

**TOWN OF SHADY SHORES  
REGULAR TOWN COUNCIL MEETING  
MARCH 14, 2016, 7:00 PM  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**MINUTES**

Cindy Aughinbaugh	Mayor Pro Tem	Present
Charles Grimes	Councilmember	Present
Matthew Haines	Councilmember	Present
Paula Woolworth	Councilmember	Present
Tom Newell	Councilmember	Present

**Also Present:** Wendy Withers, Town Secretary; Amber Schuler, Deputy Town Secretary; Jim Shepherd, Town Attorney

**1. CALL TO ORDER**

Mayor Pro Tem Cindy Aughinbaugh called the meeting to order at 7:00 pm.

**2. ROLL CALL**

Establish a quorum.

Mayor Pro Tem Cindy Aughinbaugh called the roll and a quorum was established for the record.

**3. PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)**

**4. COUNCILMEMBER/COMMITTEE/STAFF REPORTS:**

**4.I. MONTHLY REPORTS:**

- A. Community Events (Mindy Grimes) - Chairman Mindy Grimes gave the community events report.
- B. Keep Shady Shores Beautiful (Ashlea Grimes)- Chairman Ashlea Grimes reported that

the committee was preparing for the Great American Clean-Up. In addition they were working on a proclamation for the Mayors Monarch Pledge.

C. Animal Control (Grimes)- Councilmember Charles Grimes gave the animal control report.

D. Code Enforcement (Grimes)- Councilmember Charles Grimes gave the code enforcement report.

E. Police Report (Haines)-Councilmember Matthew Haines gave the police report.

F. Fire Report (Woolworth)—Councilmember Paula Worth gave the fire department report.

G. Planning and Zoning Report (Lea)- Commissioner Rebecca Morgan reported that the Planning and Zoning Commission had begun work on revising the Subdivision Ordinance as well as the Overnight Parking Ordinance that was to be discussed later in the meeting.

H. Staff Report (Withers)- Town Secretary Wendy Withers gave the staff report.

I. Road Repairs and Flooding Issues Update

1. Meadowlark Culvert Update
2. Other drainage issues updates

J. Announcements

1. Great American Clean Up; April 9, 2016

2. Town Hall Closed March 25, 2016 in observance of Good Friday

**Documents:** [February 2016.pdf](#), [SS Police Activity 2016.pdf](#)

## 5. CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

A. February 2016 Financial Reports

B. Minutes of the January 27, 2016 Special Called Meeting

C. Minutes of the February 8, 2016, Regular Town Council Meeting

D. Minutes of the February 22, 2016, Special Called Meeting

E. Approval of an Ordinance Canceling the May 7, 2016 General Election

**ORDINANCE 288-03-2016**

**Documents:** [February 2016 Financial Reports.pdf](#), [CC 01.27.2016.docx](#), [CC MInutes 02.08.2016.pdf](#), [CC Minutes 02.22.2016.docx](#), [Cancelation of May 2016 Election2.pdf](#), [Cancelation of May 2016 Election2 \(3\).pdf](#)

Matthew Haines made a motion to approve the items on the consent agenda as presented. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## 6. CITIZENS COMMENTS-PURSUANT TO THE STATE OF TEXAS OPEN MEETINGS STATUTE:

The governing body of the Town of Shady Shores may not take action on items not posted on the agenda. Those items mentioned by citizens may be placed on a future agenda.

There was no one signed up to speak.

## 7. SOLID WASTE PROPOSALS

Consider and take action relative to accepting a proposal for Solid Waste Disposal and Recycling Services. Representatives from Waste Management and Community Waste Disposal (CWD) will be present to make a presentation.

**Documents:** [Agenda Memo Solid Waste Collection 03.10.2016.pdf](#), [bid tabulations RFP Garbage 03.10.2016.pdf](#)

Bill Kruger 103 Cielo Lane stated that he had questions about the recycling issues that had occurred with Waste Management.

Greg Roemer, president and owner of Community Waste Disposal (CWD) was present and gave a presentation of CWD and the services it provides.

TJ Gilmore of Waste Management was present and gave a presentation relative to the company and the services it provides.

Councilmember Matthew Haines asked Mr. Gilmore to give an overview of the recycling issues that occurred in January 2014. Rick Losa, Director of Public Sector Solutions, reported to the council that over a period of two years approximately 40% of recycling loads were purposely not taken to the recycling center and instead were disposed of in the regular landfill. Mr. Losa stated that Waste Management was currently working on a credit allocation that would be favorable to all affected entities.

Councilmember Haines stated that he had personally observed drivers placing recycling in the same trucks as the trash on more than one occasion.

Councilmember Grimes also related customer service issues that he had experienced with Waste Management.

Matthew Haines made a motion to accept the proposal submitted by Community Waste Disposal with the Town of Shady Shores providing the billing services; pending successful negotiation of a contract. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **8. FIRE DEPARTMENT CONTRACT**

Receive information regarding the Fire Department Contract and upcoming negotiations.

