

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, April 2, 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 | 6:02 | | |
| Councilmember Trinidad | 6:07 | | |
| 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.

No comments.

5. Mayor's Report:

Mayor Orr informed the council and citizens about his letter that was sent out in the newsletter with the water bills regarding the financial status and progress of the City. He also noted that the council has discussed and made a decision to start moving towards an integrated accounting system for the City. He advised the council that the new server was up and running. The changeover was with minimal complications.

Minutes of the Regular Meeting of the City Council held on April 2, 2015

6. Consent Agenda:

6.1. Minutes from a Regular Meeting of the City Council held on March 19, 2015.

6.1.1. Motion to approve March 19, 2015 minutes

6.1.1.1. Motion: Councilmember Porter

6.1.1.2. Seconded: Councilmember Satsky

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

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

6.1.3. Motion: **Passed**

7. Old Business:

7.1. Discussed and considered action on amending Ordinance 3003 (Permits) regarding Plan Review

Process for residential and commercial projects. *As requested by Councilmember Porter*

Changes were submitted by both Councilmember Porter and Mayor Pro-Tem Sherry in regards to the plan review process. Councilmember Porter addressed his concerns and presented his options. Mayor Pro-Tem Sherry suggested keeping the process simple and suggested only minor changes to the current process. At the closing statements Mayor Orr submitted his comment in agreement to include all of the issues Councilmember Porter presented to the council. It was mentioned that the council needs to define our items and not leave it to the code enforcement officer. The length of a building permit needs to be changed to 365 days. Mayor Pro-Tem Sherry indicated he would like for the builder or property owner to sign off on the permits.

Councilmember Wayson made a motion to accept Councilmember Porters option with the following amendments. Impervious cover not to exceed 60% on total lot size, 365 days to complete construction, and to include caveat for homeowner to sign off on. Councilmember Porter seconded with discussion. Councilmember Porter recommended accepting 50% on lot size. Councilmember Wayson accepted amendment to his motion.

7.1.1. Motion to amend Ordinance 3003 (Permits) regarding Plan Review Process.

7.1.1.1. Motion: Councilmember Wayson

7.1.1.2. Seconded: Councilmember Porter

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

7.1.2. Vote: Yea: 3 Nay: 2 Abstain:

7.1.3. Motion: **Passed**

7.2. Discussed and considered action on a policy for lot combinations. *As presented by Councilmember Wayson and City Administrator Moore*

Councilmember Wayson suggested the verbiage be changed to easement relinquishment and presented information on how he believed the process should be handled. Councilmember Porter addressed the easement relinquishment problem and mentioned the need to have a letter from Pedernales Electric Coop, Northland Cable or any other utility service provider utilizing the easements, to relinquishment or agree to relinquishment their easements also. Mayor Pro-Tem Sherry indicated the proposal seemed to be aggressive and his desire was for the City to encourage people to move in not discourage them. City Administrator / City Secretary Sheila C. Moore reestablished to the council the current policy that is being utilized at this time. Per our zoning Ordinance the lot lines are protected until the land is re-platted and on file with the county, meaning no property owner may build close to or across any property line until they have the said property re-platted. Mayor Orr suggested putting in place easement abandonment to start with and letting our zoning Ordinance handle the second step making them obtain a re-plat through the county.

7.2.1. Motion to assign Mayor Orr to get the City Attorney’s opinion on the relinquishment of easement/replat process and include a grandfather clause.

7.2.1.1. Motion: Councilmember Porter

7.2.1.2. Seconded: Mayor Pro-Tem Sherry

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

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

7.2.3. Motion: **Passed**

7.3. Discussed and considered action on amending Ordinance 3010 (Building Regulations) regarding lot combination verbiage. *As requested by Councilmember Wayson*

Due to the necessity of obtaining information from the City attorney on 7.2, it was motioned to postpone this item as it relates to the same topic.

7.3.1. Motion to postpone until City Attorney provides and opinion on Item 7.2

7.3.1.1. Motion: Councilmember Wayson

7.3.1.2. Seconded: Mayor Pro-Tem Sherry

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

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

7.3.3. Motion: **Postponed**

7.4. Discussed and considered action on adopting Resolution 680 (Permit Fees Rebate). *As requested by Mayor Pro-Tem Sherry.*

Mayor Orr stated he would still like the water and wastewater tap fees not be included in the rebate offer as \$1,000 of each tap fee goes into a reserve account for future infrastructure. Mayor Pro-Tem Sherry wanted 50% of all permit fees rebated. Mayor Orr countered to rebate 100% of all permit fees except water and sewer tap fees. Councilmember Wayson and Councilmember Trinidad agreed with keeping the tap fees and rebate the rest. After a lengthy discussion the following motion was made.

7.4.1. Motion to adopt Resolution 680 by rebating 100% of the building permit fees and none of the water and sewer tap fees and continue to charge the inspection fees.

