3. Motion: **Passed**

8. New Business:

8.1 Discussed and considered action on PUE Abandonment request for lots 12 and 13, Yellowstone Section. *As requested by Grant L. Stephenson*

Grant Stephenson presented his request for the relinquishment of easements. An issue was brought up in regards to drainage across the lots in question. Mayor Orr indicated he would like to wait and check on the flow of runoff water. He suggested obtaining Kallman Engineers or the assistance of Roger Wayson to see what may need to be done. Councilmember Wayson advised you need to observe the natural drainage and take grade readings. He advised he would assist in the project. After additional discussion it was agreed to postpone.

8.1.1. Motion to postpone until the August 20th meeting.

8.1.1.1. Motion: Councilmember Porter

8.1.1.2. Second: Mayor Pro Tem Sherry

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

8.1.3. Motion: **Passed**

8.2. Discussed and considered action on purchasing Filter Support Gravels and Media from Tonka Water. *As requested by Public Works Director Joey Krueger.*

Public Works Director Joey Krueger addressed the city council with the need to have some heavy maintenance preformed at the water plant. He added that the plant has not undergone this type of maintenance for several years. He requested approval for him to purchase the materials required for a cost around \$7,500.00. It was also mentioned the possible need to send out a letter or notification to all customers before the project is started. After lengthy discussion in amounts of material and other pertinent information a decision was reached.

8.2.1. Motion to allow up to \$8,000.00 for the purchase of Filter Support Gravels and Media from Tonka Water.

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: 5 Nay: 0 Abstain: 0

8.2.3. Motion: **Passed**

8.3. Discussed and considered action on approving the CWS proposed FY 2015-2016 Budget. *As requested by Staff.*

Mayor Pro Tem Sherry addressed the council and stated he thought the proposed budget was fair and accurate. Councilmember Wayson stated he could not see the need for any changes. After a short discussion a motion was made.

8.3.1. Motion to approve the FY 2015-2016 Budget

8.3.1.1. Motion: Mayor Pro Tem Sherry

8.3.1.2. Second: Councilmember Satsky

NAME	Yea	Nay	Abstain
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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 proposing a FY 2016 Tax Rate. *As requested by Staff.*

It was questioned about the tax rate and the roll back. Mayor Orr presented a proposing FY2016 Tax Rate. After discussion and confirmation on the amount of rates that would be charged it was agreed to accept for proposal the tax rate.

8.4.1. Motion to accept for proposal the FY2016 Tax Rate of 0.5438.

8.4.1.1. Motion: Councilmember Porter

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 assistance with culvert replacement. *As requested by Councilmember Wayson.*

Councilmember Wayson opened the discussion indicating the need to assist some of the residents that required culvert work or replacement. He suggested that possibly the city could assist the citizens with payment plans and other features to get culverts repaired. Mayor Pro Tem Sherry agreed, and suggested possibly getting city workers to assist and help. After deliberation the need for further information was agreed upon and a motion to postpone was presented.

8.5.1. Motion to postpone until next meeting August 20, 2015.

8.5.1.1. Motion: Councilmember Wayson

8.5.1.2. Second: Councilmember Porter

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 amending Permit Fee Schedule as it applies to inspections. *As requested by Staff.*

City Administrator / City Secretary Sheila C. Moore presented a request for changes to the Permit Fee Schedule. She submitted to change the base inspection fee to \$450.00 for 9 inspections, and additional inspections/re-inspections will be billed by inspector. It was suggested to eliminate some of the other fees and change the 180 day for completion under the Clean Up to 360 days. It was also suggested to remove the demolition fee and reduce the swimming pool (permanent fixture) to \$50.00. Councilmember Porter advised the council that the State only required 3 inspections. Ms. Moore informed the council that the company we are now utilizing requires 9 inspections to make sure the Building and Maintenance Codes are met. After additional discussion a decision was made.

8.6.1. Motion to amend Permit Fee Schedule as presented with changes

8.6.1.1. Motion: Councilmember Wayson

8.6.1.2. Second: Councilmember Trinidad

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 amending Ordinance 4008 (PEC Franchise). *As requested by Staff.*

After a short deliberation and discussion a motion was made.

8.7.1. Motion to amend Ordinance 4008 (PEC Franchise).

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: Nay: Abstain:

8.7.3. Motion: **Passed**

8.8. Discussed and considered action on appointing *The Highlander* as the City’s Newspaper of record for Fiscal 2015/2016. *As requested by Staff.*

City Administrator / City Secretary Sheila C. Moore addressed the council and informed them that two newspapers were approached to perform the duties required by the city. The Picayune and the Highlander. Only the Highlander responded back with a term of 1 year for the same amount. Being only one paper responded, it was agreed the Highlander should be utilized.

