

**REGULAR COUNCIL MEETING  
MAY 5, 2008  
MINUTES**

**1. Call to Order**

The Town Council of the Town of Shady Shores convened in a regular meeting on May 5, 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 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. Administer Oath to newly elected council members**

**STATEMENT OF ELECTED OFFICER**

I, \_\_\_\_\_, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

*UNDER PENALTIES OF PERJURY, I DELCARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.*

The STATEMENT OF ELECTED OFFICER was administered to Charles Grimes, Nita Watkins and Jerry Williams.

**4. Discuss on-going projects with Town Engineer, Mike Saunders.**

Town Engineer, Mike Saunders was present.

Smokey Lane project—bids to be opened on May 21, 2008 at 2:00 p.m.  
Drainage out of Mustang

**5. Discuss and take appropriate action regarding Fritz Lane.**

Town Engineer, Mike Saunders reported on Fritz Lane.

**ACTION TAKEN: NITA WATKINS MADE A MOTION TO AUTHORIZE TOWN ENGINEER, MIKE SAUNDERS TO SURVEY FRITZ LANE AND PREPARE A PROPOSAL TO FOR REPAPARING AND REHABING IT. SECONDED BY POLLY CARTER.**

**FOR: UNANIMOUS THE MOTION CARRIED 6-0**

**6. Discuss and take appropriate action regarding adopting an Ordinance amending the existing gas franchise between the Town of Shady Shores and Atmos Energy Corporation.**

Mr. James Johnson, representing Atmos Energy, was present to explain and answer questions.

**ORDINANCE NO. 205-5-2008**

**AN ORDINANCE AMENDING THE EXISTING GAS FRANCHISE BETWEEN THE TOWN AND ATMOS ENERGY CORPORATION TO PROVIDE FOR A DIFFERENT CONSIDERATION: PROVIDING AN EFFECTIVE DATE: PROVIDING FOR ACCEPTANCE BY ATMOS ENERGY CORPORATION: AND FINDING AND DETERMING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO ADOPT ORDINANCE NO. 205-5-2008 AMENDING THE EXITING GAS FRANCHISE BETWEEN THE TOWN AND ATMOS ENERGY TO PROVIDE FOR A DIFFERENT CONSIDERATION, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR ACCEPTANCE BY ATMOS ENERGY CORPORATION AND FINDING AND DETERMING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW. SECONDED BY NITA WATKINS.**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

**7. Discuss and take appropriate action regarding adopting an Ordinance altering the prima facie speed limits established for vehicles under the provisions of the transportation code upon roads or parts thereof, within the corporate limits of the limits of the Town of Shady Shores**

**ORDINANCE NO. 206-5-2008**

***(Speed Zone Ordinance - Residential Roadways)***

**AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON ROADS OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE TOWN OF SHADY SHORES, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE; A REPEALER CLAUSE; A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.**

**WHEREAS,** Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the Town shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the Town, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

**SECTION 1. SPEED LIMITS:** The following prima facie speed limits indicated for vehicles as set forth on Exhibit A of this Ordinance are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rates of speed per miles per hour for vehicles traveling upon the named streets and highways, or parts thereof, described in Exhibit A.

**SECTION 2. SIGNAGE:** The Mayor of Shady Shores, Texas is hereby authorized to cause to be purchased and erected, appropriate signs indicating such speed zones and limits.

**SECTION 3. PENALTY CLAUSE:** Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00), plus costs of court.

**SECTION 4. REPEALER CLAUSE:** 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 5. SEVERABILITY CLAUSE:** It is the intent of the Town Council that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

**SECTION 6. EFFECTIVE DATE:** This Ordinance shall take effect immediately from its passage and publication of the caption as the law in such cases provides.

