

**SHADY SHORES TOWN COUNCIL
REGULAR MEETING
FEBRUARY 8, 2016 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD**

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

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

1. CALL TO ORDER

Mayor Pro Tem Cindy Aughinbaugh called the meeting to order at 7:00 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 reported on both Community Events and KSSB . Ms. Grimes reported that the groups continued to meet on Thursday after the Regular Town Council meeting. Ms. Grimes reported that there were milkweed seeds available and that both Committees were working on the Town wide clean-up day.

B. Animal Control (Grimes)- Councilmember Charles Grimes stated that January had been a normal month for animal control, however Mr. Grimes wanted to remind residents that there was a leash law in Shady Shores and all animals should be restrained.

C. Code Enforcement (Grimes)- Code Enforcement Report pictures have been provided.

D. Police Report (Haines)

E. Fire Report (Woolworth)- Councilmember Paula Woolworth gave the fire department report for the month. There were 9 calls one of note was a building fire. The other was an unauthorized burn.

G. Planning and Zoning Report (Lea)- Allen Lea gave the report, P&Z going to meet in a worksession format and discuss a priority list for working on Ordinances. Allen Lea is going to be pushing Planning and Zoning to take a look at some of the codes that are in force in Shady Shores.

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

I. Road Repairs and Flooding Issues Update- Cindy Aughinbaugh, stated that Shady Shores Road is still closed and until Richard ARvizu deems it safe it will remain closed. Paula Woolworth and Matthew Haines have been working together on a plan for the feasibility and the possibility of raising Shady Shores Road. The road is jointly owned by three people. It will be a large Effort to get this done. There was a meeting with Denton County Commissioners office received good counsel on how to approach Hugh Coleman etc. May require additional mitigation with how to treat the water etc. If any trees are moved out of the way. This would be truly a long term project that we would be engaged in. Matthew the thing that you might miss is the number of people and processes that are I involved. Often you can't get to the next steps until you have a minute. Could potentially be many millions of dollars. Another update, mostly to follow up on signage, drove by the Big Sandy boat launch. Rangers indicated they plan to start tomorrow working on the necessary repairs to the boat ramp so that it can be used. Best case scenario the boat ramp may be open in about two months. CA- can you talk about the repairs on the road-- We found out after about four visits with FEMA including field visits that S. Shady Shores Road, and W. Shady Shores road are FHWA collector roads. Federal Highway Administration, Requests for striping on Cielo, will be done, and small reflector's will be added so that people will not go around the corners so fast. Some good conversations have been had relative to raising the road. There is a reason that it is listed as a connector.

J. Announcements

1. Last day to sign up for a place on the ballot- February 19, 2016
2. Town Hall Closed, Monday, February 15, 2016.

Documents: [FIRE DEPARTMENT REPORT JANUARY 2016.PDF](#), [COPY OF SS POLICE ACTIVITY 2015 \(11\).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. January 2016 Financial Reports
- B. Minutes of the January 11, 2016 Regular Town Council meeting
- C. Approval of the January 11, 2016 Quarterly Investment Committee Report
- D. Approval of a Resolution approving the Town of Shady Shores Investment Policy.

Documents: [CC 1.11.2016.DOCX](#), [1ST QUARTER 2016.PDF](#), [RES2015-_____ INVESTMENT POLICY.DOCX](#), [RESOLUTION 675.PDF](#), [JANUARY 2016 FINANCIAL REPORTS.PDF](#)

Matthew Haines motion to approve the items on the consent agenda. Paula Woolworth seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

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.

Bruce Brehm, 1140 Cogburn Court read a statement concerning traffic and safety issues in Cielo. (attached Exhibit A)

Terry Newman 213 Harrison Court- spoke regarding concerns relative to fracking underneath Lake Lewisville. Mr. Newman asked the council to consider writing a letter requesting that fracking be delayed until the matter could be fully considered.

Bob Matthews of America's Code Enforcement and All American Dogs gave an update on Animal Control Services.

Randall DuPape 121 Paradise Cove- stated that his major concern had been the striping on Cielo Lane. Mr. DuPape also asked the council to consider replacing the stop sign at the intersection of Fritz and Shady Shores with a yield sign.

7. 2014-2015 AUDITOR'S REPORT

Jerry Eastup with Hankins, Eastup, Deaton, Tonn and Seay will be present to give the 2014/2015 Annual Audit Report for the Town of Shady Shores. Consider and take action on approval of the report.

