

**TOWN OF SHADY SHORES
REGULAR TOWN COUNCIL MEETING
JUNE 13, 2016 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

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

Also Present: Wendy Withers, Town Secretary; Amber Schuler, Municipal Court Clerk; Jim Shepherd, Town Attorney

1. CALL TO ORDER

Mayor Pro Tem Cindy Aughinbaugh called the meeting to order at 7:22 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. OATH OF OFFICE

Deliver the Oath of Office to the following Town Officials for the term beginning May 2016 and ending May 2018.

1. Cindy Aughinbaugh- Place 4
2. Matthew Haines - Place 1
3. Charles Grimes - Place 5

Town Secretary Wendy Withers gave the Oath of Office to Mayor Pro Tem Cindy Aughinbaugh. Mayor Pro Tem Cindy Aughinbaugh gave the Oath of Office to Councilmember Charles Grimes

5. COUNCIL APPOINTMENTS

Consider, discuss and take action on the appointment of a Councilmember to serve as Mayor for the remainder of Mayor Cindy Spencer's term (May 2017). Consider; discuss the appointment of an individual to fill a vacancy on the town council as a result of appointing someone to fill the Mayor's position.

Documents: [AGENDA MEMO COUNCIL MEMBER APPOINTMENTS 06.13.2016.DOCX](#)

Paula Woolworth made a motion to appoint Cindy Aughinbaugh to serve as Mayor for the remainder of Mayor Spencer's term, (May 2017). Tom Newell seconded the motion.

DISCUSSION: Councilmembers thanked Mayor Pro Tem Cindy Aughinbaugh for her hard work acting as Mayor for the last several months.

AYES: Grimes, Aughinbaugh, Woolworth, Newell
NAYS: NONE

The motion passed unanimously.

Councilmembers discussed how to handle the appointment of a person to serve the remainder of Cindy Aughinbaugh's term (May 2018).

Paula Woolworth made a motion to advertise for applicants to fill the vacant Council Place #4, to be interviewed and decided at the next Town Council meeting. Charles Grimes seconded the motion.

DISCUSSION: Council directed staff to advertise through July 6, 2016

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

The motion passed unanimously.

6. MAYOR PRO TEM

Consider and take action relative to nominating and appointing a Mayor Pro Tem.

Documents: [AGENDA MEMO 06.13.2016 MAYOR PRO TEM.PDF](#)

Charles Grimes made a motion to appoint Paula Woolworth to serve as Mayor Pro Tem. Tom Newell seconded the motion.

DISCUSSION: Councilmember Paula Woolworth stated she is happy to serve and was looking forward to hearing what her additional duties would be.

AYES: Grimes, Aughinbaugh, Woolworth, Newell
NAYS: NONE

The motion passed unanimously.

7. MONTHLY REPORTS:

- A. Community Events (Mindy Grimes) - Chairman Mindy Grimes reported that they had been putting off moving Olive's Garden due to the rain however they planned to move the roof as soon as possible. The Committee is planning to rededicate the garden on August 20 which is also Mayor Stephen's 100th birthday.
- B. Keep Shady Shores Beautiful (Ashlea Grimes)- Chairman Ashlea Grimes stated that Keep Shady Shores Beautiful Committee was working with Community Events on the Memorial Garden

Project, the Committee has also been working with Stephens Elementary helping the children work in the gardens. Plans are to have another clean-up day in the fall as the one in April was such a success. Councilmember Woolworth asked if there was still milkweed seed available. Ms. Grimes stated there was but it was not packaged at the moment.

C. Animal Control (Grimes) - Councilmember Charles Grimes gave the animal control report. Mr. Grimes reminded residents to keep their animals restrained or confined to their yards at all times. Mr. Grimes also cautioned residents to be aware that there were overabundances of snakes with the recent rainy weather.

D. Code Enforcement (Grimes)-Councilmember Grimes gave the code enforcement report. Mr. Grimes reminded residents to keep their yards mowed even though it was difficult to do at times when there had been so much rain.

