



**TOWN OF SHADY SHORES  
REGULAR TOWN COUNCIL MEETING  
JANUARY 11, 2016 7:00 PM  
SHADY SHORES COMMUNITY CENTER  
101 S. SHADY SHORES ROAD  
SHADY SHORES, TX 76208**

**MINUTES**

<b>Cindy Spencer</b>	<b>Mayor</b>	<b>Absent</b>
<b>Cindy Aughinbaugh</b>	<b>Mayor Pro Tem</b>	<b>Present</b>
<b>Charles Grimes</b>	<b>Councilmember</b>	<b>Present</b>
<b>Matthew Haines</b>	<b>Councilmember</b>	<b>Present</b>
<b>Paula Woolworth</b>	<b>Councilmember</b>	<b>Present</b>
<b>Tom Newell</b>	<b>Councilmember</b>	<b>Present</b>

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

**1. CALL TO ORDER**

Mayor Pro-Tem Cindy Aughinbaugh called the meeting to order at 7:02 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)- Mindy Grimes was present to give the monthly report for Community Events and Keep Shady Shores Beautiful. Mrs. Grimes reported that Community Events had a planning meeting scheduled for Thursday, January 14, 2016.

B. Keep Shady Shores Beautiful (Ashlea Grimes)

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 for the month of November 2015.

Councilmember Haines stated that the Police had been in Shady Shores on 354 separate occasions, as well as 97 specific calls for service.

F. Fire Report (Woolworth)- Councilmember Paula Woolworth gave the fire report.

G. Planning and Zoning Report (Lea)- Allen Lea, Planning and Zoning Chairman gave the planning and zoning report stating the Commission would not be meeting this month but would begin working on ordinances at the next regular meeting.

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

I. Road Repairs and Flooding Issues Update-Councilmember Paula Woolworth gave an update on flooding and road repairs. Ms. Woolworth also stated that councilmembers had been working with Congressman Burgess's office and the USACE to develop a plan for S. Shady Shores road.

J. Announcements

1. First day to sign up for a place on the ballot (January 20, 2015)

2. Town Hall Closed, Thurs January 21st and Friday January 22 until noon staff will be attending the Election Law Seminar.

#### **5. CONSTRUCTION UPDATE I-35 EXPRESS PROJECT**

Kimberly Sims, Public Information Manager, AGL Constructors will be present to give an update on construction progress and road conditions.

Kimberly Sims, public information manager for AGL Constructors was present and gave an update regarding the I-35 express project. Ms.

Sims assured those in attendance that Post Oak Bridge would not close until Corinth Parkway was opened. Post Oak Bridge is scheduled to be closed until late 2016.

Residents were given the opportunity to ask questions of Ms. Sims.

## **6. 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. December 2015 Financial Reports
- B. Minutes of the December 14, 2015, Regular Town Council Meeting

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

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **7. 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.

## **8. HAZARD MITIGATION**

Consider and approve a resolution approving the Denton County Hazard Mitigation plan.

Travis Calendine, Assistant Emergency Management Coordinator for Little Elm, the Colony and Lake Cities presented the plan and stated that Shady Shores was one of 22 cities that would be participating in the plan. Participation in the plan would make Shady Shores eligible for FEMA funding in the event of disasters.

This item was tabled for further review. A special called meeting will be held on January 27<sup>th</sup>, 2016 at 7:00 pm to discuss.

### **9. OAKWOOD CIRCLE DRAINAGE PROJECT**

Receive an update from the Town Engineer, regarding the Oakwood Circle drainage project. Consider and take action on approving improvements and or repairs to the drainage on Oakwood Circle.

Town Engineer Richard Arvizu gave a presentation relative to a study of drainage issues on Oakwood circle.

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.

### **10. MEADOWLARK CULVERT**

Consider and take action relative to approving the replacement of the 18' culvert located at approximately 303 Meadowlark Lane.

Paula Woolworth made a motion to authorize the Town Engineer Richard Arvizu to continue to analyze the drainage impact between Mr. Barber's property at 303 Meadowlark Lane and the areas upstream to determine the drainage under Meadowlark Lane as it flows to Lakes of Shady Shores. Mr. Arvizu will seek input from the representatives of the Lakes of Shady Shores. Mr. Arvizu will bring his recommendations and cost estimates to the next regular town council meeting. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

The council adjourned for a 5 (five) minute break.

### **11. PRESERVE AT PECAN CREEK**

Discuss the Preserve at Pecan Creek a proposed subdivision in the City limits of Denton Texas adjacent to the town of Shady Shores. Discuss the possibility of a crash gate installed at the north end of Meadowlark lane. Consider and take action relative to the installation of a crash gate and other improvements to Meadowlark Lane.