**Documents:** [Memo Overnight Fire Department Contract Negotiations 03.10.2016.pdf](#),  
[preliminary proposals for numbers.pdf](#)

Mac Hohenberger with the Argyle Fire Department gave a presentation on the Emergency Services District #1.

There was no action taken on this agenda item.

## **9. CODE ENFORCEMENT SERVICES**

Consider and act on accepting a proposal for Code Enforcement Services.

**Documents:** [Code Enforcement Services 03.08.2016.docx](#)

A discussion was held regarding current code enforcement processes.

Tom Newell made a motion to table this agenda item for 30 days to allow time to correct deficiencies in the code enforcement process. Matthew Haines seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **10. BUDGET COMMITTEE**

Consider and act on appointing council members to serve on a Budget Committee.

Committee members will work together to compile information; prepare and present preliminary budget information.

**Documents:** [Agenda Memo Budget Committee 03.14.2016.pdf](#)

Matthew Haines made a motion to appoint Cindy Aughinbaugh and Paula Woolworth to work with staff on the budget committee. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **11. GOVERNANCE POLICY AMENDMENT**

Consider and take action relative to revising the Governance Police to include a provision setting a spending limit for Mayor approval of routine expenditures within the limits of the municipal budget.

**Documents:** [Agenda Memo Amendment to the Governance Policy.pdf](#), [Governance Policy Approved Final 07.13.2015 amended 03.01.2016.pdf](#)

A discussion was held relative to amending the governance policy to set a spending limit for non-routine purchases. Council members agreed that there was no need to amend the policy at the current time and no action was taken on this agenda item.

## **12. ATMOS FRANCHISE AGREEMENT**

Consider and discuss and take action relative to a franchise agreement renewal with Atmos Energy.

**Documents:** [Atmos Energy Memo 03.14.2016.pdf](#)

Jim Shepherd gave a presentation regarding the status of a proposed franchise agreement. No action was taken on this agenda item. Mr. Shepherd will bring this ordinance back for review at the April Town Council meeting.

## **13. OVERNIGHT PARKING**

**Documents:** [Memo Overnight Parking Ordinance 03.10.2016.pdf](#)

**ORDINANCE 289-03-2016**

Charles Grimes made a motion to amend the overnight parking ordinance to define the hours of overnight parking as between 12 am and 6 am. Matthew Haines seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **14. ROAD BARRIERS**

Consider and take action relative to the placement of permanent barriers on S. Shady Shores Road and other areas of town if necessary.

**Documents:** [Agenda Memo Road Barriers.pdf](#), [SKMBT\\_C36016031022350.pdf](#)

Mike Simmons, Administrative Foreman, with Denton County Road and Bridge East has proposed the installation of three barriers to protect S. Shady Shores Road. The first would be installed at the tree line just south of the community center. The second at Dobbs Road and a third gate would be installed on Oakwood. Denton County will pay to construct and install the gates if the town will monitor the opening and closing of the gate.

Paula Woolworth made a motion to accept the proposal from Mike Simmons. Matthew Haines seconded the motion.

DISCUSSION: Councilmember Haines will investigate the cost of having the gates installed at Fritz lane so the road could be closed off at a later time.

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

**15. EXECUTIVE SESSION:** Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, the Town Council may hold a closed meeting.

**A. Government Code 551.074- Personnel Matters**

to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

1. Discuss the position of the Mayor
2. Discuss the evaluation of the Municipal Court Clerk
3. Discuss the position of Municipal Court Judge

Charles Grimes made a motion to adjourn into executive session. Matthew Haines seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: NAYS

The motion passed unanimously and the council recessed into closed session at 10:35 pm.

Matthew Haines made a motion to reconvene into open session. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Aughinbaugh, Newell

NAYS: None

The motion passed unanimously and the council reconvened into open session at 11:12 pm.

**16. ACTION AS RESULT OF EXECUTIVE SESSION**

Consider and take action on any items necessary as a result of Executive Session.

Matthew Haines made a motion to allow Mayor Pro Tem Cindy Aughinbaugh to appoint an interim municipal court judge. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Aughinbaugh, Newell

NAYS: None

The motion passed unanimously.

**17. FUTURE AGENDA ITEMS AND STAFF DIRECTION**

Discuss future agenda items and provide staff direction.

- Solid Waste Contract

- Code Enforcement Issues

**18. ADJOURN**

Charles Grimes made a motion to adjourn. Matthew Haines seconded the motion.

DISCUSSION: None

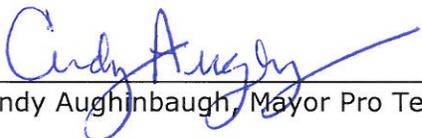
AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously and the meeting was adjourned at 11:13 pm.

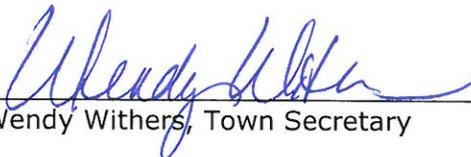
PASSED AND APPROVED THIS THE 12th DAY OF April, 2016

APPROVED:

  
Cindy Aughinbaugh, Mayor Pro Tem



ATTEST:

  
Wendy Withers, Town Secretary

