

**REGULAR COUNCIL MEETING
TOWN OF SHADY SHORES
MONDAY, SEPTEMBER 10, 2007
MINUTES**

1. Call to Order

The Town Council of the Town of Shady Shores convened in a regular meeting on September 10, 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, Charles Grimes, Sherry Starr and Jerry Williams. 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)

(Presentation by a member of the Denton Independent School District) { Approved by Planning and Zoning on August 29, 2007 subject to final engineering for water, sewer and drainage. }

Jerry Williams made a motion to accept the preliminary/final plat for the Adkisson Ranch School Site, Forty (40) acres, W. Durham, A-330, 133 Garza Road, Shady Shores, Texas contingent on the engineering being approved by the city engineer at a later date—that includes water, sewer and drainage. Seconded by Nita Watkins.

FOR: Watkins, and Williams AGAINST: Cater, Grimes and Starr

THE MOTION FAILED 3-2

4. Discussion, consideration and possible action regarding adopting a conditional use permit Ordinance sought by the Denton Independent School District to erect a school complex on the Adkisson Ranch School Site, forth (40) acres, W. Durham Survey, A-330, 133 Garza Road (Presentation by the Denton Independent School District)

ORDINANCE NO. 196-9-2007

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO DENTON INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF LOCATING AND OPERATING AN ELEMENTARY SCHOOL; PROVIDING THE TERMS AND CONDITIONS UPON WHICH PERMIT IS GRANTED; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Jerry Williams made a motion to adopt Ordinance No. 196-9-2007 to erect a school complex on the Adkisson Ranch School Site, W. Durham Survey, A-330, 133 Garza Road. Seconded by Nita Watkins.

FOR: GRIMES, STARR, WATKINS, WILLIAMS ABSTAINING: CARTER

THE MOTION PASSED 4-0 WITH ONE ABSTAINION

5. Discussion, Consideration and possible action regarding Berry Street Improvements.

Mike Saunders made a recommendation that after checking with the City Attorney to barricade and make provisions for the gentleman who lives off of Dobbs Road so that he can still get to his house and everybody else that lives normally on Berry Lane can get to their houses and stop all the traffic going up and down that road till we get some asphalt on it. And its going to take any where from six to eight weeks to get that done.

Because it is no longer an emergence we have to advertise and go to bids. We did go and talk to the LDISD regarding some drainage issues at the south end. They were going to investigate that and their architect was there—Mr. King—along with Wesley—Is that his name?—And he was there and they were going to investigate—because we told -- they blocked some drainage--and it is my understanding that some of this that you want done is including the drainage at that end—so we've got to try to get them up to speed and.

and we want to get this done in the meantime soon. Kevin Jones will act a spokesperson.
Polly Carter made a motion to contact the attorney to seek legal advice to see what needs to be done.
Seconded by Charles Grimes.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

6. Presentation by Joe Piatt, Emergency Management Coordinator regarding recent Flood damage and Alarm System recommendations for Shady Shores. Vortex R4 Warning Sirens

After **meeting with venders in the** region for various outdoor warning systems, it was discovered that American Communications, which sells Whelan Warning Systems, could provide the best product for the lowest price. Whelan’s most powerful siren is the Vortex R4 Warning Siren with a reach of two miles; one of these sirens placed in the area of the Community center will reach every part of Shady Shores including Ciello Ranch. After meeting with a sales person for American Communications, it was determined that the following list of equipment will provide the coverage needed.

If we go with a wood pole, CoServe will sell one **to the city and install it into the ground for \$400.00** this is a savings of \$2,500.00.

