



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

MINUTES

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

Also Present: Wendy Withers, Town Secretary; Amber Schuler, Deputy Town Secretary

1. CALL TO ORDER

Mayor Pro Tem Cindy Aughinbaugh opened the meeting 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. RECOGNITION OF CINDY SPENCER

Recognition of Mayor Cindy Spencer for her service to the Town of Shady Shores.

Mayor Pro Tem Cindy Aughinbaugh presented the photo that would be added to the wall and spoke about Mayor Spencer's service to the town.

5. MAYORS MONARCH PLEDGE PROCLAMATION

Documents: [PROCLAMATION.pdf](#)

Cindy Aughinbaugh read a proclamation regarding Mayors Monarch Pledge month.

6. COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

6. I. MONTHLY REPORTS:

- A. Community Events (Mindy Grimes) - Mindy Grimes gave the community events report and the Keep Shady Shores Beautiful Report. Mrs. Grimes reported that the Community Garage Sale and Flea Market was being planned for April 23, 2016.
- B. Keep Shady Shores Beautiful (Ashlea Grimes)
- C. Animal Control (Grimes) - Councilmember Charles Grimes was not present; however; Animal Control Officer Bob Matthews was present to give the animal control report.
- D. Code Enforcement (Grimes) - Councilmember Charles Grimes was not present; however Code Enforcement Officer Bob Matthews was present to give the Code Enforcement Report.
- E. Police Report (Haines)-Councilmember Matthew Haines gave the police report.
- F. Fire Report (Woolworth) - Councilmember Paula Woolworth gave the fire report.
- G. Planning and Zoning Report (Lea) - Allen Lea was present and gave the Planning and Zoning Report.
- H. Staff Report (Withers) - Town Secretary Wendy Withers gave the staff report.
- I. Road Repairs and Flooding Issues Update
 - 1. Meadowlark Culvert Update
 - 2. Other drainage issues updates
- J. Announcements
 - 1. Early Voting begins April 25th- check Denton County website and Town of Shady Shores website for election information.

Documents: [Copy of SS Police Activity 2016-February.pdf](#), [Shady Shores Jan-March 2016.pdf](#), [Staff Report 04.05.2016.docx](#)

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.

Rebecca Morgan- 114 N. Garza signed up to speak. Mrs. Morgan expressed her thanks to everyone who has taken part in the Monarch project. There have been over 200 packets as well as an additional pound and half of seed passed out.

8. 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. March 2016 Financial Reports
- B. Minutes of the March 14, 2016 Regular Town Council Meeting
- C. Investment Committee Report
- D. Resolution nominating Jim Carter to serve on the Denco 9-1-1 Board
- E. ICA Contract - Road Barriers

Documents: [Monthly Financial Reports - March 2016.pdf](#), [draft minutes 03.14.2016 -1.docx](#), [2nd Quarter 2016.pdf](#), [2016 03 10 BMP.S.08c - Resolution for Nomination](#)

[of a Candidate.docx](#), [Denco Board Roster FY2016.docx](#), [Nominating a member to Denco 9-1-1 district.docx](#), [Shady Shores Road - Barrier Gates 2016.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, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously.

9. PRESENTATION BY LAKE CITIES MUNICIPAL AUTHORITY (LCMUA) REGARDING STRATEGIC INFRASTRUCTURE IMPROVEMENTS AND FUNDING STRATEGIES

Receive a presentation from Lake Cities Municipal Water Authority regarding strategic infrastructure improvement planning.

Documents: [AGENDA Memo LCMUA item 04.05.2016.pdf](#), [LCMUA Election Notice.pdf](#)

Lake Cities Municipal Utility Authority (LCMUA) Board President Cecil Carter was present and introduced board members, Norma Barker and Raymond Dickey, Kate Boatler, Financial Director and Matthew Garret from NewGen Technologies.

Mr. Carter stated that LCMUA would like to present some facts regarding funding for the future improvements to the water and wastewater systems. Matthew Garret, New Gen Technologies presented a financial plan to help pay for the infrastructure improvements. Mike Anderson, Chief Engineer presented a ten year plan for capital improvements.

