

**REGULAR COUNCIL MEETING
OCTOBER 1, 2007
MINUTES**

1. Call to Order

The Town Council of the Town of Shady Shores convened in a regular meeting on October 1, 2007 at 7:00 p.m., Shady Shores Community Center, 101 South Shady Shores Road, Shady Shores, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Government Code. The following members were present: Mayor Olive Stephens, Mayor Pro tem Nita Watkins, Councilmembers Polly Carter, Sherry Starr and Jerry Williams. Charles Grimes was absent. A quorum was present.

2. Pledge Allegiance to the Flag

The Pledge of Allegiance to the United States Flag and the Texas Flag was recited by all present.

3. Discussion, consideration and possible action regarding Preliminary/Final Plat, Adkisson Ranch School Site, Forty (40) acres, W. Durham, A-330, 133 Garza Road, Shady Shores, Texas. (Presentation by a representation by the Denton Independent School District)

Mike Saunders was not present but he called and spoke with the Mayor earlier today and said he had talked to Mr. Morrison and Mr. Morrison had made a favorable recommendation.

Robert Howman made a presentation on behalf of the Denton Independent School District. Glen Martin with the Denton Independent School District was also present. Mr. Howmann said they had worked out the drainage issues with Mr. Morrison.

ACTION TAKEN: Jerry Williams made a motion to accept and pass the Preliminary/ Final Plat, Addisson Ranch School Site, Forty (40) acres, W. Durham, A-330, 133 Garza Road, Shady Shores, Texas pending (current plat presented to the council dated September 19, 2007) Jerry Williams amended his motion to add pending written approval from Mike Saunders, the City Engineer on Mr. Morrison's written recommendation of his approval for the storm sewer. Seconded by Nita Watkins.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

4. Presentation regarding fire department funding (Presentation by Fire Chief Jason Collier)

Kathe Strantz, Shady Shores representative on the Fire Board was present

Presentation by Chief Jason Collier.

October 9th is Fire Prevention Week.

NO ACTION TAKEN

5. Discussion and take appropriate action regarding animal control.

Council was given information last month and Kerry Payne made a presentation to the council.

Charles Grimes asked that this item be tabled until he could be present to participate in the discussion.

ACTION TAKEN:

Polly Carter made a motion to table this item until the November Council meeting. Seconded by Sherry Starr.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

6. Discussion and take appropriate action regarding proposal from C&C Engineering, Inc. for third party inspection services at the Adkisson Ranch School. (Presentation by a representation of C&C Engineering, Inc.)

ACTION TAKEN:

Nita Watkins made a motion to table this item. Seconded by Sherry Starr.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

7. Discussion and take appropriate action to adopt a resolution to selecting the official town newspaper.

Asking to speak on this item was Marcia Rios, reporter with the Lake Cities Sun.

RESOLUTION NO. 680

(Designating Official Newspaper)

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, DESIGNATING AN OFFICIAL NEWSPAPER FOR THE TOWN OF SHADY SHORES FOR THE FISCAL YEAR 2007-2008

WHEREAS, the City Council finds that *Lake Cities Sun* is a paper of general circulation within the Town of Shady Shores: and:

WHEREAS, the City Council finds that *Lake Cites Sun*:

1. devotes not less than 25% of its total column lineage to general interest items;;
2. is published at least once each week;
3. is entered as 2nd class postal matter in the county where published; and
4. has been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice; and

WHEREAS, the City Council finds that *Lake Cities Sun* is a publication that meets all of the criteria legally required of an Officially designated newspaper for the Town of Shady Shores; and

NOW THEREFORE, be it hereby Resolved by the Council of the Town of Shady Shores, Texas, that:

1. *Lake Cities Sun* is designated as the official newspaper for the Town of Shady Shores for Fiscal Year 2007-2008, commencing October 1, 2007. The use of the newspaper prior to the date of this resolution is ratified by Council.
2. Until September 30, 2008, and thereafter until changed by resolution of City Council, the Town of Shady Shores shall continue to publish in *Lake Cities Sun* each ordinance notice or other matter to be published by law.
3. This Resolution is effective immediately upon passage.

PASSED & APPROVED by the City Council on this 1st day of October, 2007.

ACTION TAKEN:

Jerry Williams made a motion to adopt Resolution No. 680 designating the Lake Cities Sun as the official newspaper for the Town of Shady Shores for the fiscal year 2007-2008. Seconded by Sherry Starr.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

8. Discussion and take appropriate action regarding request for a rate adjustment from ATMOS ENERGY.

RESOLUTION NO. 681

A RESOLUTION SUSPENDING THE PROPOSED EFFECTIVE DATE OF THE PROPOSED RATE SCHEDULES OF THE MID-TEX DIVISION OF ATMOS ENERGY CORPORATION (“COMPANY”), PROVIDING THAT THE RATE SCHEDULES OF SAID COMPANY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION, PROVIDING FOR NOTICE HEREOF TO SIAD COMPANY, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Company heretofore, on September 20, 2007, filed with the governing Body of this municipality its Rate filing package, proposing to change its rate schedules within the corporate limits of this municipality, effective on October 25, 2007 (the “ proposed effective date”); and

