

**NOTICE OF REGULAR COUNCIL MEETING**

**DECEMBER 3, 2012, 7:00PM**

**SHADY SHORES COMMUNITY CENTER**

**101 S. SHADY SHORES ROAD**

**SHADY SHORES, TX 76208**

**AGENDA**

**1. CALL TO ORDER - 7:00 PM**

**MEMBERS PRESENT**

**Jerry Williams, Mayor  
Cindy Spencer, Mayor Pro-Tem  
Cindy Auginbaugh  
John Reedy  
Charles Grimes  
Lance Sandmann**

**MEMBERS ABSENT**

**Also Present: Sarah Swanson, Town Secretary  
Richard Arvizu, Town Engineer  
Jim Shepherd, Town Attorney**

**2. PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.**

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

**3. CONSENT AGENDA**-each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consider and take action relative to the following:
  - a. Town Council Meeting Minutes November 5, 2012
  - b. Consider and take action relative to the October 2012 Financial Reports.

Cindy Spencer made a motion to accept the consent agenda. Cindy Aughinbaugh seconded. Motion carried.

**4. COUNCILMEMBER/COMMITTEE REPORTS**-Consider and take action relative to the following Councilmember/Committee member reports:

1. Police Report (Reedy)

We received our report from the police for the month of October, during which there were a total of 269 calls.

2. Community Events Committee (Spencer)

We had our Shady Shores Christmas on Saturday and everything went fairly smooth, minus a few issues such as high wind and bees. We started at 10 a.m., had 31 vendors, games that the Boy Scout troop 208 helped with, ginger bread house decorating contest, Santa and Mrs. Clause, a storyteller from the Lake Cities Library and a chili cook off. At the end, we had Olive Stephens Elementary Choir sing for us while we lit the town tree. We are having a holiday light decorating contest (there are forms in the back) and the judging will be done on Saturday, December 8<sup>th</sup> and 9<sup>th</sup>. Mrs. Spencer lastly thanked the Community Events Committee for their hard work.

3. New website (Aughinbaugh)

Aughinbaugh encouraged everyone to look at the new website, as it looks fantastic and is very easy to use. Shantell Ross worked very hard at getting it up and going and getting our new email for the council members set up.

4. Fire Report (Sandmann)

Sandmann did not receive a report this month but as soon as he does, he will get with Sarah to get it posted.

5. Animal Control Report (Grimes)

There were a total of 18 calls for the month of November, logging from dogs to horses. Bob has done a great job getting people to keep their dogs and horses up.

6. Code Enforcement (Grimes)

On November 6, the Mayor, Mr. Grimes and Mr. Matthews drove the Town, discussing how to ease our citizens into this. We have already had good responses on what we have had to send him out on so far. Grimes said that the biggest thing we can do is to get the message to the citizens that we do have an enforcer now and need them to come into compliance with our local laws.

#### 7. Police Committee (Williams)

The Police Committee met again on the 12<sup>th</sup> of November. They will present at the January 7<sup>th</sup> meeting their recommendations. They have all gone to seven to eight towns (some with one officer, some with four, some with seven) and spoken with city managers, police chiefs, and gotten the budgets. They formulated a schematic and provided a cost for a town that will have one officer, four officers and a town with seven officers, and established a spreadsheet with all of the requirements that a police department will have and need to be able to function from the actual startup cost to the actual operational cost. We have also approached other towns to see if they would be interested in providing us service equal to Corinth and there are some that are interested. This will be up to the Council on whether they want the Police Service Committee to pursue that. The Committee also made sure that if and when we decide to request an RFP to the other towns, that what is actually in the interlocal agreement will also be presented to the other towns so that there will be no ambiguity on what the proposal might be from the other towns. They will then provide their findings to the council. They also put in front of you a letter for you to read, for an agenda item in January, asking you to address in this final meeting any issues with our standing police service right now.

