

**REGULAR COUNCIL MEETING
JANUARY 4, 2010
MINUTES**

1. Call to Order

The Town council of the town of Shady Shores, Texas convened in a regular meeting on January 4, 2010 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 Betty Brown, Councilmembers Polly Carter, Charles Grimes, Jerry Williams and Nita Watkins. A quorum was present.

2. Pledge Allegiance to the United States Flag and the Texas Flag.

(HONOR THE TEXAS FLAG; I PLEDGE ALLECIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

The Pledge 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.

a) Discuss and possibly take appropriate action regarding fencing requirements.

Present were Town Engineer, Mike Saunders, Town Attorney Jim Shepherd, Charles Johnson, and Thomas Hoover (420 Johnson Road, Suite 303, Keller, Texas 76248, (817) 431-0790) Sharon Bounds was signed up to speak on this item.

(SPECIAL MEETING SCHEDULED FOR JANUARY 20, 2010)

Maintenance issues

Permits required

Maintenance of the ditches;

City access

NO ACTION TAKEN

4. Discussion and take appropriate action regarding the Lake Cities Library Memorandum of Agreement.

Memorandum of Agreement

October 31, 2009

The Town of Shady Shores, Texas, hereby enters into a contractual agreement with the Lake Cities Library (LCL), a Non-Profit Organization, beginning October 1, 2009 and ending September 30, 2010, to perform certain responsibilities. As outlined below:

- LCL will provide a full range of library services to Shady Shores and the surrounding Communities.
- LCL will provide liaison work between the Lake Cities Library and the Texas State Library and Archives Commission (TSLAC), the North Texas Regional Library System, as well as other recognized State and National library associations, maintaining all necessary licenses, tax filings, and other regulatory filings.
- LCL will develop a board of directors composed of a maximum of three members from each of the four Lake Cities Towns.
- LCL will develop an annual budget to be submitted in the Spring of each year to each of the four Towns, using an agreeable funding formula and such supporting documents as the Towns request.

For the fiscal year, 2009, The Town of Shady Shores agrees to pay \$23,000, of which \$3,000 will be used to acquire video equipment for the purpose of promoting oral histories, and other interactive community programs.

President, Lake Cities Library, Inc.

Town of Shady Shores, Texas

Date

Date

Lake Cities Library
Library Report A' 2009

	Actual FY2008	Actual FY2009	Budget2OIO
Corinth	\$92,992	\$96,848	\$96848
Hickory Creek	\$20,094	\$22,278	\$26,005
Lake Dallas	\$77,277	\$80,000	\$92,253
Shady Shores	\$15,114	\$17,500	\$23,000
Denton County	\$47,100	\$48,400	\$43,000
Other	-	\$19,856	\$10,881
Total	\$252,577	\$284,882	\$291,987

Circulation & Collectio	\$33,500	\$46,815	\$44,162
Personnel	\$117,762	\$128,011	\$158,120
Facilitie & Other Asset	\$57,272	\$56,239	\$54,692
All other	\$40,943	\$38,388	\$35,013
Total	\$249,477	\$269,453	\$291,987

Collection volumes	40,183	41,368
Program Attendance	2,249	2,523
Average Monthly Visit	6,231	6,493
Average Monthly Circulation	6,640	5,812

Note: library closed 3 months in 2009 due to flooding

**ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO APPROVE THE
LAKE CITIES LIBRARY MEMORANDUM OF AGREEMENT DATED OCTOBER 31, 2009.
SECONDED BY POLLY CARTER.**

FOR: UNANIMOUS THE MOTION CARRIED 5-0

5. Discussion and take appropriate action regarding adopting an Ordinance lowering the speed limit on Smokey Lane to twenty-five miles per hour.

Sharon Bounds spoke in opposition

Patty Durkin also spoke about this item.

ORDINANCE NO. 221-1-2010

(Speed Zone Ordinance -Smokey Lane)

**AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMIT
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; and

WHEREAS, the governing body of the Town has determined that the road described in Exhibit A, attached, is not (1) an officially designated or marked highway or road of the state highway system, (2) is 35 feet or less in width, and (3) vehicular parking is not prohibited on one or both sides of the street;

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

SECTION 1. SPEED LIMITS: The prima facie speed limit of 30 miles per hour indicated for vehicles on the street as set forth on Exhibit A of this Ordinance is hereby determined and declared to be unreasonable and unsafe. Such speed limit is hereby fixed at the rate of **25** miles per hour for vehicles traveling upon the named street, 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: 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 MI 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 4TH day of JANUARY 2010

EXHIBIT A

Speed Limit Town of Shady Shores, Texas

STREET NAME (and extent)	SPEED LIMIT IN MILES PER HOUR
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1. Smokey Lane (from N Garza Road east to Lakeshore Road) 25

**ACTION TAKEN: BETTY BROWN MADE A MOTION TO ACCEPT
ORDINANCE NO. 221-1-2010 AS WRITTEN. SECONDED BY CHARLES GRIMES.
FOR: BETTY BROWN, CHARLES GRIMES, NITA WATKINS, POLLY CARTER
OPPOSED: JERRY WILLIAMS
MOTION CARRIED 4-1**

6. Reports from Council and Committee Chairpersons

**Mayor Olive Stephens-Budget, Finance, Emergency Manager Coordinator,
Emergency Sirens, Ordinance Report, Planning & Zoning Report**

Thanked the committee and all who worked on the Hello Neighbor Program.
Tree and lights donated by Tom Spencer.

Mayor Pro tem Betty Brown—Water Well report, HELLO NEIGHBOR PROGRAM

Winning the Shady Shores contest were: First Place—Tonya Meyers
Second Place—Paula Woolworth
Third Place---Patty Durkin

All received a certificate to Gentis for Dinner.

Information on replacing the Gazebo has been sent to TML.

Councilmember Nita Watkins, Financials, Roads Funding

Potholes repaired in November on Dobbs, Garza, Shahan Circle, and cracks on Garza.
Potholes repaired in December on Jay, Laura, Fritz and Cielo.

Councilmember Polly Carter- Special projects, Corps Committee, roads

Hello Neighbor Program successful
Shady Shores Road Maintenance Report
Easter Parade
Citizen of the Year

**Councilmember Charles Grimes-Corps Committee, Police Department (Most recent
police report)**

Average response time 7.5 very good
ATV usage and requirements

Councilmember Jerry Williams---tree watering report, roads

Issue at Oberman
Lakeshore hole has been repaired

7. CITIZENS COMMENTS

Sean Dunne—Representing Community Waste Disposal
2010 California Crossing, Dallas, Texas 75220-2310
(972) 392-9300 ext.227

8. Approval of Minutes

(a) DECEMBER 7, 2009 REGULAR MEETING

ACTION TAKEN: JERRY WILLIAMS MADE A MOTION TO APPROVE THE REGULAR COUNCIL MEETING MINUTES OF DECEMBER 7, 2009 WITH THE CORRECTION THAT IS GOING TO BE MAKE BY ANGIE AS TO ADDING JENNIFER HUFFMAN’ S LAST NAME. SECONDED BY NITA WATKINS.

FOR: UNANIMOUS THE MOTION CARRIED 5-0

9. Discussion and take appropriate action to consider future agenda items.

Discuss rebuilding the Gazebo
Citizen of the Year
ATV usage and requirements
Fence/ Drainage Ordinance

10. Adjourn

ACTION TAKEN: NITA WATKINS MADE A MOTION TO ADJOURN THE MEETING. 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