

**REGULAR COUNCIL MEETING
MARCH 3, 2008
MINUTES**

1. Call to Order

The Town Council of the Town of Shady Shores convened in a regular meeting on March 3, 2008 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 5511 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. Discuss on-going projects with Town Engineer, Mike Saunders.

Town Engineer, Mike Saunders was not present. No discussion or Action taken.

4. Discuss and take appropriate action regarding on-going road projects.

a) Fritz Lane

Town Attorney explained the Town Engineer requested that the Council revise last months motion by simply adding to it---that the Fritz Lane project to proceed subject to any recommendations from the City Engineer. I think what he meant by that was simply working out one culvert in particular where we had two culverts flowing into one --- little concern about the sizing on that. I don't think he mentioned anything else to me---other than that. That one phrase and that one problem. If there are other problems he didn't mention it.

Betty Brown asked for clarity of the motion from last month--- (Jerry Williams made a motion to accept the proposal from Nova Construction for repairs to Fritz Lane which includes the asphalt repairs, 310 linear foot of culvert pipe, concrete end and head walls, head wall on the west side of Mustang Trail, 44 linear feet of RCP and asphalt, and another head wall all totally \$38,999.75 plus a maintenance bond.)

Patty Durkin-widening the road.

ACTION TAKEN: NITA WAKTINS MADE A MOTION TO DIRECT MIKE OR NOVA OR BOTH TO PROCEED WITH THE PROJECT WITH THE DELECTION OF THE 24 INCH RE- ENFORCED CONCRETE PIPE UNDER MUSTANG. SECONDED BY JERRY WILLIAMS FOR: UNANIMOUS THE MOTION CARRIED 5-0

b) Smokey Lane

Betty Brown spoke about turn lanes on Garza and Shady Shores Road

Patty Durkin concern about using town funds for a road that only serves a few houses.

Linda Martin---Jay Street

ACTION TAKEN: POLLY CARTER MADE A MOTION TO DIRECT MIKE TO CONTINUE WITH HIS ENGINEERING ON SMOKEY LANE AND THE PLANS TO PREPARE FOR BID AND PAVE IT BY JUNE. SECONDED BY SHERRY STARR. FOR: UNANIMOUS THE MOTION CARRIED 5-0

c) Shahan Subdivision

Signed up to speak but choose not to speak were Betty Brown and Patty Durkin.

ACTION TAKEN: POLLY CARTER MADE A MOTION TO DIRECT MIKE TO GO AHEAD WITH BIDS FOR OVERLAY ON SHAHAN SUBDIVISION. SECONDED BY SHERRY STARR. FOR: UNANIMOUS THE MOTION CARRIED 5-0

5. Discussion and take appropriate action regarding the filing of the most recent survey of the area known as Old Shady Shores.

Speaking in favor of filing the most recent survey of the area known as Old Shady Shores were Betty Brown, Patty Durkin, Tom Spencer and Jean Bowers.

ACTION TAKEN: NITA WATKINS MADE A MOTION TO PROCEED WITH FILING THE MOST RECENT RIGHT-OF-WAY SURVEY MAP OF THE AREA KNOWN AS OLD SHADY

SHORES IN THE DENTON COUNTY LAND RECORDS WITH THE PROPER DOCUMENTATION/WORDING AS RECOMMENDED BY THE TOWN ATTORNEY. SECONDED BY POLLY CARTER.

FOR: POLLY CARTER, CHARLES GRIMES, NITA WATKINS AND SHERRY STAR.

ABSTAINING: JERRY WILLIAMS

MOTION CARRIED 4-0

6. Discussion and take appropriate action regarding Ordinance No. 148-1-2003 (Defining certain nuisances and unlawful acts as it relates to 236 Oakwood Circle).

Betty Brown and Patty Durkin signed up to speak on this item.

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION THAT REGARDING AGENDA ITEM #6 I WOULD ASK THAT THE APPROPRIATE ACTION WE TAKE WOULD BE TO ADDRESS THIS PARTICULAR ISSUE BY SENDING A LETTER TO THOSE THAT ARE OFFENDING ORDINANCE 148-1-2003 AND BASICALLY HOPE THAT THIS WOULD RESOLVE THIS ISSUE. SECONDED BY CHARLES GRIMES.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

7. Discussion and take appropriate action regarding fee schedule and rules regarding rental of new community Building.

Speaking and offering recommendations were Betty Brown and Patty Durkin.

Copies of reservation documents and procedures from Lake Dallas, Krugerville, Double Oak and Balch Springs were given to council members for their review. Mayor appointed Sherry Starr to chair this project.

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO TABLE THIS ITEM. SECONDED BY NITA WATKINS.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

8. Discussion and take appropriate action regarding contract for cleaning and routine maintenance of new building.

Speaking in support of maintenance of the building were Betty Brown and Patty Durkin.

ACTION TAKEN: NITA WATKINS MADE A MOTION TO CONSIDER SPEEDY JANITORIAL SERVICES. INC. SECONDED BY POLLY CARTER. (SERVICES TO BEGIN IMMEDIATELY FOR TWICE A MONTH)

FOR: UNANIMOUS THE MOTION CARRIED 5-0

9. Discussion and take appropriate action regarding storage building.

Betty Brown speaking in support of a storage building. Patty Durkin also spoke about the storage building. Mark Martin made a presentation.

