

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, December 03, 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.

Mayor Orr requested a motion to move Agenda Item 4.0. to the end of the meeting due to a teleconference with the City Attorney.

Motion to move 4.0. to the end of the meeting.

Motion: Councilmember Porter

Second: Mayor Pro Tem Sherry

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

Councilmember Wayson	✓		
Vote: Yea: 4	Nay: 0	Abstain: 0	
Motion: Passed			

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.

Fire Chief Travis Hockensmith addressed the Council and Audience informing them of the upcoming event “Christmas for Kids” on December 12th. He also asked if the city was going to participate this year. He was advised the city would be ready.

6. Presentation of Outstanding Citizen Award for 2015 -Jim Bristow

Councilmember Wayson opened the presentation with the dedication of the city hall plaque to be hung in the front lobby. He then announced Jim Bristow as the 1st Outstanding Citizen of the City of Cottonwood Shores.

Mayor Orr echoed the many over and beyond, selfless services Jim has provided the City and then presented him with the Outstanding Citizen Award 2015.

7. Mayor’s Report

Mayor Orr addressed the council and informed them he had turned over our financials to the auditor, earlier than last year, and would present a 2 month financial report for discussion at a later date.

City Administrator / City Secretary Sheila C. Moore addressed the council to remind them of the upcoming Election Day on May 7th. She stated registration would start on January 20th, 2016 for anyone interested in running for a place on the ballot and registration would cease on February 19, 2016. The places up for election next year are Place 1, Place 3, and Place 5.

Ms. Moore also informed the council that the City’s current Water Conservation Plan was out of date, per LCRA. She has the new rules and a template for updating the. Mayor Orr advised he would work up the plan for the next Council meeting.

8. Consent Agenda:

8.1. Minutes from a Regular Meeting of the City Council held on November 19, 2015.

8.1.1. Motion to approve November 19, 2015 minutes

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: 3 Nay: 0 Abstain: 1

8.1.3. Motion: **Passed**

9. Old Business

9.1 Discussed and considered action on CWSVFD Contract 2015-2016. *As requested by Staff.*

Roger Wayson, the City’s VFD liaison brought the VFD’s requested changes to the City Administrator on Tuesday the 1st of December.

Fire Chief Travis Hockensmith presented the changes to the Council, which included allowing CPAT certification as per the CWSVFD Instructor and liaisons to verify. The VFD also requested that the following 2 sentences be deleted from the contract: “The CWSVFD will maintain in its Charter a clause to protect needed equipment upon dissolution” and “Any attempt to modify this Charter clause will result in termination of this contract”.

Mayor Pro Tem Sherry had concerns and suggested the possibility of postponing until later date to consult with the City attorney and allow more discussion.

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Mayor Orr informed the Cottonwood Shores Volunteer Fire Department that the city did not have a current copy of their by-laws as requested in the past and that he believed the Charter clauses needed to stay as the VFD could change their charter without the City being aware . Fire Chief Hockensmith assured the city that they would send a copy of the current by-laws to the city.

Mayor Pro Tem Sherry made a motion to take to the lawyers and move to 2nd meeting in January. Before a second Mayor Pro Tem Sherry withdrew his motion and a new motion was made.

9.1.1. Motion to take no action

9.1.1.1. Motion: Mayor Pro Tem Sherry

9.1.1.2. Second: Councilmember Satsky

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

9.1.2. Vote: Yea: 1 Nay: 3 Abstain: 0

9.1.3. Motion: **Not Passed**

9.1.1.a Second Motion to allow the CPAT clause to be amended but not the Charter clause as discussed and for the CWSVFD to bring back within 30 days to be initialed by both parties.

9.1.1.a.1 Motion: Councilmember Porter

9.1.1.a.2 Second: Mayor Pro Tem Sherry

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

9.1.1.2.a. Vote: Yea: 3 Nay: 1 Abstain: 0

9.1.1.3.a. Motion: **Passed**

10. New Business:

10.1. Discussed and considered action on LCRA Drought Surcharge. *As requested by Councilmember Wayson.*

Mayor Orr addressed the council and informed them of his intent to drop the surcharge from customer's utility bills when LCRA dropped it from firm water customers. Councilmember Wayson concurred with Mayor Orr and made a motion.