Mr. Garret presented that Impact fees are intended to pay the growth for full share of impact fees, paying now through rates and debt payment. The proposal before voters is to determine how they would like to fund further improvements. Allowing LCMUA to impose a property tax would lower the need for rate increases in Mr. Garret's opinion. It would provide a steady revenue stream.

Councilmember Paula Woolworth asked if there was a proposed tax rate identified in the proposal.

Mr. Carter responded that a definite figure had not been chosen.

Mayor Pro Tem expressed concern that residents who did not use the services would be burdened by the tax rate as she does not have sewer but would be taxed for improvements to the sewer system.

Councilmember Matthew Haines also expressed concerns for members that are not using any of the services provided by LCMUA that would be taxed based on their property values.

Councilmember Tom Newell asked for clarification on the taxing issue, asking if the district had authority to tax or not. Councilmember Tom Newell went on to ask what would happen if the proposition is not approved. Mr. Newell also expressed concern that residents were not aware of the issues and the proposition.

Councilmember Matthew Haines stated that he needed to understand the capital improvements that needed to be done.

Tom Spencer 203 W. 6th Street stated that he felt timing was important. Mr. Spencer asked when discussions began on this subject and expressed concerns that most of the money is not going to be spent in Shady Shores. Mr. Spencer also expressed concern that today's date was April 11 and the LCMUA board would not meet again until after the election.

Rebecca Morgan 114 Garza Road also expressed concerns about the lack of notice and the timeline for the vote.

Mayor Pro Tem Cindy Aughinbaugh thanked them for their willingness to serve and thanked for sharing information.

There was no action take on this agenda item.

10. FIRE DEPARTMENT CONTRACT

Receive information from the Lake Cities Fire Department regarding the Fire Contract and upcoming negotiations.

Documents: [Agenda Memo Fire Department Contract 04.05.2016.pdf](#)

Lee Ann Bunselmeyer, Finance Director for the City of Corinth, Acting City Manager, stated that the City of Corinth has presented a fixed rate without the CPI cost index. Ms. Bunselmeyer also stated that the City of Corinth is currently in negotiations to build another fire station and will need to know if the town desires to continue the contract.

The allocations used to determine pricing are the same that were approved in 2012 as well as 2008. The analysis used certified appraisal values, population and call volume.

The first proposal is a four (4) year contract. Salary savings, wages and benefits were budgeted at 98% instead of 100%. Instead of reverting the money back to the fund balance, participating cities are receiving that credit. An option for a fixed rate contract was also proposed.

Fire Chief Curtis Birt was present to answer any operational questions.

Chief Birt answered questions about ISO Ratings. Currently the Lake Cities Fire Department has a four (4) out of a 1-10 score, in 2006 at the ISO rating was six (6). When the ISO rating went from a six (6) to a four (4) homeowners realized a significant drop in their insurance rates.

Chief Birt also answered questions about mutual and county funding answered. Chief Birt stated there were no boundaries, whatever department is in need of aid they will answer the call if they are needed.

The 2016-2017 budget proposed three (3) new hires will be paramedics or have to obtain the certification within two years.

Councilmember Paula Woolworth asked that in the event that Hickory Creek and Lake Dallas choose not to renew if there was an anticipated rate increase over the proposed rates for the Town of Shady Shores.

There was no action taken on this item.

11. SOLID WASTE CONTRACT

Consider and act on approving a contract with Community Waste Disposal for Solid Waste and Recycling services.

Documents: [Agenda Memo Solid Waste Collection 04.01.2016.pdf](#)

Matthew Haines motion to approve. Tom Newell seconded the motion.

DISCUSSION: Paula asked if they had a claims made policy. Nicole Roemer stated that she was not aware of any.

AYES: HAINES, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: None

The motion passed unanimously.

12. CODE ENFORCEMENT SERVICES

Consider and discuss Code Enforcement objectives. Consider and take action relative to approving a contract for code enforcement services.