ACTION TAKEN: NITA WATKINS MADE A MOTION--I MOVE THAT EVERYBODY'S COMFORTABLE WITH THE PRESENTATION--- THAT WE MOVE FORWARD WITH THE PROJECT. PROCEED WITH RECOMMENDATION AS STATED BY THE ATTORNEY. (WHAT YOU ARE ASKING THAT THE ARCHITECT HAVE A SUFFICIENT PLAN DESIGN SO THAT A CONTRACTOR CAN SUBMIT A BID OR TWO.) SECONDED BY POLLY CARTER.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

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

ACTION TAKEN: POLLY CARTER MADE A MOTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF SHADY SHORES AND DENTON COUNTY FOR RENTAL OF VOTING MACHINES & EQUIPMENT AND THE PURCHASE OF VOTING SUPPLIES. SECONDED BY CHARLES GRIMES.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

11. Discussion and take appropriate action regarding adopting a resolution revising reserve funds for Capital Projects, Roads and Bridges and Emergencies.

Signed up to speak on this item were: Betty Brown and Patty Durkin. Patty Durkin spoke on Road maintenance.

RESOLUTION NO. 686

(RESERVE ACCOUNTS FOR CAPITAL PROJECTS; ROADS AND BRIDGES, AND EMERGENCIES)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, REVISING RESERVE FUNDS FOR CAPITAL PROJECTS; ROADS AND BRIDGES, AND EMERGENCIES.

WHEREAS, the Mayor and Town Council of Shady Shores have determined that a portion of the accumulated fund balance of the Town should be divided and allocated into reserve accounts, and

WHEREAS, the Mayor and Town Council have determined that the appropriate reserve accounts would be for capital projects, roads and bridges, and an emergency fund, and

WHEREAS, the law requires certain procedures to establish, fund, and expend funds from reserve accounts;

NOW THEREFORE, BE IT DULY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS AS FOLLOWS:

Capital Projects Reserve Account. A reserve account has been established within the Fund Balance of the Town titled "Town of Shady Shores, Reserve Account, Capital Projects," or similar title, for the placement of such available funds as the Council may, from time to time determine, should be allocated to capital projects. Capital projects shall have the usage normally accorded by municipal governments, and shall include necessary funds expended for the construction, remodeling, expansion or improvement of public buildings, parks, and similar projects. Funds in the Capital Projects Fund may be used for the construction, repair or expansion of such projects, together with such fees, costs and expenses which are directly associated with capital projects. The initial deposit to this reserve account was \$100,000. The balance of this account is now set at \$419,561.85.

SECTION 1. Roads and Bridges. A reserve account has been established within the Fund Balance of the Town titled "Town of Shady Shores, Reserve Account, Roads and Bridges," or similar title, for the placement of funds necessary for the Town of Shady Shores road and bridge projects, together with all fees, costs and expenses directly related to such road and bridge projects. The initial deposit to this reserve account was \$300,000. The balance of this account is now set at \$208,829.60.

SECTION 2. Emergency Reserve Account. A reserve account has been established within the Fund Balance of the Town titled "Town of Shady Shores, Reserve Account, Emergency Account," or similar title, for the placement of funds necessary in the discretion of council to be held for emergency, or unforeseen expenditures. The initial deposit to this reserve account was \$234,000. The balance of this account is now set at \$65,330.29.

SECTION 3. Addition to the Reserve Accounts. Each one or all of the reserve accounts above may be increased by deposits duly authorized by vote of the Town Council.

SECTION 4. Deductions from the Reserve Accounts. Deductions, payments and expenditures from reserve accounts may be made only in the event the expenditures are a part of the duly authorized budget of the town for the applicable fiscal year. All required notices and public bids for expenditures shall be observed. In the event an expenditure is needed or necessary, which is not within the budget, will require consideration and an amendment of a budget prior to the expenditure.

SECTION 5. Investment of Funds. The foregoing resolution requires reserve accounts to be established at the town's depository bank. In the event the town council finds it fiscally prudent to do so, and so long as the investment made is in strict accordance with the financial policies required by the State of Texas and adopted by the Town of Shady Shores, all or a portion of such funds may be reinvested in lawful alternative accounts bearing higher rates of return than may be available at the depository bank.

SECTION 6. PASSED AND APPROVED this 3rd day of March, 2008.

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO ADOPT RESOLUTION NO.686. REGARDING RESERVE FUNDS FOR CAPITAL PROJECTS, ROADS AND BRIDGES AND EMERGENCIES. SECONDED BY NITA WATKINS. FOR: UNANIMOUS THE MOTION CARRIED 5-0

12. Reports from Council and Committee Chairpersons

Mayor Olive Stephens-Budget, finance

Mayor Pro tem Nita Watkins-Financials, Roads Funding,

Councilmember Sherry Starr-Furniture committee for new building

Councilmember Polly Carter- Roads, Corps Committee

Councilmember Charles Grimes-Corps Committee, Police Department

Corinth Police Department 2007 racial profiling report was given to the Council.

Councilmember Jerry Williams-Shoreline report

Due to the snow reports were shortened.

13. **CITIZENS COMMENTS**

Patty Durkin mentioned concern about the handicap parking. (Parking lot is not complete. There will be proper handicap parking as soon and the parking lot is completed.)

Linda Martin—526 Jay Street—street improvements. Needs to contact TXU for tree trimming around light poles and lines. Broken window at 543 Lakeshore. Possible community garage sale.

Sharon Bounds—"I would like to say there is one thing wrong with this new community building – It could have been built four years ago.

14. **Approval of Minutes**

(a) February 4, 2008 REGULAR MEETING

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 4, 2008 REGULAR MEETING. SECONDED BY SHERRY STARR.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

15. **Adjourn**

ACTION TAKEN: POLLY CARTER MADE A MOTION TO ADJOURN THE MEETING 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