

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, January 5, 2017 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
2. Roll Call

NAME	PRESENT	ABSENT EXCUSED	ABSENT UNEXCUSED
Mayor Orr	✓		
Mayor Pro-Tem Sherry	✓		
Councilmember Satsky	✓		
Councilmember Trinidad	6:01		
Councilmember Porter	✓		
Councilmember Wayson	✓		

City Administrator/ City Secretary Sheila C. 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. PUBLIC HEARING

THE CITY OF COTTONWOOD SHORES CITY COUNCIL HELD A PUBLIC HEARING TO RECEIVE CITIZEN COMMENT REGARDING THE 2017/2018 TEXAS COMMUNITY DEVELOPMENT PROGRAM AND THE CITY'S POSSIBLE APPLICATION FOR FUNDING UNDER THE 2017/2018 TX CDBG PROGRAM

Mayor Orr opened the hearing at 6:01 p.m.

Gandolf Burris presented to the council and audience information regarding the hearing and answered questions towards the application for the funding program.

Mayor Orr closed the hearing at 6:08 p.m.

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.

Marley Porter addressed the council and audience as a private citizen. In his address he submitted his resignation as a councilmember.

Mayor Orr stated that he would cover the steps in the resignation process for a councilmember in his report.

6. Mayor’s Report

Mayor Orr addressed the council and audience and explained the steps in the resignation process for a council member. In the government election code it is not allowed for the City Council to not accept a resignation. He stated at the January 19th, meeting he would place on the agenda to vote to accept the resignation. This will be for public records only.

Mayor Orr stated that at the next City Council meeting the council will need to nominate and vote on an appointment to replace Councilmember Porter.

Mayor Orr also advised that the grant for the TDWB would be closing on January 12, 2017 however this completion of the project could possibly take up to 2 years.

PUD Development Agreements with New Castle Rock Development, LLC and SuI Lago Enterprises, LP (dba On the Rocks) is close to completion.

The city has sent the paperwork to the auditors for them to complete the audit.

City Administrator / City Secretary Sheila C. Moore presented reports for the Code Enforcement Department, Cottonwood Shores Volunteer Fire Department and Police Department.

7. Consent Agenda

7.1. Minutes from a Special Workshop Meeting of the City Council held on December 1, 2016

7.2. Minutes from a Regular Meeting of the City Council held on December 1, 2016

7.1.1. Motion to approve the Consent Agenda minutes

7.1.1.1. Motion: Mayor Pro Tem Sherry

7.1.1.2. Second: Councilmember Porter

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 Resolution 695 authorizing the submission of a 2017/2018 Texas Community Development Block Grant Program application to the Texas Department Of Agriculture for the Community Development Fund; and authorizing the Mayor to act as the City’s Executive Officer and Authorized Representative in all matters pertaining to the City’s participation in the Texas Community Development Block Grant Program. *As requested by GDS*

Mayor Orr and Gandolf Burrus answered questions regarding the grant vs resolution to help clarify the application process and there will be a match included in the grant.

This grant is a modification to our existing plant. We must have the monies secured from TWDB before the CDBG grant can be obtained.

Councilmember Wayson questioned some of the verbiage in the grant.

8.1.1. Motion to adopt Resolution 695

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 PUE relinquishment request for easements between lots 411 Birch Lane and 370 Aspen Lane, Driftwood Section. *As requested by Kathleen Simpson*

Ms. Simpson explained the reason they would like to combine the two lots. They want to build a house on one of the lots and put a shed on the other lot providing storage.

The request for the relinquishment of easement was discussed however after confirming that a water line existed between the two lots to be combined the council decided to not abandon the easements in question. It was however decided that the approval for the combination of the lots would be granted and the city would keep the 10 foot easement between them. The owners were informed that they would not be able to build or construct anything on these two easements.

8.2.1. Motion to allow the combination of lots 411 and 370 but retain the 10 foot easement between them.

8.2.1.1. Motion: Councilmember Porter

8.2.1.2. Second: Councilmember Wayson

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 adopting Resolution 694 – Texas Scenic Highways Beautification. *As requested by Citizens for Scenic Texas Highways*

City Administrator / City Secretary Sheila C. Moore addressed the City Council and audience providing information on the Hwy 71 / Hwy 281 beautification and why Council should adopt the resolution.. She also stated a few of the surrounding cities that had already agreed to participate in the support.

Mayor Pro Tem Sherry along with other councilmembers agreed with the beautification process.

8.3.1. Motion to adopting Resolution 694 – Texas Scenic Highways Beautification

8.3.1.1. Motion: Mayor Pro Tem Sherry

8.3.1.2. Second: 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 Code Enforcement. *As requested by Staff*

Mayor Orr opened the discussion regarding the Code Enforcement Official and presented some of the pros and cons of this position. He also explained that due to the number of hours the code official was working (10 hours) weekly it was extremely hard to fulfill all expectations.