#### 5. CITIZENS COMMENTS-PURSUANT TO THE STATE OF TEXAS OPEN

**MEETINGS STATUTE:** The governing body of the Town of Shady Shores may not take action on items not posted on the agenda. Those items mentioned by citizens may be placed on a future agenda.

#### Ann Faulkenberg

Faulkenberg asked if there is a honey bee farm in Town. The Mayor said that he is not aware of one.

#### Tom Spencer – 203 W 6<sup>th</sup>

The middle school is now a physical reality and he is concerned about a left turn lane for the buses of Shady Shores Rd. In March, Spencer wrote a letter about this issue and is also in the process of writing a letter to the parents of kids that will be attending the school, requesting that they come take a look and see what they think about it. He is encouraging citizens to

write letters or do whatever they can because it is a safety issue and a \$49,000 cost that the Town will end up having to pay.

Spencer also wants to point out that there is no speed limit sign on Shady Shores, coming from Post Oak, until you get almost to the Centurytel phone building. The Town needs to ask Corinth for a posted sign.

The Mayor said he will address this with the Chief.

- 6. CONSIDER AND TAKE ACTION REGARDING THE RECOMMENDATIONS OF THE ROAD COMMITTEE**-Consider and take action relative to the recommendations of the road committee to establish a plan for road repair in order to calculate a bid package cost.

The Road Committee presented their recommendations to you at the November meeting. Their number one priority is to reseal all of the cracks in the town roads using a sealant machine. The following are options available to the Town:

1. Continue using public works personnel. Our sealant provider will furnish the proper machinery to apply the sealant correctly if we purchase the sealant from them.
2. Consider an interlocal agreement with the City of Corinth Public Works Department to apply the sealant using their equipment (or other towns).
3. Consider using Denton County to repair our roads. Their engineer and road foreman will come into the Town and inspect all the roads and will bring back a cost for resealing or repairing. We pay for materials, but not labor. Labor is provided by inmates and the time for repair is subject to their availability. There is not a confirmed time for the work to transpire.
4. Incorporate this work as part of the bid package that will go out to contractors who will bid on phase 2 of Oakwood Circle and the replacement of West Shady Shores Rd. from Lakeshore to Evergreen Dr. Their bid would include resealing all of the cracks in the Town roads including the cracks in the concrete roads using the correct sealant.

Mayor Williams made the reminder that the Road Committee is only an advisory committee and the council is the governing body that makes the decisions. They are not obligated to any of these choices.

#### Paul Brown 420 Fritz

Brown said that he has over 30 years' experience in dealing with these issues and there is a wide range of scopes of work for sealant and crack fill. With our roads having cracks that range from an inch to three or four inches, it is his opinion to go with a professional company

to give bids, and he hopes the City Engineer has worked up a scope of work that includes requirements to best get the cracks and potholes.

Tom Spencer 203 West 6<sup>th</sup>

Spencer believes we need to have the proper sealant, and in the county's defense, they use the proper sealant and equipment. He is afraid that when we get a total town crack sealant bid, that it will be pretty high. When Spencer talked to Corinth, they believe they will be contracting out all of their own street repairs.

John Reedy made a motion that the Council accepts the Option 4 recommendation, from Lakeshore to the engineer's determination. Lance Sandmann seconded. Motion carried.

- 7. HYDROLOGY STUDY RECOMMENDATION**-Consider and take action regarding the funding of a hydrology study to establish a town wide drainage comparison and flow criteria as recommended by the Road Committee.

The second priority is to fund a hydrology study to confirm the flow from subdivision to subdivision and from one road to another. The option here is fairly limited.

1. The Town can authorize our road engineer to get a cost for such a study and see if it can be funded in this year's budget.
2. The Council can disregard this recommendation from the Road Committee and go ahead and assign specific areas for immediate drainage repair which would require surveying elevations and grade measurements in order to prepare an estimate.

Paul Brown 420 Fritz

He applauds the committee because he thinks that this is a must for the Town. It is imperative for our Town, so he strongly suggest getting the study started, even if it has to be done in phases.

