

**REGULAR COUNCIL MEETING
JULY 7, 2008
MINUTES**

1. Call to Order

The Town Council of the Town of Shady Shores, Texas convened in a regular meeting on July 7, 2008 at 7:00 p.m., Shady Shoes 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. Discuss on-going projects with Town Engineer, Mike Saunders.

Town Engineer, Mike Saunders was present.

1. Fritz has been surveyed and Mr. Saunders is in the process of design—60 feet wide.
2. Smokey Lane—pre-construction meeting on June 19, 2008—did sign contracts—Will start in about three weeks.
3. Oberman project
4. Camera work on Berry Lane—Nita and Polly to do review—it be on agenda in August.

4. Discussion and take appropriate action regarding bid for drainage easement work in Mustang Estates

Mike Saunders discussed the Mustang Estates project. Ted Ross working on getting the numbers as to cost.

Kazus Otawio-404 Bronco Circle-thanked the council for their consideration.

ACTION TAKEN: POLLY CARTER MADE A MOTION TO TABLE THIS ITEM FOR FURTHER INFORMATION. SECONDED BY NITA WATKINS.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

5. Discussion, consideration and take possible action regarding FINAL (PHASE ONE) Plat, Adkisson Ranch, Being 38.728 Acres in the W. D. Durham Survey—Abstract No. 330 (Presentation by Owner—Lewellen Real Estate Company, 1850 Oak Ben Drive, Rockwall, Texas 75087--- (972) 722-4407.

Engineer and Client were present.

Mike Saunders said that they had submitted their engineering plans prior to P&Z. He has reviewed them once. They are in the process of answering those comments. Those comments did include how the drainage is supposed to work. It is according to how—what ever agreements they have with the school to the south. We haven't seen the final on any of that. And we might not see the final.

Sharon Bounds asked if there were plans to put sidewalks all the way to the school. There are no plans at this time.

ACTION TAKEN: POLLY CARTER MADE A MOTION TO APPROVE THE PLAT WITH THE ENGINEER'S (TOWN ENGINEER'S) APPROVAL. SECONDED BY JERRY WILLIAMS

FOR: JERRY WILLIAMS, POLLY CARTER, SHERRY STARR

OPPOSED: CHARLES GRIMES AND NITA WATKINS

THE MOTION CARRIED 3-2

6. Discussion, consideration and take possible action regarding FINAL Plat—Hidden Valley Airpark, Phrase V, 23 Lots, being 28,900 Acres in the W.D. Durham Survey--- Abstract 330. (Presentation by Howard Walrath)

Howard Walrath was present.

Drainage and utilities plan is complete and to the Town Engineer. Town Engineer, Mike Saunders said he

was seeing the engineering and utilities plan for the first time tonight.

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO ACCEPT THE PLAT SUBJECT TO THE TOWN ENGINEER'S APPROVAL AND INSPECTION. SECONDED BY POLLY CARTER.

FOR: POLLY CARTER, JERRY WILLIAMS AND SHERRY STARR

OPPOSED: CHARLES GRIMES

ABSTAINING: NITA WATKINS

THE MOTION CARRIED 3-1

7. Discuss and take appropriate action regarding items needed for the completion of the new municipal building. (Presentation by Mark Martin)

Mark Martin was present.

ACTION TAKEN: POLLY CARTER MADE A MOTION THAT WE NEED MORE INFORMATION ABOUT REPAIRING— OR RE-DOING—THE EXISTING COUNCIL TABLE (DESK) TO BE MOVEABLE TO BE RAISED ON CASTERS AND TO TAKE THAT PANEL OUT. SECONDED BY JERRY WILLIAMS.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

8. Presentation by John L. Klaiber regarding trash and recycling service and “going green” ideas.

John Klaiber was present.

3% rate increase in the fall—because of the raise in gas prices.

NO ACTION TAKEN.