Documents: [Code Enforcement Services 04.05.2016.pdf](#), [Code Enforcement JOB DESCRIPTION \(Autosaved\) red.pdf](#), [Response RFP.pdf](#), [Code Enforcement Services Agreement.pdf](#), [nec list of services.docx](#)

Town Secretary Wendy Withers stated that staff would like council to identify their code enforcement objectives for the town of Shady Shores.

Councilmember Paula Woolworth stated that there was a perception that having the Code Enforcement officer would cause conflict.

Mayor Pro Tem Cindy Aughinbaugh stated that Shady Shores was maturing as a city and one of the issues we face is that historically code enforcement has not existed. Citizens express frustration at the lack of response or the timeliness of response to their complaints.

Council agreed that the goal was to ensure Shady Shores was clean and safe. That derelict vehicles, needed to be dealt with immediately. In patrols and responding to complaints, the Code Enforcement Officer should "Cast a wide net" and ensure that other properties that are also in violation are also notified. A policy will be developed for repeat offenders and habitual offenders to ensure timely and final correction of problems.

Town Secretary Wendy Withers requested that council extend the contract another 90 days and there had been substantial improvement in the process.

Matthew Haines made a motion to review these issues at the end of the quarter. Paula Woolworth seconded the motion.

DISCUSSION: NONE

AYES: AUGHINBAUGH, HAINES, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously.

Councilmembers took a break at 9:20- 9:29 pm

13. SOLID WASTE CONTRACT BILLING

Consider and take action relative to approving a process and any related fees related to billing for solid waste collection.

Documents: [TIMELINE FOR SHADY SHORES BILLING.pdf](#), [Preliminary projections for SS Billing.pdf](#), [Agenda Memo Solid Waste Billing.docx](#)

Matthew Haines made a motion to handle the billing as proposed by staff. . Tom Newell seconded the motion.

DISCUSSION: Councilmember Paula Woolworth asked what would happen if staff was unable to handle the billing? Town Secretary Wendy Withers stated that ...

AYES:

NAYS: NONE

The motion passed unanimously.

14. ATMOS FRANCHISE AGREEMENT

Consider and discuss and take action relative to a franchise agreement renewal with Atmos Energy.

Documents: [Atmos Energy Memo 03.14.2016.pdf](#)

Matthew Haines made a motion to table this agenda item until the Town Attorney could present the changes. Paula Woolworth seconded the motion.

DISCUSSION: NONE

AYES: HAINES, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously.

15. ROAD REPAIRS AND DRAINAGE IMPROVEMENTS FOR FY 2016

Consider and discuss planned road repairs and drainage improvements for the 2016 Fiscal Year. -

Councilmember Matthew Haines reported that the town has not received information from FEMA or the FHWA regarding funds for the repair of the streets that were damaged in the May 2015 flooding event. Council members discussed other road projects that were going to be necessary; projects include filling potholes particularly on W. Shady Oaks, Red Bud and Eason. The cull de sac on Oberman needs repair and the proposed drainage projects on Meadowlark and Oakwood Circle. In addition all roads in shady shores need to have chip seal applied.

Mayor Pro tem Cindy Aughinbaugh noted that she had received two letters from individuals regarding the drainage issues on Oakwood Circle.

There was no action taken on this agenda item. A worksession will be held at a later date to discuss road and drainage projects.

16. 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 551.074- 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

B. Government Code 551.071- Consultation with Attorney

1. Town of Shady Shores Vs Sarah Swanson

Matthew Haines made a motion to table this agenda item as the Town Attorney was not present. Paula Woolworth seconded the motion.

DISCUSSION: NONE

AYES: HAINES, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously.

17. 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.

18. FUTURE AGENDA ITEMS AND STAFF DIRECTION

Discuss future agenda items and provide staff direction.

19. ADJOURN

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

DISCUSSION: NONE

AYES: HAINES, AUGHINBAUGH, WOOLWORTH, NEWELL

NAYS: NONE

The motion passed unanimously and the meeting was adjourned 10:13 pm.

PASSED AND APPROVED THIS THE 9th DAY OF May, 2016

APPROVED:


Cindy Aughinbaugh, Mayor Pro Tem



ATTEST:



Wendy Withers, Town Secretary

