



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

MINUTES

MEMBERS PRESENT

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

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

1. CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:00 pm.

2. ROLL CALL

Establish a quorum.

Mayor 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 newly appointed Mayor Aughinbaugh.
Deliver the oath of office to Councilmember Matthew Haines.

Town Secretary Wendy Withers delivered the oath of office to Mayor Cindy Aughinbaugh

Mayor Aughinbaugh delivered the Oath of Office to Matthew Haines.

5. COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

5. I. MONTHLY REPORTS:

A. Community Events (Mindy Grimes) - Chairman Mindy Grimes gave the Community Events report and the Keep Shady Shores Beautiful Report. Ms. Grimes reported that the group continued to work on the relocation of Olive's garden and were making plans for the Re-dedication and celebration of Olive's 100th birthday on August 20th.

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 and pointed out that the reports were formatted in a new way using the new software.

E. Police Report (Haines) - Councilmember Matthew Haines gave the police report for the month of May.

F. Fire Report (Woolworth)-Mayor Pro Tem Paula Woolworth gave the Fire Report for the month of June.

G. Planning and Zoning Report (Lea) - Chairman Allen Lea reported that the Planning and Zoning Commission continued to work on the Subdivision Ordinance.

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

I. Road Repairs and Flooding Issues Update- Mayor Pro- Tem Paula Woolworth gave an update of current road repairs and flooding issues.

J. Announcements

1. Upcoming Budget Worksessions
2. Re-dedication of Olive's Garden and Olive Stephens 100th birthday celebration, August 20th,

Documents:

1. [COPY OF SS POLICE ACTIVITY 2016 MAY.PDF](#)
2. [PERMITREPORT7-8-201612-29 PM.PDF](#)
3. [JUNE 2016.PDF](#)

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. June 2016 Financial Reports
- B. Minutes of the June 13, 2016, Regular Town Council Meeting
- C. Resolution voting for a member to serve on the Denco 9-1-1 Board
- D. Resolution authorizing bank signatories
- E. Investment Committee Report
- F. Interlocal Agreement Denton County Tax Collection

Documents:

1. [RESOLUTION PACKET TO CAST A VOTE FOR DENCO 9-1-1.PDF](#)
2. [INTERLOCAL WITH DENTON COUNTY FOR TAX COLLECTION 2016-2017.PDF](#)
3. [06.13.2016 CC MINUTES.PDF](#)
4. [RESOLUTION BANK SIGNATORIES 06.2016.PDF](#)

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

DISCUSSION: None

AYES: Grimes, Haines, 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. COUNCILMEMBER APPOINTMENT

Conduct interviews for the vacant councilmember seat, place
4. Consider and act on the appointment of an individual to fill the place 4 vacancy.

Documents:

1. AGENDA MEMO COUNCIL MEMBER APPOINTMENTS 07.11.2016.PDF
2. LINETT, MIKE_REDACTED.PDF
3. GARY GOLDSMITH RESUME_REDACTED.PDF
4. NELSON, JACK.PDF
5. GRAHAM, FRANK_REDACTED.PDF

Matthew Haines made a motion to recess into executive session. Paula Woolworth seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously and the council recessed into executive session at 7:25 pm.

Matthew Haines made a motion to reconvene into open session. Tom Newell seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously and the council reconvened into open session at 7:41 pm.

There were three candidates for consideration. Jack Nelson, Mike Linnet and Gary Goldsmith. Frank Graham had previously applied but withdrew his application citing time constraints.

Councilmembers asked the applicants a series of questions regarding their experience levels and knowledge of municipal government.

Charles Grimes made a motion to recess into executive session. Paula Woolworth seconded the motion.

DISCUSSION: NONE

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously and the council recessed into executive session at 8:05 pm.

Matthew Haines made a motion to reconvene into open session. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously and the council reconvened into open session at 8:17 pm.

Tom Newell made a motion to appoint Jack Nelson to fill the vacancy in Place 4 on the Town Council. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Mayor Aughinbaugh thanked the applicants for their interest.

Bill Krueger 103 Cielo Lane stated that he was interested in how many council meetings each applicant had attended.

9. FIRE DEPARTMENT CONTRACT

Conduct a discussion relative to Fire Department Contract. Discuss goals and objectives for Fire Service and how it relates to the Town of Shady Shores. Consider and act on hiring a consultant to evaluate Fire Services.

Documents:

1. [AGENDA MEMO FIRE DEPARTMENT CONTRACT 07.11.2016.DOCX](#)

Jim McClaren 306 Cove Drive stated that he was a big fan of all first responders. Mr. McClaren is an active volunteer with the Corinth Police Department and knows that the Fire Department and Police Department are professional organizations.

Bill Krueger, 103 Cielo Lane stated that he too had concerns about the response time and stated that he felt the council was devaluing the life of its residents.

Tom Rufer, 202 Moonlit Path stated his two primary concerns were response times and quality of service. Mr. Rufer stated that cost should not be the top priority when choosing a service.