9. Discussion and take appropriate action regarding proposal for audit service for fiscal year 2007-2008 from Hankins, Eastup, Deaton, Tonn & Seay. (Presentation by a representative Hankins, Eastup, Deaton, Tomm,& Seay)

ACTION TAKEN: POLLY CARTER MADE A MOTION TO GO OUT FOR PROPOSALS FOR AN AUDITING FIRM TO DO THE 2007-2008 ANNUAL AUDIT. SECONDED BY JERRY WILLIAMS

FOR: UNANIMOUS THE MOTION CARRIED 5-0

10. Discussion and take appropriate action regarding adopting a Resolution nominating a member to the Denco 9-1-1 District Board

RESOLUTION NO. 700

A RESOLUTION NOMINATING ONE MEMBER TO THE BOARD OF MANAGERS OF THE Denco Area 9-1-1 District.

WHEREAS, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of an Emergency Communications District shall be appointed jointly by all cities and towns lying wholly or partly within the District;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY / TOWN OF SHADY SHORES, TEXAS:

SECTION 1

The City / Town of SHADY SHORES, TEXAS hereby nominates **HARLAND JEFFERSON** as a member of the Board of Managers for the Denco Area 9-1-1 Emergency Communication District.

Section 2

That this resolution shall become effective immediately upon its passage and approval. PASSED AND APPROVED this the 7th day of JULY 2008.

ACTION TAKEN: POLLY CARTER MADE A MOTION THAT WE NOMINATE MR. HARLAND JEFFERSON BY ADOPTING RESOLUTION NO. 700. SECONDED BY NITA WATKINS.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

11. Discussion and take appropriate action regarding appointment to the Planning and Zoning Commission.

ACTION TAKEN: NITA WATKINS MADE A MOTION TO ACCEPT THE APPLICATION OF MR. NED (NATHAN) ROBINSON FOR THE ALTERNATE POSITION ON THE PLANNING AND ZONING COMMISSION. SECONDED BY JERRY WILLIAMS

FOR: UNANIMOUS THE MOTION CARRIED 5-0

12. Discussion and take appropriate action regarding adopting and Ordinance regarding parking and storing of Recreational vehicles, boats, trailers, jet skis, motor vehicles or similar equipment.

Speaking in opposition were: Stever Forgey—412 Lakeshore Road
Gerald Earling—507 Lakeshore Road
Kathy Williams-413 Oakwood Circle
Tom Spencer—410 6th Street
Jean Bowers—409 Lakeshore
Ken Colbey—102 Everett Court
Sharon Bounds—210 Shahan Lane

ACTION TAKEN: POLLY CARTER MADE A MOTION TO TABLE THIS ITEM UNTIL WE HAVE MORE TIME TO STUDY IT. SECONDED BY SHERRY STARR.

FOR: UNANIMOUS

THE MOTION CARRIED 5-0

13. Discussion and take appropriate action regarding adopting an Ordinance amending Ordinance No. 169-2-2005 by adding additional stop sign locations.

ORDINANCE NO. 207-7-2008
(Traffic Control)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, AMENDING ORDINANCE NO. 75, BY AMENDING ATTACHMENT A OF ORDINANCE NO. 75 TO PROVIDE A COMPREHENSIVE LIST OF INTERSECTIONS WITHIN THE TOWN OF SHADY SHORES WITH TRAFFIC CONTROL DEVICES IN THE FORM OF STOP SIGNS; BY ADDING THE ADDITIONAL STOP SIGN LOCATIONS: JAY STREET AT LAKESHORE ROAD, LAURA STREET AT LAKESHORE ROAD, JAY STREET AT FRANCKS CIRCLE, LAURA STREET AT FRANCKS CIRCLE, AND SHAHAN DRIVE AT SHAHAN LANE; THE FOREGOING ADDED LOCATIONS WITHIN THE TOWN OF SHADY SHORES BEING APPROVED SITES FOR THE PLACEMENT OF A STOP SIGN IN ACCORDANCE WITH STATE RULES AND REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 5, 1983, the Town of Shady Shores (the "Town") enacted Ordinance No. 75 (which was subsequently amended on February 2, 2005 by Ordinance No. 169-2-2005), adopting provisions for the location of specific traffic control devices within the corporate limits of the Town of Shady Shores and providing for the installation of such devices; and