E. Police Report (Haines)- Mayor Pro Tem Cindy Aughinbaugh presented the police report.

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

G. Planning and Zoning Report (Lea)-There Planning and Zoning Commission is currently working to update the Subdivision Ordinance.

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

I. Road Repairs and Flooding Issues Update- Councilmember Paula Woolworth gave an update of the road repairs, and stated that Wednesday morning there would be a detailed discussion about road projects.

J. Announcements

1. Town Hall will be closed Monday, July 4th, 2016

Documents: [FIRE DEPARTMENT REPORTS MAY 2016.PDF](#), [COPY OF SS POLICE ACTIVITY 2016 \(3\).XLSX](#)

8. 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.

Roy Bragg 66 Souix, Gordonville Texas wanted asked when the town was going to make road repairs and trim the bushes around his property.

Donna Bragg 203 W. 1st Street stated that in 1974 Mr. Roy Bragg was not notified that the North West portion of 1st street was going to be closed. Ms. Bragg stated there were many repairs that needed to be done if the city was not going to abandon the road. Mrs. Bragg cited repairs to the culverts; limbs that are scratching her truck; and water that pools on the road that causes mosquitoes. Mrs. Bragg stated that this was her last attempt to try and settle this matter peacefully.

9. CHARTER INTERNET SERVICES

Randy Brazell will be present to discuss internet availability; planned upgrades and existing service available to residents of Shady Shores.

Mr. Brazell answered questions regarding upgrades and internet speed. Councilmembers expressed that many residents were unhappy with the slow speeds and in efficient equipment. Mr. Brazell stated that he would take the information back to his supervisor Kevin Allen and follow up with the Town Secretary.

10. 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. May 2016 Financial Reports

- B. Minutes of the May 9, 2016, Regular Town Council Meeting
- C. Resolution approving a water well for Lance Ouellette 27 Hidden Valley

Documents: [05.09.2016 MINUTES.PDF](#), [MAY 2016 FINANCIAL REPORTS.PDF](#), [WATER WELL PERMIT 27 HIDDEN VALLEY AIRPARK.PDF](#)

Tom Newell made a motion to approve the items on the consent agenda. Charles Grimes seconded the motion.

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

The motion passed unanimously.

11. ZIP CODE DISCUSSION

Consider and take action regarding information received from the US Post Office, the State Comptroller's office and Denco 9-1-1

Documents: [AGENDA MEMO ZIP CODE 06.13.2016.PDF](#), [FW_ CITY OF SHADY SHORES SALE TAX CONCERN.PDF](#)

Charles Grimes made a motion to table this agenda item to allow more time for research on the subject. Tom Newell seconded the motion.

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

The motion passed unanimously.

12. UPDATE ON S. SHADY SHORES ROAD

Councilmembers Paula Woolworth and Matthew Haines will give an update regarding the bridge on S. Shady Shores Road.

Councilmember Paula Woolworth presented an estimate from the RTA (Regional Transportation Authority) and discussed the partnerships that were being developed to perform necessary upgrades to S. Shady Shores Road. The estimate indicated that the proposed scope of work could cost anywhere from \$17 million to \$43 million dollars. That being said it would be a lengthy process if any type of funding were to be approved.

Mayor Pro Tem Cindy Aughinbaugh stated that she understood that residents were frustrated with the situation, however she asked for patience as council continues to work through these issues. In the future if there are things that residents could help with such as letter writing campaigns town staff and council will advise the residents.

13. SHADY SHORES BOAT RAMP

Consider, discuss and take action relative to maintenance issues; use and care of the Shady Shores Boat Ramp.

Documents: [AGENDA MEMO SHADY SHORES BOAT RAMP 06.13.2016.PDF](#), [BILL KRUEGER SHADY SHORES BOAT RAMP.PDF](#)

Nick Augustine, 142 Quail Circle spoke on behalf of Bill Krueger who had submitted a document and asked for this item to be discussed. Mr. Augustine read the document submitted by Mr. Krueger (Exhibit A).

