

**TOWN OF SHADY SHORES  
REGULAR COUNCIL MEETING  
JULY 7, 2014 7:00 PM  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**MINUTES**

**1. CALL TO ORDER AND DETERMINE IF A QUORUM IS IN ATTENDANCE.**

The meeting was called to order at 7:00 PM with a quorum present.

**MEMBERS PRESENT**

Cindy Aughinbaugh, Mayor Pro-Tem  
Patty Durkin  
Charles Grimes  
Matthew Haines

**MEMBERS ABSENT**

Cindy Spencer, Mayor  
Paula Woolworth

Also in attendance were Amber Chadoir, Acting Town Secretary; Jim Shepherd, Town Attorney; Richard Arvizu, Town Engineer; Bob Matthews, Town Code Enforcement Officer.

**2. PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.**

**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:
  - 1. Town Council Meeting Minutes March 3, 2014.
  - 2. Town Council Meeting Minutes June 2, 2014.
  - 3. Town Council Meeting Minutes June 9, 2014.
  - 4. Zoning Board of Adjustments Minutes June 9, 2014
  - 5. Town Council Meeting Minutes June 19, 2014.
  - 6. March 2014 Financial Reports.
  - 7. April 2014 Financial Reports.
  - 8. May 2014 Financial Reports.

A motion was made by Matthew Haines to approve all items on the consent agenda. Charles Grimes seconded and the motion carried 4-0.

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

1. Community Events and Keep Shady Shores Beautiful (Spencer)

Mindy Grimes gave the report for Community Events and stated there will not be any activity until the next event which is the Chili Cook-off.

Anita Reoh gave the report for Keep Shady Shores Beautiful. Mrs. Reoh is urging all residents to participate in the Adopt A Street Program. Residents may choose an entire street or just a portion perhaps in front of their home or even a portion of the lake area. She also mentioned that the Girl Scouts have adopted Olive's Garden and are currently working on improvements there.

2. Telephone and Internet (Aughinbaugh)

Cindy Aughinbaugh stated there was nothing to report on this item.

3. Animal Control (Grimes)

Bob Matthews, All American Dogs, gave the report for Animal Control. Mr. Matthews stated that the company is currently upgrading software which prevented him from being able to print a report. Animal Control has been very slow except for a few skunks. He warned residents to stay away from skunks that are out during the day because that means they are very sick.

4. Code Enforcement (Grimes)

Bob Matthews, Code Enforcement Officer, said residents have been actively making code violation reports. He wanted to mention that he is currently dunking the pool at 168 Chaparral for mosquito control. Billy Bounds has mowed the property and the police are aware of the house being found unsecure.

5. Police Report (Durkin)

Patty Durkin read the police report for May. She said the majority of the police activity was vacation watches.

6. Fire Report (Woolworth)

Cindy Aughinbaugh read the fire report. She said that the fire calls were consistent with the average however there were 8 (eight) EMS calls which is higher than normal.

7. P & Z Report (Elizabeth Nugent)

Rebecca Morgan gave a report from the Planning and Zoning Commission. She said they are currently working on the revisions to the animal ordinance and it is just about ready to be presented to council. They will be working on the burn ordinance at the next Planning and Zoning meeting and will also be considering a tree ordinance.

8. Investment Committee – Upcoming July Meeting (Aughinbaugh)

Cindy Aughinbaugh stated that the Investment Committee will be having a meeting this month.

9. Citizen Advisory Committee – Revenue Sources (Durkin)

Nick Augustine gave the report and stated that the committee is wrapping everything up and should be holding their final meeting on the 22nd.

10. Town Secretary Position (Aughinbaugh)

Cindy Aughinbaugh explained the process of hiring a new Town Secretary. Applicants have been screened for previous experience. Interviews will be held with the qualified candidates on July 15<sup>th</sup>.

**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.

Anita Reoh signed up to speak and chose not to address the Council at this time.

**6. PRELIMINARY PLAT:** Consideration and take appropriate action on a preliminary plat of approximately 84 residential lots proposed for approximately 58.6019 acres, generally located at the northwest corner of 6th Street and Garza Road, in the W. Durham Survey Abstract 330, as requested by Don Plunk of HSM Adkisson, Ltd. on behalf of Wayne Lewellen.

Richard Arvizu (Town Engineer) discussed the preliminary plat and his concerns with it. First he said there is still an issue with the Lion Crest Drive cul-de-sac which does not meet the subdivision ordinance requirements. They will need to apply for a variance for it but he does recommend approval. Second, he wants to make sure that the community association provides a notice of airport. Third he wanted to point out that roads have

been changed from private to public and there are 2 points of access both ingress and egress to Garza Road from the subdivision. The Linett property will now have access to a public road and Adkisson Ranch will perform a land swap with the Linetts. The revised preliminary plat shows that the corrections were made which were requested by the P & Z. Richard does recommend approval of the preliminary plat.