WHEREAS, the Town Council finds that the addition of the following stop sign locations: Jay Street at Lakeshore Road, Laura Street at Lakeshore Road, Jay Street at Francks Circle, and Laura Street at Francks Circle (a) will improve traffic flow, (b) will not compromise the health, safety, and welfare of the citizens, visitors, or motorists utilizing the public roadways within the corporate limits of the Town of Shady Shores, (c) are streets with traffic regulated by the Texas Transportation Code; and (d) will facilitate traffic flow without compromising safety.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS:

SECTION 1. Incorporation of Premises. That the foregoing premises are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. Comprehensive List of Stop Sign Locations. Exhibit "A" to this Ordinance shall provide a comprehensive list of stop sign locations within the Town of Shady Shores. Exhibit "A" shall include all of the current stop sign locations, and the following new locations: Jay Street at Lakeshore Road, Laura Street at Lakeshore Road, Jay Street at Francks Circle, and Laura Street at Francks Circle.

SECTION 3. Repealer. That all provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Severability. That should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

SECTION 5. Savings. All rights and remedies of the Town of Shady Shores, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting traffic control devices which have been secured at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances the same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts. Ordinance No. 75, except for amendment by this Ordinance, is still in full force and effect.

SECTION 6. Penalty Clause. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be punished by a fine not to exceed the sum of Two-Hundred Dollars (\$200.00) for each offense; and each and every day during or on which such violation shall occur or continue shall be deemed to constitute a separate offense.

SECTION 7. Publication. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

SECTION 8. Effective Date. This Ordinance shall take effect upon publication of the caption, as the law in such case provides.

PASSED AND APPROVED by the Town Council of the Town of Shady Shores, Denton County, Texas on the 7TH day of JULY, 2008.

EXHIBIT "A"

- a. At the intersection of West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane directing all traffic approaching this intersection from West Shady Shores Road, South Shady Shores Road, Lakeshore Road and Cielo Lane to stop.
- b. At the intersection of West Shady Shores Road and Fritz Lane: traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Fritz Lane directing traffic approaching West Shady Shores Road to stop.
- c. At the intersection of Garza Road and Eason Cemetery Road; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Eason Cemetery Road directing traffic approaching Garza Road to stop.
- d. At the intersection of Garza Road and 6th Street; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on 6th Street directing traffic approaching Garza Road to stop.
- e. At the intersection of Garza Road and Smokey Lane; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Smokey Lane directing traffic approaching Garza Road to stop.
- f. At the intersection of Lakeshore Road and Smokey Lane; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Smokey Lane directing traffic approaching Lakeshore Road to stop.
- g. At the intersection of Swisher Road and Chaparral Estates; traffic proceeding in either direction on Swisher Road shall have the right-of-way and there shall be a stop sign(s) on Chaparral Estates directing traffic approaching Swisher Road to stop.
- h. At the intersection of Dobbs Road and Berry Lane; traffic proceeding in either direction on Dobbs Road shall have the right-of-way and there shall be a stop sign(s) on Berry Lane directing traffic approaching Dobbs Road to stop.
- i. At the intersection of South Shady Shores Road and Dobbs Road; traffic proceeding in either direction on South Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Dobbs Road directing traffic approaching South Shady Shores Road to stop.

j. At the intersection of West Shady Shores Road and Meadowlark Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Meadowlark Lane directing traffic approaching on West Shady Shores Road to stop.

k. At the intersection of West Shady Shores Road and Shahan Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Shahan Lane directing traffic approaching West Shady Shores Road to stop.

