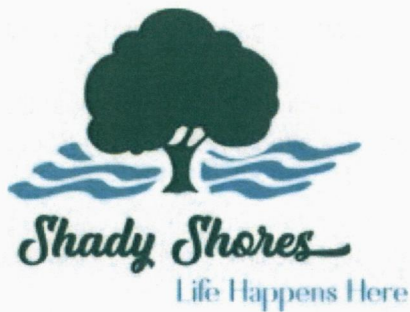




**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
AUGUST 8, 2022; 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

Cindy Aughinbaugh	Mayor	Present
Tom Newell	Mayor Pro Tem	Present
Charles Grimes	Councilmember	Present
Jeff Belton	Councilmember	Present
Bill Emsoff	Councilmember	Present
Mike Nowels	Councilmember	Present (Virtually)

STAFF PRESENT: Wendy Withers, Town Administrator; Amber Schuler, Municipal Court Administrator; Katie Klein, Community Relations Admin.; David Francis, 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

1. Proclamation Recognizing National Payroll Week

Mayor Aughinbaugh read a proclamation recognizing National Payroll Week.

2. SPAN Presentation- Receive a presentation from Diane Beck regarding Span and the services that are offered through this service.

Diane Beck with Span was present to give a presentation relative to Span and the services offered throughout Denton County.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Roads, Drainage, Capital Improvements

David Francis from Binkley and Barfield gave the road and drainage report. A full report is available on the website.

2. Community Relations: Keep Shady Shores Beautiful/ Communications/ Community Events/Public Works
Katie Klein gave the Community Relations, Keep Shady Shores Beautiful, Communications, Communications and Public Works Reports for July 2022.

3. Planning and Zoning Commission Report

Councilmember Bill Emsoff stated there was nothing to report as there had not been a meeting since the last Council meeting.

4. Animal Control

Councilmember Jeff Belton gave the Animal Control report and noted that effective October 1, the City of Corinth would be providing animal control services.

5. Code Enforcement

Councilmember Jeff Belton gave the Code Enforcement Report.

6. Police Department

Mayor Pro Tem Tom Newell gave the Police Report.

7. Fire Department

Mayor Pro Tem Tom Newell gave the Fire Department Report.

8. Staff Report

Town Administrator Wendy Withers gave the Staff Report.

9. Announcements

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.

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

Discussion: None

Ayes: Grimes, Newell, Belton, Emsoff, Nowels

Nays: None

The motion passed unanimously.

1. Parking Ordinance- Consider and act on approval of an Ordinance modifying the regulations for parking on vacant lots.

APPROVED ORDINANCE 356-08-2022

2. Swimming Pool/Hot Tub Ordinance- Consider and act on approval of an ordinance modifying the Shady Shores Code of Ordinances Article 3.06 adding section 3.06.004 Pool Hot Tub and Spa Location on Property.

APPROVED ORDINANCE 357-08-2022

3. Fee Schedule - Consider and act on approval of an Ordinance adopting a Master Fee Schedule for the Town of Shady Shores.

APPROVED ORDINANCE 358-08-2022

4. Solid Waste Ordinance- Consider and act on an amendment to the Town of Shady Shores Solid Waste Ordinance requiring the use of a dumpster for certain properties.

APPROVED ORDINANCE 359-08-2022

5. Minutes- Consider and act on approval of the minutes of the June 13, 2022 Worksession Minutes and the June 13, 2022 Regular Town Council Minutes

6. Span Contract- Consider and Act on Approval of a Contract with Denton County Span for medical trips.

7. Juvenile Curfew Ordinance- Consider and act on approval of the continuation of the Juvenile Curfew Ordinance **322-**

02-2019.

APPROVED ORDINANCE 360-08-2022

8. DCAD Budget- Consider and act on a resolution disapproving the Denton Central Appraisal District Budget.

APPROVED RESOLUTION 2022-08-826

9. Financial Reports- Consider and act on approval of the FY 2022 3rd Quarter Financial Reports.

10. Donations- Consider and act on approval of a provision to accept donations for the Town of Shady Shores Keep Shady Shores Beautiful Park and Park projects through the Town of Shady Shores.