**PASSED AND APPROVED** this 5<sup>TH</sup> day of MAY, 2008.

**EXHIBIT A**

**Speed Limits – Town of Shady Shores, Texas**

STREET NAME (and extent)	SPEED LIMIT IN MILES PER HOUR
1. West Shady Shores Road (from Garza Road west to the West Town Limits)	40
2. Shady Shores Road (from Garza Road east to Cielo/Lakeshore intersection)	35
3. Shady Shores Road (from Cielo/Lakeshore intersection south to the South Town Limits)	35
4. All other streets within the Town limits of Shady Shores, Texas	30

**ACTION TAKEN: NITA WATKINS MADE A MOTION TO ADOPT ORDINANCE 206-5-2008 ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON ROADS OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE TOWN OF SHADY SHORES, TEXAS. SECONDED BY SHERRY STARR.**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

**8. Discuss and take appropriate action regarding sound system for the new community center. (Presentation by Mark Martin)**

Mark Martin was not able to be present. Those making proposals were not present to explain their proposals

**ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO TABLE THIS PARTICULAR AGENDA ITEM TILL A TIME UNTIL WE CAN GET THE PROPER PERSONNEL HERE TO EXPLAIN TO US WHAT THE CITY WILL BE PURCHASING. SECONDED BY POLLY CARTER.**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

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

**REVISE CABINETS PER DRAWING CHANGE ORDER TOTAL COST \$1, 175.00**

**ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO ACCEPT THE CHANGE ORDER REVISING THE CABINETS NEXT TO ANGIE'S DESK PER THE DRAWING ATTACHED. WE'LL ACCEPT ALTERNATE # 1 WHICH INCLUDES PAINTING FOR \$1,175.00. SECONDED BY NITA WATKINS.**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

**ACTION TAKEN: POLLY CARTER MADE A MOTION TO HAVE MAYOR PRO TEM NITA WATKINS AND MAYOR TO CONTINUE TO WORK TO MAKE CHANGES TO THE COUNCIL CHAMBER DESK. SECONDED BY SHERRY STARR.**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

**10. Discuss and take appropriate action regarding fee schedule and rules for the rental of the community center.**

Mayor was not happy with the revisions made on the agreement. Tabled by the Mayor to next month. No action taken.

**11. Reports from Council and Committee Chairpersons**

**Mayor Olive Stephens-Budget, finance**

Working on Budget for next year. Councilmembers need to get what they are requesting for next year to the Mayor in writing.

**Mayor Pro tem Nita Watkins-Financials, Roads Funding**

Building totals and purchases

Road costs

**Councilmember Sherry Starr-Furniture committee for new building**

Charlie Johnson donated a painting and frame for the new building. Send a thank you note.

Chairs for the conference room will be delivered in a few weeks.

**Councilmember Polly Carter- Roads, Corps Committee**

Fritz Lane

Opening bids for Smokey Lane on May 21, 2008 at 2:00 p.m.

Shahan Road

Old Shady Shores subdivisions water pipes are in. Clean up to do.

**Councilmember Charles Grimes-Corps Committee, Police Department**

Police report---50 calls, response time 4 minutes

**Councilmember Jerry Williams-Shoreline report**

New landscape committee members:

Chairman Sue Fritts,	410 Fritz Lane
Nita Thurman	136 Garza Road
Jerry Williams	111 Lakeshore Road
Jordan Grimes	309 Garza Road
Lynn Grimes	112 Lakeshore Road
Perria McBeain	205 E. Shady Oak Circle
Cecil Carter	111 Lakeshore Road

Need articles for Shoreline by Monday, May 26, 2008.

**12. CITIZENS COMMENTS**

Luanne Monti—Flood Gates on Shady Shores Road

Thanked the Councilmembers for their service.

Volunteered to clean cemetery

David Meilider—new policy on mowing corps property

Volunteered to clean bar ditch

Linda Martin—paving of Jay Street

**13. Approval of Minutes**

**(a) APRIL 7, 2008 REGULAR MEETING**

**ACTION TAKEN: NITA WATKINS MADE A MOTION TO ACCEPT THE MINUTES AS SUBMITTED. SECONDED BY JERRY WILLIAMD**

**FOR: UNANIMOUS THE MOTION CARRIED 5-0**

**14. Adjourn**

**ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO ADJOURN THE MEETING OF MAY 5, 2008. SECONDED BY SHERRY STARR.**

**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

**Attested:**

\_\_\_\_\_  
**Town Secretary**