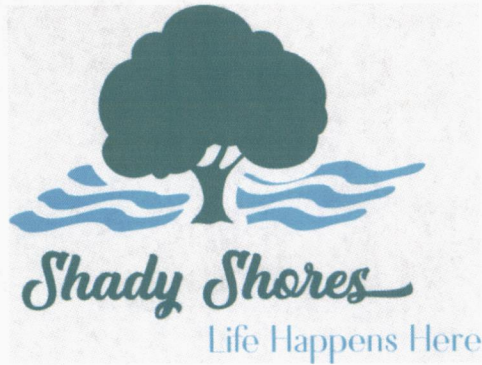




TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
AUGUST 9, 2021; 7:00 PM
VIRTUAL MEETING
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208

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 [89842219636](https://us02web.zoom.us/j/89842219636).

MEMBERS PRESENT

Cindy Aughinbaugh	Mayor	Present
Tom Newell	Mayor Pro Tem	Present
Charles Grimes	Councilmember	Present
Matthew Haines	Councilmember	Absent
Mike Nowels	Councilmember	Present
Bill Emsoff	Councilmember	Present*
		appointed

STAFF PRESENT: Wendy Withers, Town Administrator; Katie Klein, Administrative Assistant; David Francis, Binkley & Barfield; Jim Shepherd, Town Attorney

MEETING LOG IN DIRECTIONS

1. Join Zoom Meeting
<https://us02web.zoom.us/j/89842219636?pwd=a2FpK2dUWG9nMUo4MGdtUFIKeVFSUT09>

Meeting ID: 898 4221 9636

Passcode: 713357

One tap mobile

+13462487799,,89842219636#,,, *713357# US (Houston)

+16699006833,,89842219636#,,, *713357# US (San Jose)

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

1. United Way Proclamation

2. Republic Services Presentation of Butterfly Garden Grant

Leigh Collins with Republic Services was in attendance to present the Keep Shady Shores Beautiful Committee a \$500 contribution toward the planned Butterfly Garden. Chairman Nathan Abato was present to accept on behalf of the Keep Shady Shores Beautiful Committee.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Keep Shady Shores Beautiful

Chairman Nathan Abato was present and gave the Keep Shady Shores Beautiful Report.

2. Animal Control

Councilmember Charles Grimes gave the animal control report.

3. Code Enforcement

Charles Grimes gave the Code Enforcement Report noting the high number of tall weeds and grass violations.

4. Police Department

Mayor Pro Tem Tom Newell gave the Police Report. Mr. Newell reported that he and the Town Administrator received a briefing this morning from Chief Gardner regarding the proposed Police Contract Renewal. Other items that were discussed included call volume, and the joint interlocal with Corinth Police Department and the Lake Dallas Police Department.

5. Fire Department

Mayor Pro Tem Tom Newell gave the Fire Department Report.

6. Staff Report

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

7. Roads, Drainage, Capital Improvements

David Francis with Binkley & Barfield gave the following updates about the Roads and Bridges projects:

S. Shady Shores Road, wash out situation- due to the increased costs a different material was being proposed, the design plans are being completed and various contractors have been consulted.

Cielo Lane safety improvements, options including signage and additional paving adjustments, to increase the safety on Cielo lane.

Fritz Lane Road repair update: currently they are working on data collection and coordinating with the surveyor to do some additional line surveying additional work replacement of the pipe culvert that they are going to fix.

Cogburn Road Report- right of entry acquisition to begin the surveying and the drainage map.

Lakeshore Road repair, notice to proceed 8 weeks ago a conceptual cost and design plan for the repairs, to be completed by mid-September

Dobbs Road: reconstruction right of entry secured, coordinating with Geotechnical consultants, reviewing the traffic counts.

Olive's Branch update- plans have been updated, and the final review is pending.

8. Announcements

1. Town Hall Closed September 6, 2021, in observance of Labor Day

2. National Night Out October 2

3. Upcoming Meetings

August 19th, 2021, Special Called Town Council Meeting- Council will discuss issuance of Certificates of Obligation
Public Hearing on the Budget & Tax Rate

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.

Mike Nowels made a motion to approve the items on the consent agenda as presented. Tom Newell seconded the motion.