10.1.1. Motion to drop the LCRA surcharge from utility bills when LCRA drops it from the city's bill.

10.1.1.1. Motion: Councilmember Wayson

10.1.1.2. Second: Mayor Pro Tem Sherry

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

10.1.2. Vote: Yea: 4 Nay: 0 Abstain: 0

10.1.3. Motion: **Passed**

10.2. Discussed and considered action regarding plan checks for new construction in Castle Terrace as it relates to the POA. *As requested by Councilmember Porter.*

Mayor Orr consulted with the city attorney Elliott Barner who advised not to get involved in this process under no condition. Wrong information presented by the city could reflect back to the city. Councilmember Porter stated he would like to only see a place on the city's check list stating to check with any POA regulations that may be in effect in the area you wish to build. Councilmember Wayson suggested to put an asterisk (*) and at the bottom of the form stating some area's may have a POA which may have additional requirements. Manny Trinidad stated he had just purchased some lots and the title company did not include any POA criteria on his paperwork.

10.2.1. Motion to take no action

10.2.1.1. Motion: Councilmember Porter

10.2.1.2. Second: Mayor Pro Tem Sherry

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

10.2.2. Vote: Yea: 4 Nay: 0 Abstain: 0

10.2.3. Motion: **Passed**

10.3. Discussed and considered action on amending Ordinance 3002 (Recreational Vehicles). *As requested by Staff.*

City Administrator / City Secretary Sheila C. Moore opened the discussion indicating the reasons to amend the current ordinance. She stated that Bobby Herrin had worked on the ordinance and could answer more questions. She addressed the need to help clean up the city by having the recreational vehicles registered, licensed, placed behind the structure, fenced or removed from the city. Bobby Herrin addressed the council and presented his research behind the ordinance and answered questions from the council. Bobby also indicated the need for a 24 to 48 hours parking clause that most cities have. Councilmember Wayson suggested Councilmember Porter and Bobby get together, review and workout any changes. Mayor Orr suggested for anyone having input to contact the city with it.

10.3.1. Motion to allow Councilmember Porter and Bobby Herrin to get together, review and workout changes and bring back to the council at next meeting.

10.3.1.1. Motion: Councilmember Wayson

10.3.1.2. Second: Councilmember Porter

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

10.3.2. Vote: Yea: 4 Nay: 0 Abstain: 0

10.3.3. Motion: **Passed**

10.4. Discussed and considered action on Ordinance 1126 (Computer Equipment Usage Policy) As requested by Staff.

After consultation with city attorney Elliot Barner, it was decided a need for an ordinance for the usage of computers. Councilmember Wayson suggested following the Hatch Act and also changing the title to say approving computer equipment and usage policy. City Administrator / City Secretary Sheila C. Moore suggested removing section 3 regarding all city equipment be approved by Council and Councilmember Porter suggested removing section 12 regarding evaluation of equipment.

10.4.1. Motion to adopt Ordinance 1126 (Computer Equipment Usage Policy) with changes including amending title and removing Sections 3 and 12.

10.4.1.1. Motion: Councilmember Porter

10.4.1.2. Second: Mayor Pro Tem Sherry

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

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

10.4.3. Motion: **Passed**

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

4.1 7:14 pm Convened into Executive Session pursuant to Section 551.071 of the Texas Government Code to discuss procedural matters within the Attorney/Client Privilege in regard to Ordinance 8001.

4.2 7:36 pm Re-convened into open session and take action of Item 4.1:

4.2.1. Motion to repeal Ordinance 8001 and hold in archives.

4.2.1.1. Motion: Mayor Pro Tem Sherry

4.2.1.2. Second: Councilmember Porter

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

4.2.2. Vote: Yea: 4 Nay: 0 Abstain: 0

4.2.3. Motion: **Passed**

11. Future agenda items:

- 11.1** Plan presentation for Police Department and City facilities – Councilmember Porter.
- 11.2** Ordinance 3002 (Recreational Vehicles)
- 11.3** Ordinance 8005 (Noise)

12. Adjournment: 7:38 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 December 3, 2015.

ORIGINAL



Attest:

Bobby Herrin

Bobby Herrin
Deputy City Secretary