



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
FEBRUARY 8, 2021; 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 891 5583 2331 .

MEMBERS PRESENT

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

Staff Present: Wendy Withers, Town Administrator; Jim Shepherd, Town Attorney; Amber Schuler, Municipal Court Administrator; Richard Arvizu, Town Engineer

MEETING LOG IN INSTRUCTIONS

1. Time: Feb 8, 2021 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89155832331?pwd=OUMrcnVJR281RVZSb0NERGNpZHp0UT09>

Meeting ID: 891 5583 2331

Passcode: 601587

One tap mobile

+13462487799,89155832331#,*601587# US (Houston)

+12532158782,,89155832331#,,,,*601587# US (Tacoma)

CALL TO ORDER

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

ROLL CALL

Establish a quorum.

Mayor Aughinbaugh called the meeting to order 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. Keep Shady Shores Beautiful

Town Administrator Wendy Withers gave the Keep Shady Shores Beautiful Report.

2. Planning and Zoning Commission Report

Vice-Chairman Rebecca Morgan stated that the board had not met since the last Town Council meeting therefore there was nothing to report at this time.

3. Animal Control

The Animal Control Report was available in the packets.

4. Code Enforcement

The Code Enforcement Report was available in the packets.

5. Police Department

Councilmember Matthew Haines stated that he would like to step down as liaison to the Police Department due to time constraints.

6. Fire Department

Mayor Pro Tem Tom Newell gave the Fire Department report for January 2021.

7. Staff Report

Town Administrator Wendy Withers gave the staff report for January 2021.

8. Roads, Drainage, Capital Improvements

Councilmember Mike Nowels gave an update relative to the status of ongoing Roads and Drainage projects including S. Shady Shores Bridge Raising Project, Dobbs Road, and Shahan Drainage Project.

9. Announcements

Town Hall will be closed February 15th, 2021

Last day to sign up for a place on the ballot is February 12, 2021

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.

Councilmember Haines asked for the Order of Election to be removed from the Consent Agenda.

Matthew Haines made a motion to approve items 1,3,4,5,6 on the consent agenda. Jack Nelson seconded the motion.

Discussion: None

Ayes: Haines, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously.

1. Minutes- Consider and act on approval of the minutes of the January 11, 2021 Town Council Meeting.
approved

2. Ordinance Calling the 2021 General Election of City Officials- Consider and act on approval of an Ordinance calling the 2021 General Election of City Officials. (English and Spanish)

Orden Que llama a la Elección General de funcionarios de la ciudad de 2021- Considerar y actuar sobre la aprobación de una Ordenanza que llama a la Elección General de funcionarios de la ciudad de 2021. **(ORDINANCE 342-02-2021)**

Mike Nowels made a motion to approve the Ordinance Calling the May 1, 2021 General Election of City Officials. Jack Nelson seconded the motion.

Discussion: Councilmember Haines asked why the Ordinance needed to be translated into Spanish. Town Attorney Jim Shepherd advised that a Spanish Translation was required by the Texas Election Code.

Ayes: Nelson, Newell, Nowels

Nays: Haines

The motion passed 4:1

3. 2021 Holiday Schedule-Consider and act on approval of the 2021 Town Holiday Schedule
Approved

4. Water Well Resolution- Consider and act on approval of a resolution for a water well for 139 Hidden Valley Airpark.
Approved

5. Financial Reports- Consider and act on the Financial Reports for the 1st Quarter 2021.
Approved

6. Investment Committee Report- Consider and act on approval of the 1st Quarter 2021 Investment Committee Report.
Approved

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

1. Town of Shady Shores Legislative Agenda- Consider and act on approval of the adoption of a Resolution Adopting the Town of Shady Shores Legislative Agenda.

Matthew Haines made a motion to approve the Town of Shady Shores Legislative Agenda. Jack Nelson seconded the motion.

Discussion: None

Ayes: Haines, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously. **(RESOLUTION 2021-813-02)**

2. S. Shady Shores Road Project- Consider and discuss the S. Shady Shores Road Project and take appropriate action.

Town Engineer Richard Arvizu gave an update on the S. Shady Shores Road project. Mr. Arvizu stated that the main goal of the project was to ensure the health and safety for the residents and the hope was to raise the bridge as high as possible while maintaining the funds allocated. The Engineering firm that has been hired to design the project estimates that the total project cost would be approximately 19 million dollars and would include improvements to all three crossings.

The original intent of the project was to raise the low water crossings as high as possible above the flood level. Estimates for a project of this size to meet the environmental mitigation requirements, could become quite costly. Whichever option is chosen, there are some improvements that will be made regardless. The different bridge methods proposed would possibly shorten the construction time; however, the project engineers Haff and Associates are indicating that the extra cost for alternative bridges might not be comparable. S. Shady Shores Road will be shut down during the construction of the bridges, so incentives to complete the contract are being considered.

Councilmember Mike Nowels asked for councilmembers thoughts on the different options as he was acting in their behalf. There was no action take on this agenda item, however councilmembers were generally in favor of Option 3.

3. Solid Waste Bids- Consider and act on approval of a bid for Solid Waste Services for the Town of Shady Shores Solid Waste and Recycling Services.

Councilmembers interviewed representatives from Community Waste Disposal, Republic Services and Frontier. Councilmember Haines asked questions regarding historical rate increases and cost adjustments.

Matthew Haines made a motion to reject all bids

Motion died for lack of a second

Tom Newell made a motion to enter into Executive Session. Jack Nelson seconded the motion.

Discussion: None

Ayes: Haines, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously, and the Council recessed into Executive Session at 7:53 pm.

Jack Nelson made a motion to reconvene into Open Session. Mike Nowels seconded the motion.

Discussion: None

Ayes: Haines, Nelson, Newell, Nowels

Nays: None

The motion passed unanimously, and the Council reconvened into Open Session at 8:23 pm.

Each bidder was given three (3) minutes to speak to their bid.

Tom Newell made a motion to approve the bid submitted by Republic Services. Mike Nowels seconded the motion.

Discussion: None

Ayes: Nelson, Newell, Nowels

Nays: Haines

The motion passed 4:1.

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.

Councilmember Haines left the meeting at 8:23 pm.

Mike Nowels made a motion to recess into Executive Session at 8:25 pm. Jack Nelson seconded the motion.

Discussion: None

Ayes: Nelson, Newell, Nowels

Nays: None

The motion passed unanimously, and the Council recessed into Executive Session at 8:25 pm.

Tom Newell made a motion to reconvene into Executive Session. Jack Nelson seconded the motion.

Discussion: None

Ayes: Nelson, Newell, Nowels

Nays: None

The motion passed unanimously, and the Council reconvened into Open Session at 9:09 pm.

1.

Executive session. 552.071 Confidential legal advice regarding the development of 120 Garza Road and the legal options available.

ACTION REGARDING EXECUTIVE SESSION

There was no action to be taken as a result of Executive Session.

1. Consider and take any appropriate action regarding items discussed in Executive Session

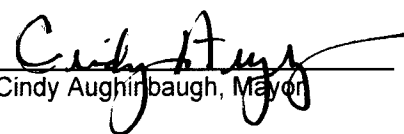
Mike Nowels made a motion to adjourn. Tom Newell seconded the motion, and the meeting was adjourned at 10:10 pm.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

Passed and Approved this the 5th day of March, 2021.

Approved:


Cindy Aughinbaugh, Mayor

Attest:


Wendy Withers, Town Administrator/Secretary