Mayor Pro Tem Sherry stated that he had received very positive information regarding the code official and that the City was where it needed to be.

Councilmember Wayson stated that the code official was accomplishing his goals.

Councilmember Porter indicated that the process of the code official was slightly effecting the wildlife in the area due to the requested removal of natural habitats, he also indicated the importance of working with the commercial properties better and possibly utilizing a softer approach.

Citizen Justin King commented on his encounter with the code official.

8.4.1. Motion to take no action

8.4.1.1. Motion: Mayor Pro Tem Sherry

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 status of Parks and Recreation Commission. *As requested by Mayor Orr*

Mayor Orr opened the discussion regarding the parks commission.

City Administrator / City Secretary Sheila C. Moore addressed the City Council on the need for meetings, minutes, reports, etc. per Ordinance..

The mayor had asked the commission to present a status report to the City Council. This was sent via email.

Grant Administrator Karrie Cummings informed the City Council of the impending closure of the Parks Grant. These will soon be finalized, just waiting for the final paperwork from TDA.

Councilmember Wayson addressed the City Council with a positive towards the Parks and Recreation and them fulfilling their obligation of completing the grants..

Councilmember Porter agreed with Councilmember Wayson in this aspect however stated that there was always work or projects that needed to be accomplished or completed with all of the parks.

Citizen Karla Held questioned what the parks and recreation was going to do in the future.

After further discussion, Mayor Orr stated he would get with the current Chairman and attempt to establish a plan and report the outcome to the council at the next City Council meeting.

8.6. Discussed and considered action on Development Permits SOP. *As requested by Councilmember Porter*

Mayor Orr addressed the City Council stating that Rich Emerson with ATS Engineers and himself have been working together and developed a SOP for the Development Permit Application Process.

Mayor Orr discussed the process of the SOP for a “fast track” foundation only permit along with a waiver that the developer must sign indicating they will not hold the city liable. Councilmember Porter stated he would like to see added site development and foundation to the SOP. The city attorney will be contacted to generate a waiver that the developer must sign to release the city of liability. All of the councilmember were in favor of the SOP as discussed.

8.6.1. Motion to adopt the Development Permits SOP with changes that have been discussed.

8.6.1.1. Motion: Mayor Pro Tem Sherry

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: 4 Nay: 0 Abstain: 1

8.6.3. Motion: Passed

8.7. Discussed and considered action on Mowing of City’s ROW’s SOP. *As requested by Councilmember Porter*

City Administrator / City Secretary Sheila C. Moore presented to the council a SOP for the mowing of all city right-of-ways. Included in the example and SOP was information as to when the State of Texas Department of Transportation and Burnet County mowed their right-of-ways.

Councilmember Wayson questioned the December date and stated that this time of year would not possibly require mowing of the right-of-ways. Councilmember Wayson suggested utilizing this time for maintenance of the ditches within right-of-ways.

8.7.1. Motion to accept the Mowing of City’s ROW’s SOP with changes in December.

8.7.1.1. Motion: Councilmember Wayson

8.7.1.2. Second: Councilmember Porter

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

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

8.7.3. Motion: Passed

9. Unfinished Business

9.1. Updated on Dark Sky meeting with Cindy Cassidy, IDA Texas Section Leader

Cindy Cassidy and her husband came and toured the city and indicated that they were impressed. They suggested some small changes and examples of them. It was mentioned at the Skate Park the bulbs could be reduced in wattage.

It was mentioned that IDA was working with PEC developing lights and fixtures that comply with dark sky for street lights.

City Administrator / City Secretary Sheila C. Moore stated that she has been attempting to contact Cindy by email for quite some time now and has had no response. Ms. Moore stated she needed an application and was unable to locate it.

Councilmember Wayson stated he had the application and would send it to her.

9.2. Discussed and considered action on Heavy Equipment Ordinance. *As presented by Councilmember Porter*

No ordinance was presented.
This ordinance will cover heavy equipment sitting in residentially zoned areas.
After discussion a motion was made.

9.2.1. Motion to direct staff to develop an ordinance and present to the City Council.

9.2.1.1. Motion: Councilmember Trinidad

9.2.1.2. Second: Mayor Pro Tem Sherry

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

- 10.1. Marley Porter Resignation
- 10.2. Library – January 19
- 10.3. Workshop – Police Policy – January 25 – Special Meeting @ 6:00 p.m.
- 10.4. Development Agreement – Castle Rock Partners – January 19
- 10.5. Development Agreement – On the Rocks – January 19
- 10.6. Parks Commission – Call for Nominations – January 19
- 10.7. CCPD – Call for Nominations – January 19
- 10.8. Heavy Equipment Ordinance

11. Adjournment 7:55 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 January 5, 2017.



Attest:

Bobby Herrin

Bobby Herrin
Deputy City Secretary