Charles Grimes made a motion for the cost assessment for a hydrology study to establish a town wide drainage comparison and flow criteria as recommended by the Road Committee. Cindy Spencer made the second. Motion carried.

- 8. ADDITIONAL ROAD AND DRAINAGE CONCERNS**-Consider and take action regarding the Road Committee recommendations pertaining to Pecan Creek and Fritz Road.

Their final area of consideration pertained to Fritz Lane and the Creek to which runs under it. They suggested a couple of options.

1. Walk the creek using volunteers to clean out obstacles which might deter the flow of water down the easement area.
2. The Council can authorize the funding of a study to see if the bridge can be raised and what the impact would be to the rest of the road. Would the residents be willing to give up property rights to widen the road, etc.?

These options could be impacted by the off site study by the Denton ISD engineers and architects.

Mayor Williams touched on additional road and drainage concerns. We basically realize the difference between chip-seal and hot mix, as far as the cost. As far as Olive's Garden, we have done traffic studies there before, and the reality is that it is a curve that is going to be there unless we want to spend a tremendous amount of money to delete it. The key here is the speed, not the curve. As far as Fritz Rd, everyone is aware of the issues of the road overflowing. The Road Committee realize the limited funds for this and thought that perhaps the Keep Shady Shores Beautiful Committee, when doing Spring cleanup, could do a walkthrough to see if there is perhaps availability to clean anything up. During the course of the last KSSB meeting, the concept was discussed, but they said that there is a tremendous amount of poison ivy and greenbrier, so there are issues. Perhaps the committee can revisit this during a meeting in the New Year and verify doing so with the Corp of Engineers.

#### Tom Spencer 203 W 6<sup>th</sup>

When discussing the flooding at Fritz, they asked how often does this flood, what is the duration of the flood, and if it is justifiable to spend a lot of money for something that occurs a certain percentage a time, maybe.

#### Paul Brown – 420 Fritz

Brown said that he agrees with Mr. Spencer. The bridge is at the corner of his property and every spring it does flood, but the expense of doing something here is not a necessity unless traffic flow increases too much.

Mrs. Spencer asked Mr. Brown if the engineers have surveyed his land. Mr. Brown said that he has met with DISD, and his land has been surveyed, and there are a couple of different options. They were in agreement that something needed to be done, definitely with the ditches.

Cindy Aughinbaugh made a motion to table any action regarding drainage and road concerns around the area of Pecan Creek and Fritz Rd. Charles Grimes seconded. Motion carried.

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 town attorney on any agenda item listed herein.

**9. ADJOURN – John Reedy made a motion to adjourn. Cindy Aughinbaugh made the second. Motion carried.**

I, Jerry Williams, Mayor of the Town of Shady Shores do hereby certify that the above notice of the Regular Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on \_\_\_\_\_ DAY OF \_\_\_\_\_, AT \_\_\_\_\_ P.M.

\_\_\_\_\_ Jerry Williams

IN ADDITION, A QUORUM OF PLANNING AND ZONING MEMBERS MAY CHOOSE TO ATTEND THE COUNCIL MEETING POSTED ABOVE. THEREFORE, THIS IS A NOTICE OF A PLANNING AND ZONING MEETING AT THE SAME TIME AND PLACE, WITH THE SAME AGENDA AS THE COUNCIL. IN THE EVENT A QUORUM OF P&Z MEMBERS IS PRESENT AT THIS MEETING, NO ACTION OF THE MEMBERS WILL BE TAKEN. THIS NOTICE IS POSTED AT THE TIME STATED ABOVE.

**Upcoming events and meetings**

Police Service Meeting	December 11, 2012	7:00PM
Planning and Zoning	December 13, 2012	7:00PM

Passed and approved this \_\_\_\_\_ day of January, 2013.

\_\_\_\_\_ Mayor, Jerry Williams

\_\_\_\_\_ Town Secretary, Sarah Swanson-Attest