l. At the intersection of Lakeshore Road and Shahan Drive; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Shahan Drive directing traffic approaching Lakeshore Road to stop.

m. At the intersection of South Shady Shores Road and Oakwood Circle; traffic proceeding in either direction on South Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Oakwood Circle directing traffic approaching South Shady Shores Road to stop.

n. At the intersection of Garza Road and Brown Terrace; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on Brown Terrace directing traffic approaching Garza Road to stop.

o. At the intersection of Garza Road and West Shady Shores Road; traffic proceeding in either direction on Garza Road shall have the right-of-way and there shall be a stop sign(s) on West Shady Shores Road directing traffic approaching Garza Road to stop.

p. At the intersection of Oakwood Circle and Berry Lane; traffic proceeding in either direction on Oakwood Circle shall have the right-of-way and there shall be a stop sign(s) on Berry Lane directing traffic approaching Oakwood Circle to stop.

q. *(Deleted)*

r. At the intersection of Fritz Lane and Mustang Trail; traffic proceeding in either direction on Fritz Lane shall have the right-of-way and there shall be a stop sign(s) on Mustang Trail directing traffic approaching Fritz Lane to stop.

s. At the intersection of Brown Terrace and Spring Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Spring Drive directing traffic approaching Brown Terrace to stop.

- t. At the intersection of Brown Terrace and Cove Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Cove Drive directing traffic approaching Brown Terrace to stop.
- u. At the intersection of Brown Terrace and Driftwood Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Driftwood Drive directing traffic approaching Brown Terrace to stop.
- v. At the intersection of Brown Terrace and Shell Drive; traffic proceeding in either direction on Brown Terrace shall have the right-of-way and there shall be a stop sign(s) on Shell Drive directing traffic approaching Brown Terrace to stop.
- w. At the intersection of West Shady Shores Road and Carolyn Lane; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Carolyn Lane directing traffic approaching West Shady Shores to stop.
- x. At the intersection of West Shady Shores Road and Hidden Valley Airpark; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Hidden Valley Airpark directing traffic approaching West Shady Shores Road to stop.
- y. At the intersection of West Shady Shores Road and Fox Hollow Run; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Fox Hollow Run directing traffic approaching West Shady Shores Road to stop.
- z. At the intersection of West Shady Shores Road and Lakeside Drive; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Lakeside Drive traffic approaching West Shady Shores Road to stop.
- aa. At the intersection of West Shady Shores Road and Dogwood Trail; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Dogwood Trail directing traffic approaching West Shady Shores Road to stop.
- bb. At the intersection of Shahan Drive and Shahan Lane; there shall be a stop sign on Shahan Drive at Shahan Lane on Shahan Lane directing traffic approaching Shahan Drive to stop.
- cc. At the intersection of Shahan Drive and West Shady Oaks Circle; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on West Shady Oaks Circle directing traffic approaching Shahan Drive to stop.

dd. At the intersection of Shahan Drive and Red Bud Trail; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on Red Bud Trail directing traffic approaching Shahan Drive to stop.

ee. At the intersection of Shahan Drive and East Shady Oaks Circle; traffic proceeding in either direction on Shahan Drive shall have the right-of-way and there shall be a stop sign(s) on East Shady Oaks Circle directing traffic approaching Shahan Drive to stop.

ff. At the intersection of West Shady Shores Road and Everett Court; traffic proceeding in either direction on West Shady Shores Road shall have the right-of-way and there shall be a stop sign(s) on Everett Court directing traffic approaching West Shady Shores Road to stop.

gg. At the intersection of Lakeshore Road and Oberman Lane; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Oberman Lane directing traffic approaching Lakeshore Road to stop.

hh. At the intersection of West 6th Street and Shady Lane; traffic proceeding in either direction on West 6th Street shall have the right-of-way and there shall be a stop sign(s) on Shady Lane Street directing traffic approaching West 6th Street to stop.

