

**REGULAR COUNCIL MEETING
MARCH 5, 2007
MINUTES**

1. Call to Order

The Town Council of the Town of Shady Shores convened in a regular meeting on March 5, 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 Betty Brown, Polly Carter, Charles Grimes 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. PUBLIC HEARING—OPEN PUBLIC HEARING

Nita Watkins made a motion to open the public hearing. Seconded by Jerry Williams

FOR: UNANIMOUS THE MOTION CARRIED 5-0

Discussion, consideration and possible action regarding a conditional use permit sought by The Town of Shady Shores to erect a TOWN HALL (Shady Shores Municipal Building) on Block 1, lot 1, Shady Shores Community Center—101 South Shady Shores Road.

Speaking in support were: David Perez, Sharon Bounds, Cecil Carter.

Allan Arkus supported the new community center questioned the size of the building.

Ann Falkenberg asked that the town continue to provide the services but keep the tax rate the same.

One letter in opposition for Leliaert-Woolworth.

Nita Watkins made a motion to close the public hearing. Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

CLOSE PUBLIC HEARING

4. Discussion and possible action regarding a conditional use permit Ordinance sought by the Town of Shady Shores to erect a Town Hall (Shady Shores Municipal Building) on Block 1, Lot 1, Shady Shores Community Center—101 South Shady Shores Road.

ORDINANCE NO. 190-3-2007

(Town of Shady Shores Conditional Use Permit)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR A TOWN HALL AND ALL RELATED GOVERNMENTAL PURPOSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Betty Brown made a motion to adopt Ordinance 190-3-2007 regarding a conditional use permit Ordinance sought by the Town of Shady Shores to erect a Town Hall (Shady Shores Municipal Building) on Block 1, Lot 1, Shady Shores Community Center---101 South Shady Shores Road as written.

Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

5. Discussion and action to appoint Kim Meier, Building Committee Chairman, as project manager, liaison to the Council and establish duties and/or procedures during construction of the Shady Shores Municipal Building.

Speaking in support were: Polly Carter, Sharon Bounds, Cecil Carter, Ann Falkenberg.

Allan Arkus asked about Kim Meier's qualifications.

Polly Carter made a motion to appoint Kim Meier, building Committee Chairman as project manager, liaison to the Council and establish duties and /or procedure during construction of the Shady Shores Municipal Building. Seconded by Betty Brown.

FOR: UNANIMOUS THE MOTION CARRIED.

Betty Brown made a motion to table item #6 until the Jim Shepherd, Town Attorney arrives and move item # 7 forward.

Seconded by Nita Watkins.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

6. Discussion and action to adopt an Ordinance establishing a conditional use permit for Gene Tisdale and wife, Diane Tisdale providing for two(2) HUD Code manufactured homes located at 417 South Shady Shores Road.

Mr. Gene Tisdale made a presentation to the council.

ORDINANCE NO. 192-3-2007

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, ESTABLISHING THE CONDITIONAL USE PERMIT TO GENE TISDALE AND WIFE DIANE TISDALE, PROVIDING FOR TWO (2) HUD CODE MANUFACTURED HOMES; PROVIDING FOR THE PROHIBITION OF ALL MOBILE HOMES; DEFINING THE LOCATION OF THE TWO HOMES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Betty Brown made a motion to adopt Ordinance No. 192-3-2007 at written. Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

7. Discussion to adopt an ordinance establishing a curfew for minors, to prohibit minors under seventeen (17) years of age from being in a public place between the hours of 11:00 P.M. and 6:00 A.M.

Speaking in opposition to the ordinance were: David Perez, Gerald Earling, Marie Mitchell, Fletcher Moody.

Ann Falkenberg spoke on this item.

Speaking in support were: Alan Arkus and Julie Davidson

Not signed up to speak but the Mayor allowed him to comment were: Justin Mitchell who spoke in opposition.

Not signed up to speak but the Mayor allowed her to speak in support was Mindy Grimes.

Officer Stacy of the Corinth Police Department made a presentation regarding this ordinance.

ORDINANCE NO. 191-3-2007

(JUVENILE CURFEW ORDINANCE)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS ESTABLISHING A CURFEW FOR MINOR TO PROHIBIT MINORS UNDER SEVENTEEN (17) YEARS OF AGE FROM BEING IN A PUBLIC PLACE BETWEEN THE HOURS OF 12:00 A.M. AND 6:00 AM.M. PROVIDING AFFIRMATIVE DEFENSES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Betty Brown made a motion that we accept Ordinance 191-3-2007 with the changes to the time in the public place between the hours of midnight and 6 a.m. Seconded by Jerry Williams.

FOR: Brown, Grimes, Watkins, and Williams Opposed: Carter

The motion carried 4-1

8. Discussion of police car accident

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 confidential legal advice from the city attorney on any agenda item listed herein.

Nita Watkins made a motion to adjourn into closed session after items #9, #10, #11, and #12 are reviewed to seek legal advice concerning item #8. Seconded by Jerry Williams.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

9. Discussion and action to approve an Interlocal agreement between the Town of Shady Shores and County of Denton for rental of voting machines & equipment and the purchase of voting supplies.

Polly Carter made a motion to approve an Interlocal agreement between the Town of Shady Shores and the County of Denton for rental of voting machines & equipment and the purchase of voting supplies.

Seconded by Betty Brown.

FOR: UNANIMOUS

THE MOTION CARRIED 5-0

10. Reports from Council and Committee Chairpersons

Mayor Olive Stephens-Budget, finance

Gathering information for next year’s budget. Need fire department information. (Working on funding Schedule)

Mayor Pro tem Nita Watkins-Financials, Roads Funding,

Councilmember Betty Brown-Library, Police

Total of 33 calls average response was 3.91 minutes.

Warrant round up.

Vacation watch program for the citizens.

Councilmember Polly Carter- Roads, Corps Committee, Building Committee

Update Berry Lane

Nothing on Corps Committee or Building Committee

Road committee

Update on Berry Lane

Al-Tex who did Shahan Road has been contacted.

Councilmember Charles Grimes

Corps Committee—Nothing to report

Councilmember Jerry Williams-Shoreline report

Candidate questionnaire in Shoreline

Fire Department Board Member- Kathe Strantz

Kathe Strantz is still recuperating.

Building Committee---Kim Meier

Nothing new to add.

11. CITIZENS COMMENTS

Allan Arkus spoke on roads.

Ann Falkenberg spoke on residents speaking on agenda items.

12. Approval of Minutes:

(a) February 5, 2007 regular meeting

Nita Watkins made a motion to approve the minutes of the February 5, 2007 meeting. Seconded by Jerry Williams.

**FOR: CARTER, GRIMES, WILLIAMS AND WATKINS OPPOSED: BROWN
MOTION CARRIED 4-1**

As authorized by section 551.071(2) of the Texas Government Code council adjourned into closed Session to seek legal advice from the city attorney regarding item # 8 at 9:53.Council re-convened into open session at 11:02. No action taken.

12.Adjourn

Jerry Williams made a motion to adjourn the Meeting of March 5, 2007. Seconded by Nita Watkins.

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