Here is a list of parts and prices:

- R4 siren- \$10,150
- Top Pole Bracket- \$285.00
- Batteries- \$250.00
- 2-Way- \$1,730
- E-2010 Controller \$2,849.00 *The Cities of Corinth and Hickory Creek will have already installed a controller, There may be a slight price to connect to the already existing controller,
- 60 ft installation wood pole --The Pole can be purchased from Coserve for a pike of **\$400.00**; this price includes installation of the pole in to the ground. It does not include getting the electricity to the pole.
- Installation of the System **\$1,950.00**

Totai: \$14,765.00

Some of these prices will vary because of things we can get on our own, and also shipping costs. The installation of the pole can be done by Browning Reaves or Ed’s Electric, which are **the companies that** contract with American Communications, they will install the system for \$1,950.00 or we can choose to have someone else **install it for us. It** will take about 18-20 weeks from date of purchase to get the siren.

NO ACTION TAKEN.

7. Discussion, Consideration and possible action to adopt an Ordinance regarding on-site sewage control.

ORDINANCE NO. 197-9-2007

AN ORDINANCE ADOPTING RULES OF SHADY SHORES, TEXAS FOR ON-SITE SEWAGE FACILITIES

Nita Watkins made a motion to adopt Ordinance No. 197-9-2007 adopting rules for on –site sewage for on-site sewage facilities. Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

8. OPEN PUBLIC HEARING

Nita Watkins made a motion to open the public hearing. Seconded by Polly Carter.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

Discussion of 2007-2008 Budget

There were no citizens present who wished to speak.

Nita Watkins made a motion to close the public hearing. Seconded by Polly Carter.

FOR: UNANIMOUS THE MOTION CARRIED 5-0
CLOSE PUBLIC HEARING
RECESS

9. Consideration and action of adopting an Ordinance adopting the budget for the Fiscal Year beginning on October 1, 2007 and ending on September 30, 2008.

ORDINANCE NO. 198-9-2007

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS APPROVING AND ADOPTING A BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE TOW; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Jerry Williams made a motion to adopt Ordinance No. 198-9-2007 adopting a budget for the fiscal year beginning on October 1, 2007 and ending on September 30, 2008. Seconded by Polly Carter.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

10. Consideration and action of adopting an Ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning on October 1, 2007 and ending on September 30, 2008.

ORDINANCE NO. 199-9-2007

AN ORDINANCE OF THE TOWN OF SHADY SHORES LEVYING THE AD VALOREM TAXES FOR THE YEAR 2007 (*FISCAL YEAR 2007-2008*) AT A RATE OF \$.31990 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SHADY SHORES AS OF JANUARY 1, 2007, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE TOWN OF SHADY SHORES; PROVIDING FOR DUE AND DELIQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Nita Watkins made a motion to adopt Ordinance No. 199-9-2007 adopting ad valorem tax rate of .31990 on all taxable property within the corporate limits for the Town of Shady Shores as of January 1, 2007. Seconded by Sherry Starr.

FOR: UNAMIOUS THE MOTION CARRIED 5-0

Reports from Council and Committee Chairpersons

Mayor Olive Stephens-Budget, finance

Thank and recognize Andrea Durkin for her clean-up project on the Corp property.
Drainage ditch---Berry Lane.

Mayor Pro tem Nita Watkins-Financials, Roads Funding,

Checked on police department funding

Councilmember Sherry Starr

Councilmember Polly Carter- Roads, Corps Committee

Shahan Road has a new coat of sealer.

Fritz repaired.

Road Committee to schedule a meeting to discuss repair projects for next year.

Councilmember Charles Grimes-Corps Committee, Police Department

Councilmember Jerry Williams-Shoreline report

Read a letter from Commissioner Cynthia White regarding Shady Shores Road.

Fire Department Board Member- Kathe Strantz

Kathe Strantz is still experiencing health problems.

11. CITIZENS COMMENTS

There were no citizens who wished to address the council.

12. Approval of Minutes:

(a) August 6, 2007, 2007 REGULAR MEETING

Nita Watkins made a motion to approve the minutes of the August 6, 2007 regular meeting.

Seconded by Jerry Williams

FOR: UNANIMOUS THE MOTION CARRIED 5-0

13. Adjourn

Sherry Starr made a motion to adjourn. Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

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