Mayor Aughinbaugh read the memo outlining the history of the Fire Department discussions.

Mayor Pro Tem Paula Woolworth assured the residents that no decisions have been made. Ms. Woolworth stated that the council had a responsibility to ensure that the town was still receiving the highest quality services and the cost was appropriate. Ms. Woolworth explained that the response would not be from Argyle but rather the Lake Dallas Fire Station.

Councilmember Tom Newell stated that the council is charged with the due diligence of making sure the town was getting best value. The cost of the contract was a secondary issue. Mr. Newell asked residents to consider what premium is reasonable to pay if the services were the same.

Tom Newell made a motion to table the hiring of an outside consultant. Matthew Haines seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth and Newell

NAYS: None

The motion passed unanimously.

Matthew Haines made a motion to move into executive session at 8:45 pm. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously.

Charles Grimes made a motion to reconvene into open session. Matthew Haines seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously and the council reconvened into open session at 9:20 pm.

10. VARIANCE TO THE TOWN OF SHADY SHORES CODE OF ORDINANCES CHAPTER 3, ARTICLE 3.07

The Orchards HOA is asking for a variance to the sign ordinance in order to install permanent "Keep off the Grass" Signs.

Documents:

1. [AGENDA MEMO VARIANCE TO THE SIGN ORDINANCE 07.11.2016.PDF](#)
2. [GRASS2 \(3\).PDF](#)
3. [THE ORCHARDS \(2\).PDF](#)
4. [SIGN ORDINANCE.PDF](#)

Orland Hilliard 207 Moonlit Path stated that he was the president of the HOA, and that they would like to place keep off the grass signs in designated locations in the subdivision. Mr. Hilliard stated that there was no curbing and therefore many people were parking on the grass and causing damage to sprinkler systems and front lawns.

Tom Rufer signed up to speak but declined to comment.

Matthew Haines made a motion to approve the variance for the placement of the signs in the locations presented. Charles Grimes seconded the motion.

DISCUSSION: Mayor Pro Tem Paula Woolworth asked if the motion could be amended to state that the HOA would be responsible for the care and maintenance of the signs.

Matthew Haines amended his motion to approve the variance for the placement of the signs in the location presented, with the stipulation that the Orchards HOA would be responsible for the care and maintenance of the signs. Charles Grimes seconded the motion.

DISCUSSION: None

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously.

11. CODE ENFORCEMENT SERVICES

Review Code Enforcement Services for the previous quarter.

Documents:

1. [CODE ENFORCEMENT 07.08.2016.DOCX](#)

Town Secretary Wendy Withers reported that communications with Code Enforcement had improved over the last quarter. The Code Enforcement officer is now using the city software. Town Attorney Jim Shepherd noted that three cases were brought to trial last month and Bob Matthews did a great job working the cases and testifying.

12. FRITZ LANE S. SHADY SHORES ROAD UPDATES

Councilmembers updated residents regarding the S. Shady Shores Road Closure and Fritz Lane repairs.

Tom Dawson 15 Tera Evergreen stated that the closure of the streets was a safety issue, and he hoped council was working to get those roads repaired.

13. WASTE MANAGEMENT RECYCLING ISSUES

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

Documents:

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

Mayor Pro Tem Paula Woolworth reported that the town was still working with Waste Management to reach a settlement agreement; the town council however did feel that Waste Management should manage refunding residents who paid for recycling services. However a suitable solution for the town's issues with Waste Management had not been completed.

Councilmember Matthew Haines stated that he felt there was no sense of urgency in reaching a settlement until it was the right one.

Orland Hilliard 207 Moonlit path, voiced his agreement with Councilmember Haines.

There was no action taken on this agenda item.

14. BUDGET WORKSESSION

Conduct a worksession relative to the 2016-2017 Fiscal Year Budget.

Documents:

1. [ROAD REPAIR PROJECTS \(AUTOSAVED\).PDF BUDGET - DRAFT.PDF](#)

A worksession was conducted relative to the 2016-2017 Fiscal Year Budget. Pending road repair projects were discussed. Staff was directed to budget road repair reserves to cover the cost.

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 551.074- 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 appointment of an individual to fill the Place #4 vacancy on the Shady Shores Town Council.

B. Government Code 551.071- Consultation with Attorney

1. Town of Shady Shores Vs Sarah Swanson

2. Waste Management Recycling Issues

16. ACTION AS RESULT OF EXECUTIVE SESSION

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

17. FUTURE AGENDA ITEMS AND STAFF DIRECTION

Discuss future agenda items and provide staff direction.

Council will need to appoint a person to serve on the Planning and Zoning Commission. Matthew Haines would like the Planning and Zoning Commission to vet the potential applicants.

18. ADJOURN

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

DISCUSSION: NONE

AYES: Grimes, Haines, Woolworth, Newell

NAYS: None

The motion passed unanimously, and the meeting was adjourned at 10:19 pm.

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

Approved:


Cindy Aughinbaugh, Mayor



ATTEST:


Wendy Withers, Town Secretary