Documents: [ANNUAL AUDIT 02.08.2016.DOCX](#), [DOC02523220160202075937.PDF](#)

Matthew Haines made a motion to approve the audit report. Paula Woolworth seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Bill Kruger 103 Cielo Lane asked if the Auditor's report was available to the public. Mr. Kruger was advised that the auditor's report was available online.

8. CODE ENFORCEMENT SERVICES

Consider and take action relative to accepting a proposal for Code Enforcement Services.

Documents: [CODE ENFORCEMENT SERVICES.PDF](#), [NEC LIST OF SERVICES.PDF](#), [SAMPLE CONTRACT NEC.PDF](#)

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

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Matthew Haines, Charles Grimes, reconvene at 10:32 pm.

Charles Grimes table this agenda item and put out a new request for proposals that includes expectations and response time for the contract. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

9. OAKWOOD CIRCLE DRAINAGE PROJECT

Receive a report from the Town Engineer Richard Arvizu regarding drainage issues on Oakwood Circle. Consider and take action if necessary.

Documents: [OAKWOOD CIRCLE DRAINAGE ISSUES.PDF](#)

Town Engineer Richard Arvizu gave a presentation relative to the drainage issues on Oakwood Circle.

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

DISCUSSION: None

AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

10. MEADOWLARK CULVERT

Receive recommendations regarding a culvert located near 303 Meadowlark Lane. Consider and take action relative to the resizing and or repair of the culvert.

Documents: [MEADOWLARK LANE CULVERT.PDF](#)

Town Engineer Richard Arvizu gave a report relative to an undersized culvert near 303 Meadowlark Lane.

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

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Aughinbaugh Newell

NAYS: None

The motion passed unanimously.

11. CALLING THE ELECTION

Consider and take action relative to approving an ordinance calling the May 7, 2016 General Election of City Officials. **ORDINANCE 287-02-2016**

Documents: [CALLING THE ELECTION 02.08.2016.PDF](#), [SHADYSHORESELECTIONORDER2016.PDF](#), [SPANISH ELECTION ORDER.PDF](#)

Tom Newell made a motion to approve Ordinance 287-02-2016 calling the May 7, 2016 General Election of City Officials. Charles Grimes seconded the motion.

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

The motion passed unanimously.

12. ELECTION CONTRACT

Consider and take action relative to approving a contract to conduct a joint election with Denton County for the May 7, 2016 General Election.

Documents: [JOINT ELECTION CONTRACT 02.08.206.PDF](#), [JOINT CONTRACT MAY 2016.PDF](#)

Tom Newell made a motion to approve a contract for a joint election with Denton County for the May 7, 2016 General Election. Charles Grimes seconded the motion.

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

The motion passed unanimously.

13. FIRE DEPARTMENT CONTRACT

Discuss the Fire Department contract. Give staff direction relative to contract negotiations for Fire Department Services.

Councilmember Paula Woolworth gave an overview of the timeframe for renewing the Fire Department Contract. Councilmember Woolworth expressed concerns that the town had not received any preliminary numbers for the contract even though they had been promised several times.

14. 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, an town avoidance of liability issues.

Code Enforcement and Fire Department and Drainage Issues (Agenda Items)

- 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

Charles Grimes made a motion recess, 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 9:17 pm.

Matthew Haines made a motion to reconvene into executive 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 10:32 pm.

The Council moved to Agenda item #8 at 10:32 pm.

14. ADJOURN

15.

Matthew Haines made a motion to adjourn. Charles Grimes seconded the motion.

DISCUSSION: None

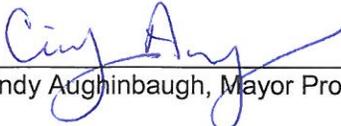
AYES: Grimes, Haines, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously and the meeting was adjourned at 10:33 pm.

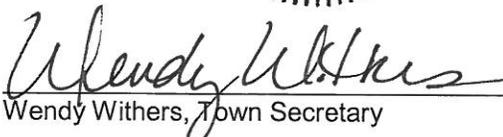
PASSED AND APPROVED THIS THE 14th DAY OF March, 2016.

APPROVED:


Cindy Aughinbaugh, Mayor Pro Tem



ATTEST:


Wendy Withers, Town Secretary