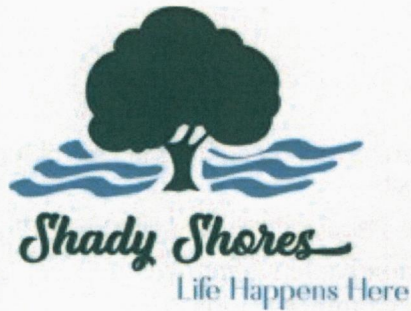




**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
SEPTEMBER 12, 2022; 7:00 PM
VIRTUAL MEETING
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

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, Deputy Town Secretary; Katie Klein, Community Relations Admin; Jim Shepherd, Town Attorney; Richard Arvizu, Town Engineer

CALL TO ORDER

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

ROLL CALL

Establish a quorum.

The Mayor 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. Mayor's Proclamation Suicide Prevention Month

Mayor Aughinbaugh presented a proclamation Declaring September Suicide Prevention Month. Arianna Moore and Veronica Andrews were present to accept the proclamation on behalf of Denton County MHMR.

2. Mayor's Proclamation- Live United; Denton County United Way

Mayor Pro Tem Tom Newell presented a proclamation declaring September 2022 as Live United Month.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Roads, Drainage, Capital Improvements
Town Engineer Richard Arvizu gave a report detailing the progress of the Town of Shady Shores Road and Drainage Improvement Projects.
2. Community Relations: Keep Shady Shores Beautiful/Community Events/Public Works/Communications
Community Relations Admin Katie Klein gave the Keep Shady Shores Beautiful, Community Events, Public Works, and Communications report.
3. Animal Control/Code Enforcement Reports
Councilmember Jeff Belton gave the Animal Control and Code Enforcement Reports.
4. Solid Waste/Municipal Court Reports
Deputy Town Secretary/Municipal Court Administrator Amber Schuler gave the solid waste report as well as a report of citations and warning tickets issued in the municipal court.

Solid Waste 1039 accounts,
Court
15 warnings
14 citations
15 cases
240 active cases in court, including those that are in deferred disposition and driver's safety course. There are 523 inactive cases that have been turned over to warrants or collections.
5. Public Safety - (Police and Fire Department Reports)
Mayor Pro Tem Tom Newell gave the police and fire reports.
6. Town Administrators Report
Town Administrator Wendy Withers, gave the Town Administrators report.
7. 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.

1. Minutes- Consider and act on approval of the minutes of the August 8, 2022 Regular Town Council meeting and the August 8, 2022 Worksession meeting.
Tom Newell made a motion to approve the items on the consent agenda as presented. Bill Emsoff seconded the motion.
Discussion: None
Ayes: Grimes, Newell, Nowels, Emsoff, Belton
Nays: None
The motion unanimously.
2. Fee Schedule - Consider and act on approval of an amendment to Ordinance 358-08-2022 amending the 2022/2023 fee schedule.

ORDINANCE 362-09-2022

3. Ordinance 361-08-2022- Consider and act on ratification of an Ordinance of the Town of Shady Shores, Denton County Texas, calling for an Election to be held on November 8 to permit voting for or against: the adoption of an additional 1% sales tax rate.

ORDINANCE 363-09-2022

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.

Jim Carter, 1005 Road Runner Lane, Bartonville stated that he was here to represent Denco 9-1-1. Mr. Carter thanked the Council for their support of his position on the board and gave a brief update of the board's progress.

REGULAR AGENDA ITEMS

- 1. Public Hearing Tax Rate- Conduct a public hearing relative to the 2022 proposed property tax rate.
 - A. Staff Report
 - B. Open Public Hearing
 - C. Public Comment
 - D. Close Public Hearing

- A. Mayor Aughinbaugh opened the public hearing at 8:06 pm.
 - B. There was no one signed up to speak
 - C. Mayor Aughinbaugh closed the public hearing at 8:06 pm.

- 2. Budget- Consider and act on an Ordinance adopting the 2022-2023 Fiscal Year Budget

ORDINANCE 364-09-2022

Tom Newell made a motion to approve the Budget, Charles Grimes seconded the motion.

- Discussion: None
- Ayes: Grimes, Belton, Emsoff, Newell
- Nays: None

The motion passed unanimously.

*Councilmember Nowels was present for the majority of the meeting via teleconference, however his vote could not be determined at the time the vote was called.

