



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
AUGUST 10, 2020; 7:00 PM
VIRTUAL MEETING
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location. The meeting was held via Zoom Teleconference Meeting 873 7829 2599.

MEMBERS PRESENT

Cindy Aughinbaugh	Mayor	Present
Tom Newell	Mayor Pro Tem	Present
Charles Grimes	Councilmember	Present
Jack Nelson	Councilmember	Present
Matthew Haines	Councilmember	Present
Mike Nowels	Councilmember	Present

STAFF PRESENT: Wendy Withers, Town Administrator; Amber Schuler, Municipal Court Administrator; Jim Shepherd, Town Attorney; Richard Arivizu, Town Engineer

CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:00 pm.

ROLL CALL

Establish a quorum.

Mayor Aughinbaugh called the roll and a quorum was established for the record.

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.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Animal Control

Councilmember Charles Grimes gave the Animal Control report.

2. Code Enforcement

Councilmember Charles Grimes gave the Code Enforcement Report.

3. Planning and Zoning Commission Report

Vice-Chairman Rebecca Morgan gave the Planning and Zoning Commission Re

4. Police Department

Councilmember Matthew Haines gave the Police Report for June 2020

5. Fire Department

Mayor Pro Tem Tom Newell gave the Lake Cities Fire Department report for July 2020.

6. Staff Report

Town Administrator Wendy Withers gave the staff report.

7. Roads, Drainage, Capital Improvements

Mayor Aughinbaugh reported that the repairs on W. Shady Shores Road were completed.

Councilmember Mike Nowels, gave an update on the S. Shady Shores Road Bridge project stating that the Denton County Commissioners Court should approve the contract with Haff and Associates.

Councilmember Nowels continued to report that he attended a working group meeting regarding Dobbs Road; Richard Arivzu to do some property and boundary work, starting to move forward in conjunction with the cities of Lake Dallas and Corinth on this project.

8. Announcements

1) Public Hearing on the Budget 8/19

2) Public Hearing on Tax Rate and Adoption of Tax Rate and Budget 9/14

3) Town Hall Closed 9/7 Labor Day

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.

Matthew Haines asked to remove the Span Contract from the Consent agenda. Mike Nowels seconded the motion.

Discussion: Charles Grimes asked questioned why the contract was being removed.

Councilmember Haines stated that he would like information on the program usage prior to approval.

Ayes: Haines, Grimes, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

Matthew Haines made a motion to approve the items on the consent agenda. Mike Nowels seconded the motion.

Discussion: None

Ayes: Haines, Grimes, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

Matthew Haines made a motion to table approval of the Span contract. Jack Nelson seconded the motion.

Discussion: None

Ayes: Haines, Grimes, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

9. Minutes- Consider and act on approval of the minutes of the July 13, 2020 Shady Shores Town Council meeting.

10. Span Contract 2020-21- Consider and act on approval of a contract with Span for transportation services.

11. Traffic Control Signs- Consider and act on an Ordinance amending Ordinances No. 75 and 257 to provide a comprehensive list of intersections within the Town of Shady Shores with traffic control adding additional stop signs listed on Exhibit A.

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

There was no one signed up to speak.

REGULAR AGENDA ITEMS

12. Public Hearing- Conduct a public hearing relative to a request for a zoning change made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

A) Open Public Hearing

B) Applicant

C) Those in favor

D) Those opposed

E) Rebuttal

F) Close Public Hearing

Mayor Aughinbaugh opened the Public Hearing at 7:23; due to technical difficulties Mayor Aughinbaugh stated she would defer this Public Hearing. Mayor Aughinbaugh reopened the public hearing at 8:33 pm.

The Applicant, Tom Spencer 203 W. 6th Street described the project and plans for the future construction of three homes. Mr. Spencer state that he believed he was the first person to request the new zoning district and that he hoped the Council would approve the request as he had submitted his documents in accordance with the Ordinance.

A) Those in favor of the request:

No one spoke in favor of the request.

B) Those opposed:

John McDonald 402 Shady Lane spoke in opposition to the request due the drainage issues and lack of road maintenance.

Suzanne McDonald 402 Shady Lane spoke in opposition to the request; however, stated she would be in support of two homes being placed there not three.

A letter of opposition by several homeowners was also submitted and is attached to the minutes as Exhibit A.