ii. At the intersection of Lakeshore Road, Smokey Lane, and Francks Circle; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on Lakeshore Road, Smokey Lane, and Francks Circle directing all traffic approaching this intersection from Smokey Lane, Francks Circle and Lakeshore Road to stop.

jj. At the intersection of West 6th Street, East 6th Street and Lakeshore Road; no traffic approaching this intersection from any direction shall have the right-of-way and there shall be stop signs on West 6th Street, East 6th Street and Lakeshore Road directing all traffic approaching this intersection from West 6th Street, East 6th Street and Lakeshore Road to stop.

kk. At the intersection of Jay Street and Lakeshore Road; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Jay Street directing traffic approaching Lakeshore Road to stop.

ll. At the intersection of Laura Street and Lakeshore Road; traffic proceeding in either direction on Lakeshore Road shall have the right-of-way and there shall be a stop sign(s) on Laura Street directing traffic approaching Lakeshore Road to stop.

mm. At the intersection of Jay Street and Francks Circle; traffic proceeding in either direction on Francks Circle shall have the right-of-way and there shall be a stop sign(s) on Jay Street directing traffic approaching Francks Circle to stop.

nn. At the intersection of Laura Street and Francks Circle; traffic proceeding in either direction on Francks Circle shall have the right-of-way and there shall be a stop sign(s) on Laura Street directing traffic approaching Francks Circle to stop.

ACTION TAKEN: NITA WATKINS MADE A MOTION TO ADOPT ORDINANCE NO. 207-7-2008 AMENDING ORDINANCE NO. 75 BY AMENDING ORDINANCE NO. 169-2-2005 BY AMENDING THE ATTACHED LIST OF STOP SIGNS BY APPROVING OF THE ADDITIONAL STOP SIGNS AS JAY STREET AT LAKESHORE, JAY STREET AT FRANCK, FRANCK AT LAURA LAURE AT LAKESHORE AND SHAHAN DRIVE AT SHAHAN LANE. SECONDED BY CHARLES GRIMES FOR: UNANIMOUS THE MOTION CARRIED 5-0

14. Nomination and vote for Mayor Pro tem.

ACTION TAKEN: POLLY CARTER MADE A MOTION TO NOMINATE NITA WATKINS AS MAYOR PRO TEM. SECONDED BY JERRY WILLIAMS. FOR: UNANIMOUS THE MOTION CARRIED 5-0

15. .Reports from Council and Committee Chairpersons

Mayor Olive Stephens-Budget, finance

Upper Trinity Breakfast-July 23, 2008

Mayor, Mayor Pro Tem and Angie Warner are attending the Public Investment Seminal at required by law

Working on Budget—Budget Workshop –July 16,2008 7:00 p.m.

Mayor Pro tem Nita Watkins-Financials, Roads Funding

Road information already mentioned

Councilmember Sherry Starr-Furniture committee for new building

John Watkins hung the picture in the hall. Angie sent a thank you to Mr. Johnson.

Councilmember Polly Carter- Roads, Corps Committee

Smokey Lane

Fritz Lane

4th Street –Drainage

June—Drainage

6th—Drainage

Councilmember Charles Grimes-Corps Committee, Police Department

Police Department Report ---37 calls—6.32 minutes response time

Citizens on patrol

Councilmember Jerry Williams-Shoreline report

Shoreline published on June 26, 2008

Next Shoreline close to Christmas

Jean Bowers

Met with Corps representatives 4 times/things are moving forward

16. CITIZENS COMMENTS

17. Approval of Minutes

(a) June 2, 2008 REGULAR MEETING

ACTION TAKEN: CHARLES GRIMES MADE A MOTION TO APPROVE THE MINUTES OF THE JUNE 2, 2008 REGULAR MEETING. SECONDED BY NITA WATKINS. FOR: UNANIMOUS THE MOTION CARRIED 5-0

18. Adjourn

ACTION TAKEN: NITA WATKINS MADE A MOTION TO ADJOURN. SECONDED BY CHARLES GRIMES.

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