

**NOTICE OF SPECIAL COUNCIL MEETING
TOWN OF SHADY SHORES
7:00 P.M., MONDAY, MAY 20TH, 2013
SHADY SHORES COMMUNITY CENTER
101 SOUTH SHADY SHORES ROAD
SHADY SHORES, TEXAS**

AGENDA

1. **CALL TO ORDER:** *The meeting was called to order at 7:00 PM.*

MEMBERS PRESENT

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

MEMBERS ABSENT

**Also Present: Sarah Swanson, Town Secretary
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. **OUTGOING MAYOR'S MESSAGE:** Final Message from Mayor Williams.

Mayor Williams thanked everyone for their attendance. Unforeseen elements have happened in his life to cause him to step aside for at least one term. He thanked the council for their understanding, patience, education and support. He believes it is important for the Mayor and council to work together as closely as possible and that it's important for the Mayor to bring before council workable agenda items that protect the Town and residents – to promote health, safety and welfare. Mayor Williams also wanted to thank his wife for the two years of her support. When you become the Mayor of a town, you basically accept that Town as your family. Even if some of them do not think you are doing a good job, you still represent them as your family. You try to promote progress, peace, harmony and good development. He understands that in some areas, he did not fix things that needed to be fixed – sometimes it is very difficult, but he did always try to bring before council those things that are fixable and to be funded. He truly believes that the Town is transitioning into very good hands and that Mayor elect Cindy Spencer will do a fine job. They have already been working closely in order to maintain the integrity of the transition and that the future of the

Town will be positive. He also thanked all of those who voted for him two years ago, and thanked all of those that were there for him. He thanked Jim Shepherd for constantly having his back with legal issues, Ms. Stephens who have him 38 years of mentoring and Sarah for stepping in to a unique situation and growing with him and the Town.

- 4. OATH OF OFFICE:** Deliver Oath of Office to the new Mayor, Cindy Spencer, Place 2 Council Member, Paula Woolworth and Place 3 Council Member, Patty Durkin. Following taking their oath of office the new members will assume their official duties.

Sarah Swanson, Town Secretary, qualified the new Mayor, Cindy Spencer.

Mayor Spencer qualified Patty Durkin and Paula Woolworth for their respective council seats.

Mayor Cindy Spencer, Alderman Patty Durkin and Alderman Paula Woolworth took their seat.

- 5. PRESENTATION IN APPRECIATION OF SERVICE:** Presentation of a plaque in appreciation to John Reedy, Lance Sandmann and Jerry Williams for their years of service to the Town.

Mayor Spencer presented a plaque of appreciation to John Reedy, Lance Sandmann and Jerry Williams.

- 6. NEW MAYOR'S REMARKS:** Welcome comments and introduction by Cindy Spencer.

Mayor Spencer read her New Mayor's Remarks:

Thank you for being here tonight. First, I would like once again to thank Mayor Williams, Jerry, for his time, energy, service, and commitment to Shady Shores. In a period of the most significant transition in Shady Shores since Mayor Stephens first took office, Jerry has helped insure a smooth transition and provided forward-looking governance. He has continued that role in helping me with my transition from Alderman to Mayor. I appreciate your help very much, Jerry, thank you.

As I said at the candidate's forum, "Elections are not just about individual candidates and personalities. Elections are an opportunity to discuss ideas, policies, and priorities and the direction the community wants for the Town of Shady Shores."

That discussion will be ongoing. I encourage all citizens to participate in meetings and share their suggestions and opinions, but I intend that it be done respectfully. During my time as the community events chair, I have worked to bring the community together and I will continue as Mayor to enhance community involvement every chance I get.

The citizens of Shady Shores have determined that they will have no commercial zoning in our town. Our town budget needs to be framed within these revenue constraints. I believe in financial responsibility. We need to continue our Shady Shores tradition of living within our

means while maintaining our infrastructure. To that end, I believe in being prepared, doing our due diligence, and making our best-informed divisions. I encourage all citizens to participate, be informed, and have a voice in decisions. It is their money we spend or save. We want to keep our tax rate as low as possible. To do that we need to define clearly wants versus needs.

I believe we need to maintain cordial and active relationships with our neighboring cities and our county officials. Shady Shores can only benefit from participating actively in our county.

We are fortunate to have an excellent and highly qualified council and I look forward to working closely with them. I am honored to serve as your Mayor and will do my best.

- 7. WATERSHED DISCOVERY MEETINGS-**Consider and discuss attendance at the Discovery meetings on May 28, 2013 and June 25, 2013. Mayor, Town Engineer and/or Council should attend.

Mayor Spencer and the Council discussed attendance for the Discovery meeting.

- 8. APPOINTMENT OF ALDERMAN PLACE 1 REPLACEMENT:** Discuss and consider a replacement for the Place 1 council seat.

Ann Falkenberg

Ms. Falkenberg thinks that because we have already had an election, the replacement should be whoever received the highest vote.

Matthew Heins

Mr. Heins would like to be considered for the Place 1 council seat.

Tom Spencer

Mr. Spencer also agrees with Ms. Falkerberg that the Place 1 council seat should be given to the person who received the highest vote.

- 9. MAYOR PRO TEM:** Consider and take action relative to appointing a new Mayor Pro Tem. Mayor Pro Tem will be chosen by nomination and vote by the council, and accepted by council action.

Cindy Aughinbaugh made a motion to table the appointment of Mayor Pro Tem. Charles Grimes seconded. Motion carried.

- 10. SIGNATURE CARDS:** Consider and take action to appointing individuals to serve as signatory on the bank signature cards.

Cindy Aughinbaugh made a motion to table the appointment of appointing individuals to serve as a signatory for the bank signature cards. Charles Grimes seconded. Motion carried.

11. EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

COUNCIL WILL RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

- a. Govt. Code 551.074— "Personnel--to deliberate the appointment, employment, evaluation, reassignment, or duties, of a public officer or employee----deliberate filling the vacancy in council Place 1 by appointment.
- b. Govt. Code 551.071 – "Confidential legal advice regarding pending litigation.

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.

7:30 PM

Cindy Aughinbaugh made a motion to move to Executive Session. Paula Woolworth seconded. Motion carried.

12. RETURN TO OPEN SESSION

Deliberate and take any action necessary as a result of the Executive session.

8:00 PM

Meeting returned to open session. Cindy Aughinbaugh made a motion to table the appointment. Charles Grimes seconded. Motion carried.

8:12 PM

Cindy Aughinbaugh made a motion to move to Executive Session. Charles Grimes seconded. Motion carried.

8:17 PM

Meeting returned to open session. Charles Grimes made a motion to elect Cindy Aughinbaugh as Mayor Pro-Tem. Patty Durkin seconded. Motion carried.

8:19 PM

Cindy Aughinbaugh made a motion to move to Executive Session. Paula Woolworth seconded. Motion carried.

8:55 PM

Meeting returned to open session.

13. ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that do not require that a meeting be open. Any subsequent action, if any, as a result of an Executive Session, will be taken and recorded in open session.

Charles Grimes made a motion to adjourn. Patty Durkin seconded. Motion carried.

PASSED AND APPROVED THIS _____ DAY OF _____, 2013

_____ CINDY SPENCER, MAYOR

ATTEST:

_____ SARAH SWANSON, TOWN SECRETARY