



**TOWN OF SHADY OF SHADY SHORES  
REGULAR TOWN COUNCIL MEETING  
SEPTEMBER 12, 2016, 7:00 PM  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**This is a draft copy of the minutes. The official version will be available upon council approval.**

**MINUTES**

|                   |               |         |
|-------------------|---------------|---------|
| Cindy Aughinbaugh | Mayor         | Present |
| Paula Woolworth   | Mayor Pro-Tem | Present |
| Matthew Haines    | Councilmember | Present |
| Charles Grimes    | Councilmember | Absent  |
| Jack Nelson       | Councilmember | Present |
| Tom Newell        | Councilmember | Present |

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

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Establish a quorum.

Mayor Aughinbaugh called the roll and a quorum was established for the record. Mayor Aughinbaugh noted that a super majority was required so that we could take a vote on the budget and the tax rate.

**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:**

- A. Community Events (Mindy Grimes)
- B. Keep Shady Shores Beautiful (Ashlea Grimes)
- C. Animal Control (Grimes)- reports are provided
- D. Code Enforcement (Grimes)-reports are provided
- E. Police Report (Haines)- Councilmember Haines, not a single reported incident reported for the town in July. There were 17 traffic citations issued. National night out is coming up, if there are communities that want to participate contact the Corinth PD directly. Councilmember Haines spoke to the recent incident when the schools were locked down along with NCTC college.
- F. Fire Report (Woolworth)- There were 16 calls, the interesting thing that was asked for a summary of all the calls, the only unusual thing in the 16 calls was an elevator rescue. In the summary of the pages, it shows that Shady Shores only had 16 calls, while Lake Dallas and Hickory Creek had approximately 50 and Corinth had 150.
- G. Planning and Zoning Report (Lea)- Chairman Allen Lea gave the Planning and Zoning Report, a workshop was conducted on a thoroughfare plan which is a subset to the master plan. There is also a recommendation for the vacancy on the board.
- H. Staff Report (Withers)
- I. Road Repairs and Flooding Issues Update
- J. Announcements
  - 1. Shady Shores Flea Market; September 17th, 2016
  - 2. Hoot n Holler; October 22, 2016
  - 3. Tuesday, November 8, 2016 ELECTION DAY
  - 4. Chili Cook Off : November 12, 2016

**Documents:**

- 1. [August 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. August 2016 Financial Reports

B. Minutes of the August 8, 2016, August 29th, and September 6, 2016 Town Council meeting

C. Authorize the Town Engineer prepare the construction plans and specifications for both the FEMA (Lakeshore Rd) and FHWA (W Shady and S Shady) road repair projects

**Documents:**

1. [cc minutes 08.29.2016.pdf](#)
2. [cc minutes 08.29.2016.pdf](#)
3. [09.06.2016 CC minutes.pdf](#)
4. [August 2016 Financial Reports.pdf](#)
5. [Town of Shady Shores - Rd Repair Est of Prob Cost Due to Flood Event-FEMA Road.pdf](#)
6. [Town of Shady Shores - Rd Repair Est of Prob Cost Due to Flood Event-FHWA Roads.pdf](#)

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

DISCUSSION: None

AYES: Haines, Nelson, Woolworth, Newell

NAYS: None

The motion passed unanimously.

**6. CITIZENS COMMENTS**-please limit your comments to three (3) minutes. This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened.

Tom Dawson 15 Terra Evergreen spoke about drainage problems in the subdivision. Builder has promised to correct the situation, however to date nothing has been done. Randall Morse, the neighbor and Mr. Dawson don't have culverts in their driveway. Mr. Dawson requested that the council take this as an item for discussion.

**7. ORDINANCE ADOPTING THE 2016-2017 FISCAL YEAR BUDGET**

Consider and take action relative to approving the 2016-2017 Fiscal Year budget.

**Documents:**

1. [Agenda Memo 09.12.2016 Ordinance Adopting the Budget.pdf](#)
2. [Ord Budget 16-17 FYSS9.1.pdf](#)
3. [BUDGET 2016-2017.pdf](#)

Matthew Haines motion to adopt the 2016-2017 Fiscal Year Budget. Jack Nelson seconded the motion.

DISCUSSION: None

AYES: Haines, Nelson, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **8. ORDINANCE ADOPTING THE 2016-2017 AD VALOREM TAX RATE**

Consider and take action relative to approving the 2016-2017 ad valorem tax rate.

### **Documents:**

1. [Agenda memo 09.12.2016 Ordinance Adopting the Tax Rate.pdf](#)
2. [Ord 2016-17 TaxRateFinal.pdf](#)

Matthew Haines moved that the property tax rate be increased by the adoption of a tax rate of .314625, which is effectively a 6% percent increase in the tax rate. Jack Nelson seconded.

Discussion:

AYES: Haines, Nelson, Woolworth, Newell

NAYS: None

## **9. LIBRARY REPORT**

Lake Dallas Librarian Joe Gunter will give a presentation regarding the Library statistics and future planning.

Joe Gunter was present to give a report on library statistics, there have been a lot of changes and a lot of leadership changes.

## **10. BOARD MEMBER APPOINTMENTS**

Consider and take action relative to appointing individuals to serve on the Planning and Zoning Commission.