Mayor Aughinbaugh closed the public hearing at 8:51 pm

13. Spencer Replat/Zoning Change Request- Consider and act on an application for a zoning change by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

Matthew Haines made a motion to approve the request for a zoning change. Jack Nelson seconded the motion.

Discussion: None

Ayes: Haines, Grimes, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

14. Public Hearing- Conduct a public hearing relative to a request for replat made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

A) Open Public Hearing

B) Applicant

C) Those in favor

D) Those opposed

E) Rebuttal

F) Close Public Hearing

Mayor Aughinbaugh opened the public hearing at 8:53 pm

Those in favor: No one spoke in favor of the request.

Those Opposed: No one spoke in opposition to the request.

No Rebuttal: There was no rebuttal

Mayor Aughinbaugh closed the public hearing at 8:57 pm

15. Spencer Replat/Zoning Change Request- Consider and act on an application for a replat made by Tom Spencer for the property legally known as B. Eaves Survey, Abstract 388, Block 12, Lots 1-14.

Jack Nelson made a motion to approve the replat request made by Tom Spencer. Matthew Haines seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None

The motion passed unanimously.

16. Public Hearing- Conduct a public hearing relative to approval of a final plat for Hidden Valley Airpark Phase VI.

A) Open Public Hearing

B) Applicant

C) Those in favor

D) Those Opposed

- E) Rebuttal, if desired
- F) Close Public Hearing

Mayor Aughinbaugh opened the public hearing at 7:25 pm.
Applicant) Mary McDowell presented the project

Those in favor:
Tillman Strahan 54 Hidden Valley Airpark spoke in favor of the request.
Marcus Wiese 72 Hidden Valley Airpark spoke in favor of the request.

Letters of support from the following individuals are attached as Exhibit B:
Tillman Strahan
Charles Webb
Angela Dixon
Lou Gavin
Roland Towers

Mayor Aughinbaugh closed the public hearing at 7:34 pm

17. Hidden Valley Phase VI- Consider and act on approval of a final plat for Hidden Valley Airpark Phase VI

Jack Nelson made a motion to approve the final plat of Hidden Valley Phase VI based on final approval by LCMUA and the securing of all necessary easements. Charles Grimes seconded the motion.

Discussion: None
Ayes: Grimes, Haines, Nelson, Nowels, Newell
Nays: None
The motion passed unanimously.

18. Budget Worksession- conduct a work session relative to the 2021 Fiscal Year Budget.

A worksession was conducted relative to the Proposed 2021 Fiscal Year Budget

19. 2020 Property Tax Rate- Consider and act on approval of a proposed tax rate. Consider and act on setting the date for public hearing on the tax rate.

Matthew Haines made a motion to approve the **proposed** tax rate of .321958. Jack Nelson seconded the motion.

Discussion: None
Ayes: Grimes, Haines, Nelson, Nowels, Newell
Nays: None
The motion passed unanimously.

The Council will hold a public hearing and adopt the Tax Rate at the September 14, 2020 Town Council meeting.

20. Pending and Contemplated Litigation - consider and act on pending and contemplated litigation regarding the existing municipal court cases styled "State of Texas versus Douglas Taft

Richard Arvizu gave a presentation about the proposed repairs for Olive's Branch.

Mike Nowels made a motion to authorize the Mayor to approve the project. Tom Newell seconded the motion.

Discussion: None
Ayes: Grimes, Haines, Nelson, Nowels, Newell
Nays: None
The motion passed unanimously

EXECUTIVE SESSION:

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

Matthew Haines made a motion to adjourn to Executive Session. Jack Nelson seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None

The motion passed unanimously and the Council adjourned to Executive Session at 8:04 pm

Matthew Haines made a motion to reconvene into Open Session. Mike Nowels seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Nelson, Nowels, Newell

Nays: None

The motion passed unanimously, and the Council reconvened into Open Session at 8:33 pm.

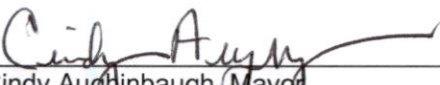
FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

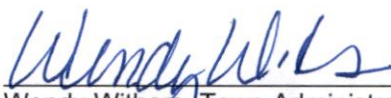
The Meeting was adjourned at 9:09 pm.

PASSED AND APPROVED THIS THE 14th DAY OF September, 2020.

APPROVED:


Cindy Auchinbaugh, Mayor

ATTEST:


Wendy Withers, Town Administrator/Secretary