Mike Linett signed up to speak and addressed the council. He confirmed that an agreement was reached with Adkisson Ranch.

Keith Perry signed up to speak and had nothing to add.

Bill Krueger signed up to speak and addressed the council. He asked that the council to require that the privacy fence around the new subdivision be a heavy masonry instead of wood. He also wants to make sure that the roads placed in the subdivision are strong roads.

Anita Reoh signed up to speak and addressed the council. She has traffic concerns with the creation of the subdivision.

Jim Shepherd (Town Attorney) confirmed with Mr. Linett that an agreement was reached between himself and the Adkisson Ranch. He also said that the variance will need to go back to P&Z for approval for the length of the Lion Crest cul-de-sac.

Motion made by Matthew Haines to approve the preliminary plat with the following conditions:

- (1) The Town will be provided with proof of the finalization of the land exchange/swap regarding the Linett property.
- (2) The applicant to receive formal approval of the variance from the Planning and Zoning Commission for the length of the Lion Crest cul-de-sac.
- (3) A sidewalk will be constructed along Garza Road to connect with the existing sidewalk on the Olive Stephens Elementary property.
- (4) The Final Plat to contain the following notification: "Notice of Airport. This is a notice to all that Hidden Valley Airport exists just northeast of the Development. Small planes may or may not be taking off and landing from time to time."

Charles Grimes seconded and the motion carried 4-0.

- 7. DANGEROUS STRUCTURES ORDINANCE:** Discussion and action related to Ordinance 269-07-2014, regulating the declaration of Dangerous Structures and establishing a Building and Standards Commission.

Jim Shepherd (Town Attorney) discussed the legal issues and the liabilities involved with declaring a structure as dangerous.

A motion was made by Matthew Haines to move to executive session. Charles Grimes seconded and the motion carried 4-0. The council went in to executive session at 8:00PM.

A motion was made by Patty Durkin to reconvene regular session. Matthew Haines seconded the motion and the motion carried 4-0. The council resumed regular session at 8:35PM.

Keith Perry signed up to speak and was no longer in attendance when called upon.

Bill Krueger signed up to speak and was no longer in attendance when called upon.

Anita Reoh signed up to speak and was no longer in attendance when called upon.

A motion was made by Patty Durkin to table the Dangerous Structures Ordinance. Matthew Haines seconded and the motion carried 4-0.

- 8. P&Z VACANCY:** Consideration and take appropriate action on the appointment of an individual to the vacant Planning and Zoning Commission position.

Nick Augustine signed up to speak and addressed the council. He explained his qualifications and why he thought he would be a good candidate for the vacancy.

Paul Brown explained his qualifications and why he thought he would be a good candidate for the vacancy.

A motion was made by Charles Grimes to nominate Paul Brown for the vacant Planning and Zoning position. Matthew Haines seconded the motion and the motion failed 2-2.

Mathew Haines made a motion to table this item until a full quorum is present. Patty Durkin seconded and the motion carried 4-0.

- 9. RESOLUTION NO. 753 - DENCO AREA 9-1-1 DISTRICT BOARD APPOINTMENT:** Consideration and take appropriate action on Resolution No. 753, regarding the nomination of an individual for the Denco Area 9-1-1 District Board vacant position.

A motion made by Patty Durkin to pass Resolution 753 and nominating Tom Newell to the vacant position. Matthew Haines seconded and the motion carried 4-0.

- 10. INTERVIEWS FOR TOWN SECRETARY TABLED UNTIL JULY 15, 2014:** Consideration and take appropriate action on tabling the interviews for Town Secretary until July 15, 2014.

Matthew Haines made a motion to table the Town Secretary interviews. Charles Grimes seconded and the motion carried 4-0.

- 11. 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, and contract personnel, including the Building Official/Inspector, Code Enforcement, Animal Control Officer, City Attorney, Town Administrator, and/or Town Engineer.

**12. CLOSE EXECUTIVE SESSION AND RESUME COUNCIL MEETING.**

**13. TAKE ANY ACTION NECESSARY AS A RESULT OF EXECUTIVE SESSION**

**14. ADJOURN**

**Matthew Haines made a motion to adjourn. Charles Grimes seconded and the motion carried 4-0. The meeting adjourned at 8:50 PM.**

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**APPROVED :**

\_\_\_\_\_  
**Cindy Spencer, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Amber Chaudoir, Acting Town Secretary**