1. Place 2- for a two (2) year term expiring on September 30, 2018
2. Place 4- for a two (2) year term expiring on September 30, 2018
3. Alternate- for a two (2) year term expiring on September 30,

2018

4. Place 5- for a one (1) year term expiring on September 30, 2017

**Documents:**

1. [Agenda Memo 09.12.2016 board member appointments.pdf](#)
2. [Allen Lea Planning and Zoning Commission Redacted.pdf](#)
3. [Rebecca Morgan Redacted.pdf](#)
4. [Tillman Strahan Redacted.pdf](#)
5. [Linett, Michael Redacted.pdf](#)
6. [Van Duyn, Dorothy Redacted.pdf](#)
7. [Winter Linda Redacted.pdf](#)

Allen Lea gave the Planning and Zoning Commission's recommendation for board members. Tillman Strahan has been recommended to fill the vacancy on Place #5, Linda Winter

Paula Woolworth move to accept the recommendations made by the Planning and Zoning Commission and to reappoint the current members. Jack Nelson seconded the motion.

DISCUSSION: None

AYES: Haines, Nelson, Woolworth, Newell

NAYS: None

The motion passed unanimously.

**11. FIRE DEPARTMENT EVALUATION PRESENTATION**

Lynn and David White from Fire & Safety Specialists, Inc. will be present to give an evaluation of Lake Cities Fire Department and ESD #1.

**Documents:**

1. [Agenda Memos 09.12.2016 Fire Department Evaluation.pdf](#)

**12. REQUEST TO REVOKE REPLAT OF LOT 126A HIDDEN VALLEY AIRPARK**

Consider and take appropriate action relative to a request made by Raj Narayanan to revoke a replat of lots 126S, 127S, and 128S to lot 126A.

**Documents:**

1. [agenda memo 09.12.2016 Hidden Valley lot 126A.pdf](#)
2. [Town Engineer Letter - Plat Approval Request - Lot 126SA - Hidden Valley Airpark Phase IV - 2-12-15.pdf](#)
3. [Town Engineer Letter - Plat Approval Request - Lot 126SA - Hidden Valley Airpark Phase IV - 5-27-15.pdf](#)
4. [1981-REPLAT.pdf](#)
5. [1981-CONCEPT PLAN.pdf](#)
6. [drainageMay2015 pg1.pdf](#)
7. [drainageMay2015 pg2.pdf](#)

Town Attorney Jim Shepherd stated that Richard Arvizu recommended very strongly that the drainage issues addressed in the attached letters, (items 6 and 7) be addressed. The current drainage does not meet the specifications required by the town today.

The Town Attorney stated the following steps that need to take place:

- 1) one of the original tracts is under contract and the individuals would like to purchase the property. The new easements would need to be filed while the all the lots are still owned by one person, and it would need to happen prior to the issuance of any building permits. The new should be obtained while the lots are under one ownership
- 2) There would need to be some coordination between the lot owners as to how to perform the grading.
- 3) there was a council vote to approve the revised plat, as an administrative procedure the council should vote to revoke the replat.
- 4) The new easements will need to be dedicated to the HVAA)

Mr. Shepherd stated that he had spoken to the potential buyers who would be purchasing the uppermost lot and they were willing to do the required grading on the property.

Matthew Haines made a motion to approve the revocation of the replat of three lots owned by Raj Narayanan which was approved on July 13, 2015 however the drainage plan that was developed is in full force effect. Paula Woolworth seconded the motion. Matthew Haines amended the motion to say that the need excavate the property below the flow line be abated. Paula Woolworth seconded the amendment to the motion.

DISCUSSION: None, Paula Woolworth, cannot see a circumstance that the town would pay for an additional drainage study.

AYES: Haines, Nelson, Woolworth, Newell  
NAYS: None

The motion passed unanimously.

**Documents:**

1. [Agenda Memo Fire Department Contract 09.12.2016.pdf](#)

Matthew Haines made a motion to table this agenda item. Tom Newell seconded the motion.

DISCUSSION: None  
AYES: Haines, Nelson, Woolworth, Newell  
NAYS: None

The motion passed unanimously.

**14. BURN PERMITS**

Consider and take action on making the burn permit process available to residents online.

**Documents:**

1. [Agenda Memo 09.12.2016 Burn Permits.pdf](#)
2. [Burn Permits.pdf](#)

Tom Newell motion to approve placing the burn permit process online. Matthew Haines seconded the motion.

DISCUSSION: None  
AYES: Haines, Nelson, Woolworth,  
NAYS: None

The motion passed unanimously.

At this time council took a ten-minute recess.

**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 551.071- Consultation with Attorney

1. Fire Department Legal Issues

B. Government Code 551.074 - Personnel Matters

1. Discuss the annual evaluation of Town Secretary Wendy Withers
2. Discuss the annual evaluation of Municipal Court Clerk Amber Schuler
3. Discuss the duties and responsibilities of the Mayor and Alderman

Matthew Haines made a motion to recess into executive session. Tom Newell seconded the motion.

DISCUSSION: None  
AYES: Haines, Nelson, Woolworth, Newell  
Nays: None

The motion passed unanimously and the council adjourned into executive session at 10:05 pm.

Paula Woolworth motion to reconvene into open session. Matthew Haines seconded the motion.

DISCUSSION: None  
AYES: Haines, Newell, Nelson, Woolworth  
NAYS: None

The motion passed unanimously, and the meeting was adjourned at 10:35 pm.

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

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

There was no action to take as a result of executive session.

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

Discuss future agenda items and provide staff direction.

#### **18. ADJOURN**

Matthew Haines made a motion to adjourn. Paula Woolworth seconded the motion.

DISCUSSION: None  
AYES: Haines, Nelson, Woolworth, Newell  
NAYS: None

The motion passed unanimously and the meeting adjourned at 10:35 pm.

PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

APPROVED:

\_\_\_\_\_  
Cindy Aughinbaugh,  
Mayor

ATTEST:

\_\_\_\_\_  
Wendy Withers, Town Secretary

DRAFT