



**TOWN OF SHADY SHORES
REGULAR TOWN COUNCIL MEETING
MAY 9, 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	Council Member	Present

Also Present: Wendy Withers, Town Secretary; Amber Schuler, Municipal Court Clerk; Jim Shepherd, Town Attorney

1. CALL TO ORDER

Mayor Pro Tem Cindy Aughinbaugh called the meeting to order at 7:05 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. PROCLAMATION FOR MOTORCYCLE AWARENESS

Documents: [MOTORCYCLE AWARENESS MONTH - MAY 2016.PDF](#)

Mayor Pro Tem Cindy Aughinbaugh read a proclamation declaring May 2016 Motorcycle Safety Awareness Month.

5. COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

5.I. MONTHLY REPORTS:

A. Community Events (Mindy Grimes) - Chairman Mindy Grimes gave the Community Events and the Keep Shady Shores Beautiful report. Mrs. Grimes reported that both committees were

preparing for the move of Olive's Garden.

B. Keep Shady Shores Beautiful (Ashlea Grimes)

C. Animal Control (Grimes) - Councilmember Charles Grimes gave the animal control report and noted that recently he had seen residents with too many dogs.

D. Code Enforcement (Grimes) - Councilmember Grimes gave the code enforcement report. Mr. Grimes stated that there were several issues with parking and asked if the Police Department could do some additional patrols.

E. Police Report (Haines) - Council member Matthew Haines gave the police report. Mr. Haines reminded members that the police reports are almost a month and a half in arrears however there were 89 calls for service; 21 of those calls were for a specific service.

F. Fire Report (Woolworth) - Councilmember Paula Woolworth gave the Fire Department report and stated that 65-85% of the calls received were ambulance calls. Councilmember Woolworth also noted that there had been a suicide at the boat ramp.

G. Planning and Zoning Report (Lea) - The Planning and Zoning Commission are currently working on revisions to the Subdivision Ordinance.

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

I. Road Repairs and Flooding Issues Update

1. Meadowlark Culvert Update- Mr. Doug Barber 303 Meadowlark asked questions regarding the status of upgrading the culvert on Meadowlark Road. Mr. Barber presented a picture of stagnant water on his property and encouraged the council to consider making the upgrade soon.

2. Other drainage issues update

J. Announcements

1. Town Hall will be closed on May 30th in observance of Memorial Day.

Documents: [FIRE DEPARTMENT MONTHLY REPORT APRIL 2016.PDF](#)

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.

Neva Sudereth, President of the Friends of the Lake Dallas Library described the activities that the Friends of the Lake Dallas Library are involved in such as fund-raising and volunteer support. Mrs. Sudereth stated that their organization would like to be involved in any Shady Shores Events. Mrs. Sudereth also encouraged Shady Shores residents to be a part of the organization and to like the group Facebook page.

7. 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. April 2016 Financial Reports

B. Minutes of the April 9, 2016, Regular Town Council Meeting

C. Ordinance Amending the Town of Shady Shores Fee Schedule

Matthew Haines made a motion to approve the consent agenda with the corrections to the minutes. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Documents: [FINANCIAL REPORTS APRIL 2016.PDF](#), [APRIL 2016.PDF](#), [TOWN COUNCIL MEETING 04.11.2016 MINUTES \(AUTOSAVED\).PDF](#), [FEE SCHEDULE 2016\(1\).PDF](#), [SOLID WASTE FEE](#)

SCHEDULE (AUTOSAVED).PDF

8. APPOINTMENT OF A MUNICIPAL COURT JUDGE

Consider and take action relative to a resolution appointing a Municipal Court Judge.

Matthew Haines made a motion to approve a Resolution appointing Ray Noah to serve as Municipal Court Judge for the remainder of Judge Warner's term. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Documents: [AGENDA MEMO APPOINTMENT OF A MUNICIPAL COURT JUDGE.PDF](#), [APPOINTING A MUNICIPAL COURT JUDGE.PDF](#)

9. ATMOS FRANCHISE AGREEMENT

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

Charles Grimes made a motion to approve an Ordinance authorizing a franchise agreement renewal with Atmos Energy. Matthew Haines seconded the motion.

DISCUSSION: NONE

AYES: GRIMES, HAINES, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously.

Documents: [ATMOS ENERGY MEMO 05.03.2016.PDF](#), [ATMOS ENERGY FRANCHISE AGREEMENT.PDF](#)

10. ORDINANCE ESTABLISHING A CITY WIDE SOLID WASTE REMOVAL SERVICE; REQUIRING TIMELY PAYMENT BY SHADY SHORES RESIDENTS AND PROPERTY OWNERS.

Consider and take action relative to amending the Town of Shady Shores Code of Ordinances approving an ordinance establishing a city wide solid waste removal service.

ORDINANCE 292-05-2016

Matthew Haines made a motion to approve with the correction that the word services be inserted. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: NONE

The motion passed unanimously.

Documents: [AGENDA MEMO ORDINANC FOR SOLID WASTE REMOVAL.PDF](#), [WASTE ORDINANCE 5-16 \(002\).PDF](#)

11. WASTE MANAGEMENT RECYCLING ISSUES

Consider and discuss a pending settlement with Waste Management for mishandled recycling materials.

Matthew Haines made a motion to table this agenda item. Charles Grimes seconded the motion.

DISCUSSION: None
AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell
NAYS: None

The motion passed unanimously.

Documents: [WASTE MANAGEMENT RECYCLING ISSUES MEMO.PDF](#)

12. 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
- B. Government Code 551.071- Consultation with Attorney
 - 1. Town of Shady Shores Vs Sarah Swanson
 - 2. Waste Management Recycling Issues

Paula Woolworth made a motion to adjourn to executive session. Tom Newell seconded the motion.

DISCUSSION: None
AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell
NAYS: None

The motion passed unanimously and the council recessed into executive session at 8:36 pm.

Matthew Haines made a motion to reconvene into open session. Charles Grimes seconded the motion.

DISCUSSION: None
AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell
NAYS: None

The motion passed unanimously and the council reconvened into open session at 9:15 pm.

13. ACTION AS RESULT OF EXECUTIVE SESSION

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

There was no action taken as a result of executive session.

14. FUTURE AGENDA ITEMS AND STAFF DIRECTION

Discuss future agenda items and provide staff direction.

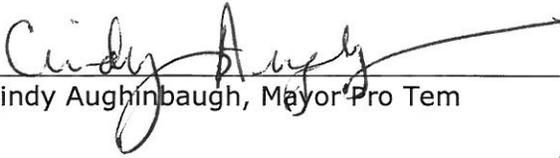
Councilmember Charles Grimes requested an agenda item to discuss the zip code for Shady Shores. Waste Management Recycling Issues

15. ADJOURN

The meeting was adjourned at 9:20 pm.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2016

APPROVED:


Cindy Aughinbaugh, Mayor Pro Tem



ATTEST:


Wendy Withers, Town Secretary