7.4.1.1. Motion: Councilmember Porter

7.4.1.2. Seconded: Councilmember Satsky

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

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

7.4.3. Motion: Passed

8. New Business:

8.1. Discussed and considered action on Water/Wastewater rates. As requested by Financial Director Orr

Mayor Orr presented two rate increase options as was requested by Council at the workshop meetings. Mayor Orr indicated that the cost increase from Horseshoe Bay removed the margin of income the City of Cottonwood Shores was obtaining from the wastewater portion of our billing. In 2012 and early 2013 this increase was first recognized and the mayor and council and at that time neglected to take proper action and initiate an increase. Mayor Orr presented and recommended to the council to increase the wastewater portion of the bill up \$2.00 per customer and leave the water rates as is. Mayor Orr also presented the CPI costs (\$1.85 increase on both water and wastewater) as requested. Councilmember Wayson indicated the cost to the citizens would be less with the CPI increase. Councilmember Wayson informed the council he liked the figures shown within the CPI cost. Councilmember Porter also indicated his acceptance towards the figures in both the water and wastewater CPI cost increases. Mayor Pro-Tem Sherry indicated he would like to initiate the \$1.40 on the wastewater and leave the water alone, and also asked that if CPI goes down will the rates also go down. Councilmember Trinidad indicated she would like to change the wastewater increase to \$1.25 and leave the water alone. Councilmember Wayson addressed the City in the past has tried to keep real costs and showed the citizens the need to go ahead and increase all with the CPI option. Citizen Jim Bristow suggested the council adopt a \$2.00 per month rate added to the wastewater bills because of wastewater increase from Horseshoe Bay and this could be justified with a cost of living increase. Mayor Pro-Tem Sherry pointed out the City of Cottonwood Shores reserve has gone from \$0.00 two years ago to approximately \$12,000.00 currently.

8.1.1. Motion to accept the CPI Alternate Proposal of total \$1.85 water and wastewater rate increase

8.1.1.1. Motion: Councilmember Wayson

8.1.1.2. Seconded: Councilmember Porter

| 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 amending Ordinance 1112 (Emergency Mgmt. Plan). As requested by Staff.

City Administrator / City Secretary Sheila C. Moore presented to the council the need to update Ordinance 1112 so the City will be in compliance with the National Incident Management System. Councilmember Wayson advised Ms. Moore that the council was not mentioned in the Ordinance modification and wanted to know if they were still required to take the courses required. It was clarified the council still must follow the National Incident Management System protocol and it will be corrected to include the council. Mayor Pro-Tem Sherry commented he would like to add under section 8, "it shall be unlawful for any emergency management organization to issue a rule, regulation or regulations that varies with the United States or State of Texas Constitutions."

8.2.1. Motion to amend Ordinance 1112 (Emergency Management Plan) as discussed

8.2.1.1. Motion: Councilmember Porter

8.2.1.2. Seconded: 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 amending Ordinance 5001 (Outdoor Burning). *As requested by Staff.*

City Administrator / City Secretary Sheila C. Moore presented her recommendation to amend Outdoor Burning Ordinance 5001. Councilmember Wayson requested burning of cardboard boxes be removed and let the people utilize the recycle bin for those. The council was informed that recycling was still a cost to the City and City Administrator requested the Council be more liberal with the burning regulations. It was pointed out changes were based on TCEQ regulations.

8.3.1. Motion to amend Ordinance 5001 (Outdoor Burning) as presented with changes as discussed.

8.3.1.1. Motion: Mayor Pro-Tem Sherry

8.3.1.2. Seconded: Councilmember Trinidad

| NAME | Yea | Nay | Abstain |
|------------------------|-----|-----|---------|
| 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 tires at P-Squared Park. *As requested by Staff.*

Commissioner Wendy Wayson (Parks and Recreation Commission) addressed the council and informed them that the Parks and Recreation Commission had submitted an email stating the issue with the tires at P-Squared Park and that Chairperson Whitis was in charge of handling the situation. He indicated the tires could be covered up. Mayor Orr advised the council this was a Parks and Recreation problem and suggested the council urge the Parks Commission to make this issue a priority. The cost of removal of the tires was presented at \$1.75 per tire for passenger size that is clean, not filled with dirt.

8.4.1. Motion to postpone until Parks and Recreation Commission comes to Council with a proposal

8.4.1.1. Motion: Councilmember Wayson

8.4.1.2. Seconded: Councilmember Trinidad

| 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: **Postponed**

8.5. Discussed and considered action on Aspen Park fencing. *As requested by Parks Commission.*

Commissioner Wendy Wayson presented a request to the council for monies to add a fence around the basketball court and around a valve that could be a hazard to the public at Aspen Park. She indicated the cost to be around \$900.00.

8.5.1. Motion to allocate up to \$1,000.00 to complete the fencing around the basketball court and the two drainage areas.

8.5.1.1. Motion: Councilmember Wayson

8.5.1.2. Seconded: 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 adopting Resolution 681 (Burnet County Child Abuse and Awareness Month). *As requested by Staff.*

8.6.1. Motion to adopt Resolution 681

8.6.1.1. Motion: Mayor Pro-Tem Sherry

8.6.1.2. Seconded: Councilmember Satsky

| 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

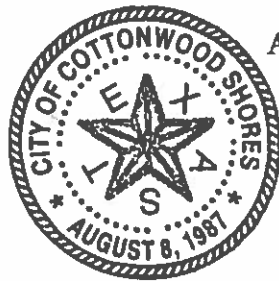
8.6.3. Motion: **Passed**

9. Future agenda items:

- 9.1 Citizens Discussion at the end of Meetings
- 9.2 Change acronym CWS to CCS

10. Adjournment: 8:15 pm

The preceding document is a true and accurate reflection of the minutes of the Regular City Council Meeting of the City of Cottonwood Shores, held on April 2, 2015.



Attest:

Sheila C. Moore

 Sheila C. Moore
 City Administrator/City Secretary