Mayor Pro Tem Cindy Aughinbaugh presented an overview of the proposed subdivision The Preserve at Pecan Creek. Residents discussed the possibility of allowing a crash gate to be placed at the end of Meadowlark Road.

Allen Lea signed up to speak but declined to comment for the moment.

Rodney Carter 325 Lakeside Drive commented that the Lakes of Shady Shores would not be allowing access to the Subdivision through their subdivision. Mr. Carter expressed concerns that if the main entrance to the proposed subdivision were damaged then the Lakes of Shady Shores would then become a primary entrance.

Chris Farley 158 Cardinal Circle, Shady Shores; Mr. Farley's property does not back up directly to the subdivision however he asked the number of houses proposed. (There are 99 proposed single family pad sites)

John Moore 221 Meadowlark Lane, stated that this was the second proposal and the first request for an entrance had been turned down because of the increased traffic on the road.

Nick Augustine 142 Quail Circle; Meadowlark is in good shape now, but the road could get torn up. His concern was that if we allowed a crash gate now, it may eventually be opened up to a through street.

Peter Hulstrand 159 Cardinal Circle stated that the town was currently in the driver's seat. Mr. Hulstrand stated that he was curious as to the council's perspective, if they planned to put a crash gate in, he expected that the developer should improve Meadowlark Lane. Mr. Hulstrand is in favor of them building a second bridge through the City of Denton. He is in favor of a crash gate only if it remains a permanent crash gate.

Rob Price 153 Whippoorwill Circle expressed concerns with increased traffic and drainage issues if Meadowlark lane was to be improved.

Councilmember Haines stated that he was not in favor of the grass-crete option. Mr. Haines stated that the council was tasked with making sure that decisions were made included future considerations.

Tom Newell made a motion to deny the request to place a crash gate at the end of Meadowlark. Charles Grimes seconded the motion.

DISCUSSION: Councilmember Paula Woolworth asked if the council would consider a modified request on a future agenda if one was submitted.

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **12. NORTH END OF GARZA ROAD**

Consider and take action relative to no traffic enforcement and police enforcement on the North end of Garza lane.

Allen Lea 105 Olives Branch, stated that parking issues in Shady Shores had been a pet peeve of his for many years. Mr. Lea stated that although he felt that the Corinth Police department did a great job on many things, parking had not been enforced on Garza Road for quite some time.

Councilmember Charles Grimes stated that he had asked for this agenda item due to the many issues that the residents on the north end of Garza road were experiencing. Mr. Grimes stated that he hoped everyone had seen the recent CD that was submitted depicting the different issues that were occurring late at night in this area of Shady Shores. There had been some arrests made but Mr. Grimes felt that this situation needed to be addressed.

The Town Secretary will order some additional no parking signs. Council member Paula Woolworth will check with the USACE regarding the use of signs for prohibited activities on the Lake.

Town Attorney Jim Shepherd will begin a review of the Town's parking ordinance to be discussed at the next meeting.

## **13. SHADY SHORES CODE OF ORDINANCES**

Consider and act on approval of an Ordinance adopting the code of Ordinances. **Ordinance 286-01-2016**

Matthew Haines made a motion to approve the Ordinance Adopting the Code of Ordinances. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Auginbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

## **14. CODE ENFORCEMENT SERVICES**

Consider and act on seeking proposals for Code Enforcement services for the Town of Shady Shores.

Charles Grimes made a motion to seek proposals for Code Enforcement services for the Town of Shady Shores. Paula Woolworth seconded the motion.

DISCUSSION: None

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 551.071-Consultation with Attorney: legal advice and/or pending litigation

1. Swanson vs Town of Shady Shores
2. Tuscany Village
3. development regulations of existing lots as affected by zoning regulations, and town avoidance of liability issues.

B. 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

Tom Newell made a motion to recess into executive session. Matthew Haines 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 10:04 pm.

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

DISCUSSION: None

The motion passed unanimously and the council reconvened into open session at 10:51 pm with no action taken.

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

Discuss future agenda items and provide staff direction.

Right of Way Permit

No Parking Signs

Other Action Items from tonight's meeting.

## **17. ADJOURN**

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

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously and the meeting was adjourned at 10:52 pm.

PASSED AND APPROVED THIS THE 8th DAY OF February, 2016.

APPROVED:

  
Cindy Aughinbaugh, Mayor Pro Tem

ATTEST:

  
Wendy Withers, Town Secretary