11. Hotel/Motel Occupancy Tax Fund- authorize staff to work with Independent Bank to open an account to be used for Hotel/Motel Occupancy Tax.

12. Investment Committee Report- Consider and Act on Approval of the FY 2022 3rd Quarter Investment Committee Report.

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. Local Option Election- Consider and take appropriate action relative to a petition for the Legal Sale of Alcoholic Beverages for off-premise consumption. **ORDINANCE 361-08-2022**

Bill Emsoff made a motion to deny the petition due to the lack of signatures. Charles Grimes seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

2. Local Sales Tax Election- Consider and take appropriate action relative to ordering a special collection for the issuance of an additional 1% sales tax rate.

Tom Newell made a motion to order the election for general sales tax. Charles Grimes seconded the motion.

Discussion: Councilmembers discussed that they liked the flexibility of using the additional 1% for any purpose rather than designating the funds to be used for only one purpose.

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

3. Public Hearing- FY 2022/2023 Budget

A. Staff Report

B. Open Public Hearing

C. Public Comment Regarding the Budget

D. Close Public Hearing

A. Town Administrator Wendy Withers gave an overview of the proposed budget

B. Mayor Aughinbaugh opened the public Hearing

C. Bill Krueger asked a question about a duplicate expense listed on the budget

D. Mayor Aughinbaugh closed the public hearing.

4. Councilmember/Committee Appointments- Consider and act on the appointment of members to the following Committees:

Board and Commission Member Interviews (2 councilmembers and the Mayor)

ROW/Open Space Committee- 2 Councilmembers, 1 Staff and 1 or 2 Citizens.

Tom Newell made a motion to nominate Jeff Belton and Bill Emsoff to serve on the interview committee.

Mike Nowels seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

Tom Newell made a motion to appoint Councilmembers Mike Nowels and Charles Grimes to the ROW Committee as well as Karen Thomas. Jeff Belton seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

5. Keatings Kove Survey and Right of Way Discussion- Consider and act on approval of a bid to remove trees and overgrowth located in the Right of Way on Road "A" in Keatings Kove.

Bill Emsoff made a motion to adjourn to Executive Session. Jeff Belton seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed and the council adjourned to Executive Session at 8:31 pm.

Bill Emsoff made a motion to reconvene into Open Session. Tom Newell seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell, Nowels

Nays: None

The motion passed and the council reconvened into Open Session at 9:26 pm.

There was no action to be taken as a result of executive session.

6. Dark Fiber Lease and Network Agreement between the Town of Shady Shores and Pavlov Media, Inc. (Broadband Project) -consider and act on approval of the Dark Fiber Lease and Network Agreement between the Town of Shady Shores and Pavlov Media, Inc. authorizing a public-private partnership for the deployment of a fiber to premises network throughout the Lake Cities (Hickory Creek, Corinth and Shady Shores).

Tom Newell motion to approve the Dark Fiber Lease and Network Agreement between the Town of Shady Shores and Pavlov Media, Inc. authorizing a public-private partnership for the deployment of a fiber to premises network throughout the Lake Cities subject to the following conditions: (1) the Town's approval is contingent upon the Agreement being approved and executed by each of the other Lake Cities members identified in the Agreement; and (2) the effective date of the Agreement will be the later of August 15, 2022 or the date upon which the last Lake Cities member executes the Agreement. Jeff Belton seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell

Nays: None

The motion passed unanimously.

*Councilmember Nowels was unable to rejoin the meeting after Executive Session, but wished to have his support noted here.

7. Strategic Planning Committee Final Report- Receive a report from the Strategic Planning Committee.

Town Administrator Wendy Withers gave the final report from the Strategic Planning Committee.

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.

1. Local Government Code 551.071 Consultation with Attorney
1. Keatings Kove ROW Discussion
2. Dark Fiber Lease with Pavlov

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

Charles Grimes made a motion to adjourn. Tom Newell seconded the motion. The meeting was adjourned at 9:47 pm.

Passed and approved this the 12th day of September, 2022.

Approved:

Cindy Aughinbaugh
Cindy Aughinbaugh Mayor

Attest:

Wendy Withers
Wendy Withers, Town Administrator/Secretary