- 3. Tax Rate- Consider and act on approval of an Ordinance adopting a 2022 Property Tax Rate to fund the 2022-2023 proposed budget.

ORDINANCE 365-09-2022

Tom Newell made a motion to approve the FY Bill Emsoff seconded the motion.

- Discussion: None
- Ayes: Grimes, Belton, Emsoff, Newell
- Nays: None

The motion passed unanimously.

- 4. Boardmember Appointments- Consider and act on the appointment of individuals to serve on the Planning and Zoning Commission; Keep Shady Shores Beautiful, the Dangerous Structures Committee and the Right-of-Way (ROW) Committee.

Keep Shady Shores Beautiful
Andrea Dixon Place 5
Juli Bartley; Alternate
Bill Emsoff; and Tom Newell seconded

Planning and Zoning
Nathan Abato- nominated for place 2
Don Caver Place 4

Bill Emsoff made a motion to approve the nomination of Nathan Abato for Place 2 and Don Caver to Place

- 4. Tom Newell seconded the motion
- Discussion: None
- Ayes: Grimes, Belton, Emsoff, Newell
- Nays: None

The motion passed unanimously.

Building and Standards Commission

Place 2 and Place 3
Tom Newel made a motion to reappoint Sammie Shields and John MacKenzie to the Building and Standards Commission. Bill Emsoff seconded the motion.

Discussion: None
Ayes: Grimes, Belton, Emsoff, Newell
Nays: None
The motion passed unanimously.

Right of Way Green Space

Andrea Dixon
Daria Dato green space and trails right of ways and easements around town, to identify area, mow not mow, green spaces and trails.
Josh Juve, green spaces and trails AD Hoc Committee

Tom Newell made a motion to appoint Andrea Dixon, Josh Juve and Daria Dato to the ROW Green Space Committee. Bill Emsoff seconded the motion.

Discussion: None
Ayes: Grimes, Belton, Emsoff, Newell
Nays: None
The motion passed unanimously.

ROW Green Space Committee

Allen Lea
Charles Grimes
Mike Nowels
Katie Klein
Karen Thomas
Andrea Dixon
Josh Juve
Daria Dato

5. Public Property Premises use License and Hold Harmless Agreement- Consider and act on approval of a public property premises use license and hold harmless agreement with Pavlov Media Inc

Tom Newell made a motion to approve the Public Property Premises use License and Hold Harmless Agreement. Jeff Belton seconded the motion.

Discussion: None
AYES: Grimes, Belton, Emsoff, Newell
NAYS: None
The motion passed unanimously.

6. Dark Fiber Lease and Network Agreement between the Town of Shady Shores and Pavlov Media, Inc. (Broadband Project) Amendment -consider and act on approval of an amendment to 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 made a motion to approve the changes to the agreement. Bill Emsoff seconded the motion.

Discussion: None
Ayes: Grimes, Belton, Emsoff, Newell
Nays: None
The motion passed unanimously.

Tom Newell made a motion to allow the Mayor to make minor changes to the contract. Charles Grimes seconded the motion.

Discussion: None
Ayes: Grimes, Belton, Emsoff Newell
Nays: None
The motion passed unanimously.

7. Interlocal for Public Works Services- Consider and take appropriate action relative to an interlocal agreement for public works.

Tom Newell made a motion to approve the interlocal agreement. Charles Grimes seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, 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. Purchase of Land

1. 551.072 Deliberation regarding real property.

Charles Grimes made a motion to recess into Executive Session. Jeff Belton seconded the motion.

Discussion: None

Ayes: Grimes, Belton, Emsoff, Newell

Nays: None

The motion passed unanimously and the council recessed into Executive Session at 8:43 pm.

2. 551.074 Personnel Matters

(A) deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee;

Charles Grimes made a motion to reconvene into Open Session. Bill Emsoff seconded the motion.

Discussion: None

Ayes: Grimes Belton, Emsoff, Newell

Nays: None

The motion passed unanimously, and the council reconvened into Open Session at 9:37 pm with no action taken.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

Tom Newell made a motion to adjourn. Charles Grimes seconded the motion. The meeting was adjourned at 9:38 pm

PASSED AND APPROVED THIS 10th DAY OF October, 2022

APPROVED:

Cindy Aughinbaugh
Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers
Wendy Withers, Town Administrator

