

NOTICE OF REGULAR COUNCIL MEETING

OCTOBER 7TH, 2013 7:00 PM

SHADY SHORES COMMUNITY CENTER

101 S. SHADY SHORES ROAD

SHADY SHORES, TX 76208

AGENDA

1. 1. CALL TO ORDER - *The meeting was called to order at 7:00 PM.*

MEMBERS PRESENT

Cindy Spencer, Mayor

Cindy Aughinbaugh, Mayor Pro-Tem

Paula Woolworth

Patty Durkin

Charles Grimes

Matthew Haines

Also Present: Sarah Swanson, Town Secretary

Jim Shepherd, Town Attorney

MEMBERS ABSENT

2. 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.)

3. 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. Consider and take action relative to the following minutes:

1. Town Council Meeting Minutes September 9th and September 16th, 2013.

2. Consider and take action relative to the August 2013 Financial Reports.

Matthew Haines noted that the minutes state '220 foot setback' but should state '22,000 foot setback'. Also, on the fire report, it states that the fire was in the "attack" which should be "attic".

Charles Grimes made a motion to approve the minutes with the changes. Matthew Haines seconded. Motion carried.

The financials were removed for later discussion between the Mayor Pro-Tem and the Town Secretary.

4. COUNCILMEMBER/COMMITTEE REPORTS-Consider and take action relative to the following Councilmember/Committee member reports:

1. Community Events (Spencer)

Mindy Grimes said that the Shady Shores Garage Sale will be the October 18th and 19th and is \$5 a parking space. The Hoot n' Holler and Chili Cook Off will be on October 26th. Lake Dallas will be having a Halloween event on October 31 from 4-6 and Shady Shores will have a table present.

2. Animal Control (Grimes)

The main issues for animal control was raccoons.

3. Code Enforcement (Grimes)

Charles Grimes rode with the Code Enforcement Officer. Oakwood Circle is going very well and is being handled. There are some hot spots that are being worked with and followed up on.

4. Police Report (Durkin)

Patty Durkin explained that there is no report for this month. She also told the residents that Corinth does a wonderful job with their National Night Out and is a great way to participate.

5. Fire Report (Woolworth)

Paula Woolworth said that for September, there were 10 new calls. Six were EMS calls, excluding vehicle accident injury. One carbon monoxide incident, one dispatch and cancelled en route, one smoke or odor removal and one unauthorized burning.

5. 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.

Judith Halaszyn

Judith thanked the police for the patrolling in the community and up along the lake.

6. CORINTH POLICE DEPARTMENT: Informational update from the Corinth Police Department.

The Chief briefly provided some statistics on Shady Shores for the year 2012. Corinth Police answered 1,040 calls for Shady Shores. This does not include proactive measures such as vacation watches, park and walks, etc. She also addressed the traffic and lack of sidewalks around the schools, in which they have held several meetings. They have seen no major traffic flow problems or any unsafe issues with children walking to school, with the controlled intersection. The most children they have seen walking on any given day was five to seven, middle school age children. At this age, they can make the determination on whether or not to cross the street, at a controlled intersection. They believe the study will not recommend a crossing guard. If the Town chooses to pay a crossing guard, the Corinth Police Department will train the position.

The Chief will be providing updates on I-35 Express. She also encouraged checking the Corinth Police Department Facebook for updates. She lastly said that Captain Wilkerson is now the Assistant Chief for Corinth Police Department.

7. OFFICIAL NEWSPAPER: Consider and take action relative to Resolution 748 designating The Lake Cities Sun as the official newspaper for the Town of Shady Shores.

Judith Halaszyn

Ms. Halaszyn believes that since the paper was bought out, it is more generic and not as representative of the area. She proposes that the Town designate the Denton Record Chronicle as the official newspaper.

Sharon Bounds

Ms. Bounds also feels the Denton Record Chronicle is a better option.

Joanne Lee

Ms. Lee also feels the Lake Cities paper is no longer representing our area. She highly recommends the Denton Record Chronicle.

Keith Perry

Mr. Perry also recommended the Denton Record Chronicle.

Patty Durkin made a resolution to amend Resolution 748, designating the Denton Record Chronicle as the official newspaper for Shady Shores. Matthew Haines seconded. Motion carried.

8. P&Z MEMBERS: Appointment of three current members and appointment of three new members and one alternate member.

Three current members were appointed and assigned places. The first three names of current P&Z members drawn will have a remaining one year term, and the final will have a two year remaining term.

- Place 1: Jackie Riggs (2 Year Remaining Appointment Appointment)
- Place 2: Dan Perrenoud (1 Year Remaining Appointment)
- Place 4: Allen Lea (1 Year Remaining Appointment)
- Place 6: Tom Spencer (1 Year Remaining Appointment)

Elizabeth Nugent – 601 Lakeshore

Ms. Nugent has been in Shady Shores for 14 years and was also a previous member of the P&Z. She has more flexibility and less travel and wants to work with the community. She has goals of preserving a rural environment while ensuring the structure and organization remains.

Jack Nelson – 203 W Shady Shores

Mr. Nelson has lived in Shady Shores since 2000. He is now retired and available to serve. His background is in real estate and land development.

Paul Brown – 420 Fritz

Mr. Brown has lived in Shady Shores for 22 years and is in the construction and facility management business and has worked with several P&Z boards.

Patty Durkin made a motion to nominate Elizabeth Nugent for Place 3. Charles Grimes seconded. Motion carried.

Matthew Haines made a motion to nominate Jack Nelson for Place 5. Patty Durkin seconded. Motion carried.

9. ELECTRIC SERVICE PROVIDER: Consider and take action on selecting an electric service provider.

Matthew Haines provided a contract with StarTex to the council and explained the rate he negotiated with them. They are substantially less per kilowatt hour (4.3 cents) than anyone else. They are also going to waive ESIID fees per meter. He also included other municipalities billing to the council, which is easy to read. The net savings of this, based on a 24 month contract, is about \$2,056 a year.

Keith Perry

Mr. Perry thanked Alderman Haines for his work and research that he put into this effort.

Charles Grimes made a motion to approve the 24 month contract with StarTex. Paula Woolworth seconded. Motion carried.

10. INVESTMENT COMMITTEE RECOMENDATION: Consider and take action on a recommendation from the Investment Committee.

Matthew Haines wants to go through contracts and also eventually put investment options out to bid.

Patty Durkin made a motion to approve Matthew Haines investigating investment options with other banks. Charles Grimes seconded. Motion carried.

11. SPECIAL COUNCIL MEETING: Schedule a special council meeting to amend the 2012-2013 meeting.

Patty Durkin made a motion to schedule a special council meeting on October 23, 2013. Matthew Haines seconded. Motion carried.

12. SETTLEMENT AGREEMENT: Deliberation and any appropriate action regarding a settlement agreement in the case of Haber, Perry and Pohlman v. Town of Shady Shores.

The attorney explained that it is time to take action on a settlement agreement being proposed.

Paula Woolworth made a motion to accept the settlement agreement. Patty Durkin seconded. Motion carried.

13. 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-Confidential legal advice regarding pending or contemplated litigation.
- B. Government code 551.074-Personnel-to deliberate the appointment, employment, evaluation, reassignment or duties of office staff.

Paula Woolworth made a motion to move to executive session. Charles Grimes seconded. Motion carried.

Paula Woolworth made a motion to reconvene. Matthew Haines seconded. Motion carried.

Matthew Haines made a motion to adjourn. Charles Grimes seconded. Motion carried.