8.8.1. Motion to appoint The Highlander as the City’s Newspaper for Fiscal 2015/2016.

8.8.1.1. Motion: Mayor Pro Tem Sherry

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**

8.9. Discussed and considered action on amending Ordinance 14000 (Zoning) as it applies to accessory structures and clarification of definitions. *As requested by Staff.*

City Administrator / City Secretary Sheila C. Moore presented to the council some changes the Board of Adjustment wanted to make to the zoning ordinance. They wanted to move a section and relocate it to the R1 area of the zoning. Mayor Pro Tem Sherry suggested that this type of change may need to go to a public hearing and be placed in the newspaper. Mayor Orr addressed the changes the Board of Adjustment wanted to make and suggested these changes could be applied or moved to any of the sections. Jean Langendorf again reaffirmed her concerns on the zoning and definitions. Councilmember Porter suggested placing this topic into a workshop. After further discussion it was agreed that a workshop be set up to assess the changes that were requested or make modifications where needed. Mayor Orr requested all items to be address be itemized.

8.9.1. Motion to postpone amending Ordinance 14000 (Zoning).

8.9.1.1. Motion: Mayor Pro Tem Sherry

8.9.1.2. Second: Councilmember Trinidad

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

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

8.9.3. Motion: **Passed**

8.10. Discussed and considered action on adopting Resolution 684 (Nominating Members to the Board of Directors of the Burnet Central Appraisal District). *As requested by Stan Hemphill, BCAD Chief Appraiser.*

Mayor Orr addressed the council indicating that the city would probably accept anyone that Mr. Hemphill selected. After a brief discussion it was agreed upon to take no action.

8.10.1. Motion to take no action.

8.10.1.1. Motion: Councilmember Porter

8.10.1.2. Second: Mayor Pro Tem Sherry

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

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

8.10.3. Motion: **Passed**

8.11. Discussed and considered action on accepting Ken Nichols resignation from the Crime Control Prevention District. *As requested by Staff.*

After reviewing and acknowledging the letter of resignation by Mr. Nichols it was voted on for acceptance.

8.11.1. Motion to accept Ken Nichols resignation.

8.11.1.1. Motion: Mayor Pro Tem Sherry

8.11.1.2. Second: Councilmember Trinidad

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

8.11.2. Vote: Yea: Nay: Abstain:

8.11.3. Motion: **Passed**

8.12. Call for nomination of a new CCPD Boardmember. *As requested by Mayor Orr.*

Mayor Pro Tem Sherry nominated Keith LaRue to the CCPD Board.

Councilmember Trinidad addressed the council to nominate an individual but wanted to consult with them to see if they were willing to serve. City Administrator / City Secretary Sheila C. Moore informed the council that this issue needed to be decided tonight and voted on at the next meeting. No other nominations were presented.

8.13. Discussed and considered action on reappointing CCPD Boardmembers. *As requested by Staff.*

The two board members that are up for reappointment are Jim Bristow and Keith Patschke.

8.13.1. Motion to reappoint CCPD Boardmembers.

8.13.1.1. Motion:

8.13.1.2. Second:

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

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

8.13.3. Motion: **Passed**

9. Convene into Executive Session of the City Council of the City of Cottonwood Shores:

Convened into Executive Session at 7:50 p.m.

9.1 Convene into Executive Session pursuant to Section 551.074 of the Texas Government Code for discussion of personnel matters and to deliberate the appointment, employment, evaluation, compensation or reassignment of the City Administrator / City Secretary.

9.2 Re-convene into open session and take action of Item 9.1:

Re-Convened into open session at 9:10 p.m. by Mayor Orr.

9.2.1. Motion to continue employment of current city administrator and authorize the mayor to adjust such compensation as is correct.

9.2.1.1. Motion: Councilmember Porter

9.2.1.2. Second: Councilmember Satsky

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

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

9.2.3. Motion: **Passed**

10. Future agenda items:

ORIGINAL

- 10.1 Road Exchange (Abandonment & Exchange)
- 10.2 PUE Abandonment (Yellowstone – Lots on Lakeview)
- 10.3 Culvert Ordinance (13002)
- 10.4 Zoning Ordinance (14000) Workshop
- 10.5 Voting Procedures

11. Adjournment: 9:15 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 August 6, 2015.

Attest:



Bobby Herrin

Bobby Herrin
Deputy City Secretary