Councilmember Paula Woolworth stated that she has been developing a relationship with the Corps of Engineers and would address some of the concerns regarding the restriping of the parking lot and the trash and dilapidated equipment. Ms. Woolworth also reminded residents that it she and Mayor Spencer had visited with the COE

previously and discussed the addition of park benches etc. Mayor Pro Tem Cindy Aughinbaugh asked council to consider appointing a resident that would like to work with the Corps of Engineers and Councilmembers.

14. BUDGET WORKSESSION

1. Staff will present preliminary budget figures for the 2016/2017 Fiscal Year Budget.
2. Town Attorney will give a presentation on Bonds and other ways to finance Capital Projects.
3. 2016/2017 Road Repair Projects

Town Attorney Jim Shepherd gave a presentation on Bonds and other ways to finance Capital Improvement Projects.

Council previewed preliminary budget numbers and discussed road and drainage improvements for the upcoming fiscal year.

15. WASTE MANAGEMENT RECYCLING ISSUES

Consider and discuss a pending settlement with Waste Management for mishandled recycling materials.

Documents: [AGENDA MEMO WASTE MANAGEMENT RECYCLING ISSUES 0613.2016.PDF](#)

Paula Woolworth made a motion to table this agenda item. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Aughinbaugh, Woolworth, Newell

NAYS: None

The motion passed unanimously.

16. FIRE DEPARTMENT CONTRACT

Consider and discuss options for the Fire Department Contract.

Brenda Hildebrand 127 Lakeside Drive stated that she had some concerns about the upcoming Fire Department Contract negotiations.

Phillip Havens 116 Sunset Circle expressed concerns about response times and would much rather save lives than money. He asked the council to please carefully consider the safety aspect.

Jo Ann Schnurbush, Eason Road, stated that she would be opposed to any change with the Fire Department. She asked council to remember that it wasn't always about money and the grass wasn't always greener on the other side.

Mayor Pro Tem Cindy Aughinbaugh read a letter from Doyle and Myra Bradley expressing their concern regarding a change in the Fire Department. (Exhibit B)

Mayor Pro Tem Cindy Aughinbaugh assured those in attendance that the council and town staff was in a discovery period. It was apparent that Hickory Creek and Lake Dallas were entertaining a different path and that council and staff was doing their due diligence. Ms. Aughinbaugh stated that to council and staff were doing their best to make sure information gets to the public and that all discussions have taken place in open session. She added that she was happy to have so many residents in attendance to express their opinion.

Councilmember Charles Grimes stated that life safety issues were a priority with the council and that the council would never jeopardize the lives of the residents.

John Ballenger, 122 Island Circle expressed frustration at the lack of communication.

Branden Shepherd 215 Lakeside Drive stated that he was a resident of the city and that he hoped the town council would be doing their due diligence as they considered options.

17. 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
 - 2. Waste Management Recycling Issues
 - 3. A0388a B. Eaves, TR 98, 7.0532 Acres, Old DCAd Tr #23b

Paula Woolworth made a motion to recess into executive session. Tom Newell seconded the motion.

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

The motion passed unanimously and the council recessed into executive session at 10:55 pm.

Charles Grimes made a motion to reconvene into open session. Tom Newell seconded the motion.

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

The motion passed unanimously and the council reconvened into open session at 12:09 am with no action taken.

18. ACTION AS RESULT OF EXECUTIVE SESSION

Consider and take action on any items necessary as a result of Executive Session.

There was no action taken as a result of executive session.

19. FUTURE AGENDA ITEMS AND STAFF DIRECTION

Discuss future agenda items and provide staff direction.

20. ADJOURN

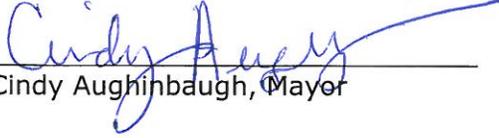
Tom Newell made a motion to adjourn. Charles Grimes seconded the motion.

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

The motion passed unanimously and the meeting was adjourned at 12:09 pm.

PASSED AND APPROVED THIS THE 11 DAY OF July, 2016.

Approved:


Cindy Aughinbaugh, Mayor

ATTEST:




Wendy Withers, Town Secretary