WHEREAS, in order to allow sufficient time for the consideration of the data filed by said Company, it is the desire of the Governing Body of this municipality to suspend, pursuant to Section 104.107(a)(1) of the gas Utility Regulatory Act, the proposed effective date of said proposed changed rate schedules;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Shady Shores, Texas:

- SECTION 1.** That the effective date of the proposed changed rate schedules of Company is hereby suspended For a period of 90 days from the proposed effective date;
- SECTION 2.** That the rate schedules of company in effect within this municipality on the date on which Company filed Its said Statement of Intent shall continue in force during the period of suspension provided by Section 1 Hereof.
- SECTION 3.** That the Secretary of this municipality is hereby directed to deliver a copy of this Resolution to Company Promptly after the passage hereof.
- SECTION 4.** It is hereby official found and determined that the meeting at which this Resolution is passed is open to the Public and that public notice of the time, place and purpose of said meeting was given, all as required by Law.

PASSED AND APPROVED at a Regular Meeting of the City Council of the City of Shady Shores, Texas on this the **1st day of October, 2007.**

ACTION TAKEN:

Polly Carter made a motion to adopt Resolution No. 681 suspending the proposed effective date of the proposed rate schedules of the Mid-Tex division of Atmos Energy Corporation. Seconded by Sherry Starr.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

9. Discussion and take appropriate action regarding Vinson subdivision drainage issues. (Presentation by Tom Spencer)

Mr. Spencer e-mailed background and pictures to the council. Mr. Spencer made a presentation to the Council.

Speaking before the council were: Rusty Williams-212 Harrison Court, Jonathan Tate-209 Harrison Court, Jim Karvel, Susan Witsinger-215 Harrison Court, Darla and Jeff C ushmon-216 Harrison Court, Larry Jeurink-211 Harrison Court ---all residents of the Vinson Subdivision.

ACTION TAKEN:

Polly Carter made a motion to table this item and have it on the agenda for the November meeting after the road committee has met. Seconded by Jerry Williams.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

10. Discussion and take appropriate action to adopt a Resolution regarding designating signatories for the NORTHSTAR BANK OF TEXAS.

RESOLUTION NO. 682

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS, DESIGNATING SIGNATORIES FOR THE NORTHSTAR BANK OF TEXAS.

WHEREAS, the Town of Shady Shores has an account at the NORTHSTAR Bank of Texas; and, **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SHADY SHORES, TEXAS, THAT;** The Town Council of the Town of Shady Shores hereby approves **OLIVE STEPHENS, NITA WATKINS, AND POLLY CARTER** as signatories for the above mentioned account with the NORTHSTAR BANK OF TEXAS.

The Town Council of the Town of Shady Shores hereby declares that this Resolution shall become effective **OCTOBER 1, 2007.**

PASSED AND APPROVED this the **1ST** day of **OCTOBER** 2007.

Reports from Council and Committee Chairpersons

Mayor Olive Stephens-Budget, finance

New budget year

Mayor Pro tem Nita Watkins-Financials, Roads Funding

Berry Lane to be closed at Dobbs until roadwork is complete

Work on Oberman Lane has begun

Councilmember Sherry Starr

Thank you to the girl scouts for handout information on Berry Lane closure.

Councilmember Polly Carter- Roads, Corps Committee

Road committee will be having a meeting sometime in October possibly in three weeks

Councilmember Charles Grimes

Corps Committee, Police Department

Police Department is getting calls on animal control. Calls need to be directed to the community center through the Mayor.

Councilmember Jerry Williams

Shoreline report

Working on Christmas edition

Please get any information you may have to Jerry as soon as you can.

Need information on criteria and fees for rental of new building.

Fire Department Board Member- Kathe Strantz

Addressed by item #4.

11. CITIZENS COMMENTS

Diane Williams asked for information on the Code Enforcement contract and review on next month's agenda, re-opening of June Road on next month's agenda and establishing a work order program.

12. Approval of Minutes:

(a) SEPTEMBER 10, 2007 REGULAR MEETING

ACTION TAKEN:

Jerry Williams made a motion to approve the minutes of the September 10, 2007 with corrections to item # 5 made by Polly Carter. (Mike Saunders made a recommendation that after checking with the City Attorney to barricade and made provisions for the gentleman who lives off of Dobbs Road so that he can still get to his house) Seconded by Nita Watkins.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

(b) SEPTEMBER 24, 2007 SPECIAL MEETING

ACTION TAKEN:

Jerry Williams made a motion to approve the minutes of the September 24, 2007 Special Meeting Seconded by Nita Watkins.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

13. Adjourn

ACTION TAKEN:

Jerry Williams made a motion to adjourn the regular meeting of October 1, 2007.

Seconded by Polly Carter.

FOR: UNANIMOUS

THE MOTION CARRIED 4-0

As authorized by section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the city attorney on any agenda item listed herein.

_____Olive Stephens, Mayor

ATTEST:

Town Secretary