Discussion: None

Ayes: Newell, Nowels, Grimes

Nays: None

The motion passed unanimously.

1. Minutes- Consider and act on approval of the minutes of the July 12, 2021, Regular Town Council Meeting.

2. Interlocal Agreement Dobbs Road- Consider and act on ratification of the interlocal agreement for Dobbs Road.

3. Interlocal Agreement Span- Consider and act on approval of an interlocal agreement with Span to provide rides for seniors, veterans, and other qualified persons.

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.

REGULAR AGENDA ITEMS

1. Councilmember Appointment- Consider and act on appointment of an individual to fill the unexpired term for Shady Shores Town Council Place 4.

Tom Newell made a motion to appoint Bill Emsoff to fill the vacant position. Mike Nowels seconded the motion.

Discussion: None

Ayes: Newell, Nowels, Grimes

Nays: None

The motion passed unanimously.

2. Oath of Office- Deliver the Oath of Office to the newly appointed Councilmember.

Town Administrator Wendy Withers delivered the Oath of Office to the newly appointed Councilmember Bill Emsoff. Councilmember Emsoff took his seat at the table.

3. Short Term Rentals Ordinance- Conduct a worksession relative to Short Term Rentals in the Town of Shady Shores. Consider and act on approval of an Ordinance establishing a registration system.

There was no action taken on this agenda item.

4. Budget Worksession- Conduct a worksession relative to the 2021/2022 Fiscal Year Budget.

There was no action taken on this agenda item.

5. 2021 Property Tax Rate- Consider and act on approval of a proposed tax rate. Consider and act on approval of a resolution setting the date for public hearing on the tax rate.

Mike Nowels made a motion to propose a tax rate of .304486 and an INS .01694 total proposed rate of .321958 approving a resolution to set the date for the public hearing on the tax rate for September 8, 2021. Tom Newell seconded the motion.

Discussion: None

Ayes: Nowels, Newell, Emsoff, Grimes

Nays: None

The motion passed unanimously. RESOLUTION

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.

Mike Nowels made a motion to recess into Executive Session. Tom Newell seconded the motion.

Discussion: None

Ayes: Nowels, Newell, Grimes, Emsoff

Nays: None

The motion passed unanimously, and the council recessed into Executive Session at 8:14 pm.

1. TX Local Government Code 551.074- Personnel Matters- Performance Reviews for Town Staff

- a) Town Administrator/Secretary
- b) Municipal Court Administrator
- c) Office Clerk
- d) Code Compliance

2. Govt. Code sec. 552.071 Confidential legal advice regarding the status of state law regarding short term rentals and the legal options available.

ACTION REGARDING EXECUTIVE SESSION

Mike Nowels made a motion to reconvene into regular session. Tom Newell seconded the motion.

Discussion: None

Ayes: Nowels, Newell, Emsoff, Grimes

Nays: None

The motion passed unanimously, and the Council reconvened into regular session at 9:37 pm.

Mike Nowels made a motion to table any action on short term rentals. Tom Newell seconded the motion.

Discussion: None

Ayes: Nowels, Newell, Emsoff, Grimes

Nays: None

The motion passed unanimously.

There was no action taken on 551.074 Personnel Matters-Performance Reviews for Town Staff.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

Future Discussions- Police Contract
Short Term Rental Ordinance

ADJOURN

Charles Grimes motion to adjourn, Mike Nowels seconded the meeting.

Discussion: None

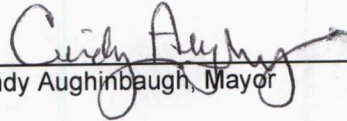
Ayes: Grimes, Emsoff, Nowels, Newell

Nays: None

The motion passed unanimously, and the meeting was adjourned at 9:38 pm.

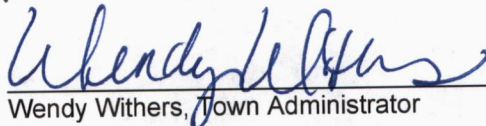
PASSED AND APPROVED THIS THE 13th DAY OF Sept, 2021

APPROVED:


Cindy Aughinbaugh, Mayor



ATTEST:


Wendy Withers, Town Administrator