



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
AUGUST 14, 2023; 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

CALL TO ORDER

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

ROLL CALL

Establish a quorum.

MEMBERS PRESENT

Alderman Place 5 Charles Grimes; Tom Newell, Mayor Pro Tem; Alderman Place 2, Shady Shores
Town Council Mike Nowels; Councilmember Place 4 Bill Emsoff Alderman Place 1 Jeff Belton

STAFF PRESENT:

Wendy Withers, Town Administrator, Katie Klein, Community Relations Admin; Amber Schuler, Municipal
Court Administrator; Jim Shepherd, Town Attorney; David Francis, Binkley & Barfield.

**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.)**

MISSION AND VISION STATEMENT

STRATEGIC GOALS

PROCLAMATIONS, PRESENTATIONS AND AWARDS

1. National Payroll Week

Mayor Aughinbaugh gave a proclamation for National Payroll Week.

2. Mayor's Comments- Town Administrator awarded ICMA-CM designation.

Mayor Aughinbaugh congratulated Wendy on her ICMA certification.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

3. Roads, Drainage, Capital Improvements (Engineering)

David Francis with Binkley & Barfield the Town's Engineering firm gave the engineering report.

4. Community Relations Reports (Klein)

Community Relations Admin Katie Klein gave the Community Relations report. A copy of the report was attached to the packet.

5. Animal Control/Code Enforcement (Belton)

Councilmember Jeff Belton gave the animal control and code enforcement report. Councilmember Belton noted that the previous code enforcement officer, Char Dupree, has retired and Katie Klein has taken on that roll.

6. Public Safety Reports (Newell)

Mayor Pro Tem Tom Newell presented the Police and Fire Reports.

7. Municipal Court/Solid Waste Reports (Schuler)

Municipal Court Administrator Amber Schuler presented the municipal court and solid waste reports.

8. Town Administrators Report (Withers)

Town Administrator Wendy Withers gave the Town Administrator report.

9. Announcements

Mayor Auginbaugh will be raising funds for the Denton Community Food Center, will be making pizza for Denton County Community Food Bank, the more we raise for our charity for the others. The event will be held at Motor City Pizza in Lewisville on August 30th, 2023.

Walk of Remembrance on September 10th,

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 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.

A motion was made by Mayor Pro Tem (3) Tom Newell, seconded by Councilmember Place 4 Bill Emsoff; to approve the items on the consent agenda. The motion carried.

Yes: 5 - Charles Grimes, Jeff Belton, Mike Nowels, Tom Newell, Bill Emsoff

No: 0 - None

Recused: 0 - None

Mayor Pro Tem Tom Newell, felt it was important to note on that the state repealed the Town's ability to pass the juvenile curfew Ordinance and this was not a choice that the Town had made.

10. TexStar and Logic Amending Resolutions- Consider and act on updating the authorized users for TexStar Investment Pool and Logic Investment Pool, approving a resolution designating authorized users. **(6) To research and discover new or additional revenue generation opportunities.**

11. Financial Reports- Consider and act on the 3rd Quarter 2023 Financial Reports.

(4) increase citizen involvement by engaging educating and communicating the Town's vision.

12. Minutes- Consider and act on approval of the minutes of the June 12, 2023 Town Council Worksession and the June 12, 2023 Regular Town Council meeting.

(4) increase citizen involvement by engaging educating and communicating the Town's vision.

13. Social Media Resolution and Policy Amendment- Consider and act on approval of an amendment to the Social Media Policy. Consider and act on approval of a resolution to adopt the amendment.
(4) increase citizen involvement by engaging, educating and communicating the Town's vision.
RESOLUTION 2023-08-834
14. Juvenile Curfew Ordinance- Consider and act on an Ordinance repealing the juvenile curfew Ordinance.
(4) increase citizen involvement by engaging educating and communicating the Town's vision.
ORDINANCE 378-08-2023
15. Construction Hours- Consider and act on approval of an Ordinance regulating noise, revising permissible hours for construction activity and providing construction permit expiration periods. **(4) increase citizen involvement by engaging educating and communicating the Town's vision.**
ORDINANCE 379-08-2023
16. Consider and act on approval of the 3rd Quarter Report for Fiscal Year 2023/2024
(6) To research and discover new or additional revenue generation opportunities.
17. RFP for Services- Authorize the Town Administrator to seek requests for proposals for the following Town Services: Town Attorney, Building Official and Live Streaming Services. **(6) To research and discover new or additional revenue generation opportunities.**

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.

Dale Ewald, 205 Carolyn Lane, stated that he has lived here since 1980, and that he felt Carolyn Lane had never been maintained properly by the town and it had deteriorated. The repairs that have been done, in his opinion, have been done inadequately. Mr. Ewald stated the residents of Carolyn Lane had paid taxes for many years and felt they had received little consideration. At this time, he would like to submit a petition from the residents of Carolyn Lane for the road to be resurfaced. **Exhibit A**

REGULAR AGENDA ITEMS

Mayor Aughinbaugh moved to agenda item #25 at 7:32 pm. Justin Lee was present and talked with the Town Council about his efforts to clean the property and clear the property of debris. Prior to his retirement he would like to build a house.

Bill Emsoff made a motion to recess into executive session at 7:33 pm, Jeff Belton seconded the motion.
Discussion: None
Ayes: 4
Nays: None

The motion passed and the council recessed into executive session.

18. Public Hearing - Budget
Staff Presentation regarding the budget.
a. Open Public Hearing
b. Public Comment on the Budget
c. Close Public Hearing
(4) increase citizen involvement by engaging educating and communicating the Town's vision.
Town Administrator Wendy Withers presented a PowerPoint overview of the proposed 2023/2024 FY Budget
Mayor Aughinbaugh opened the public hearing at 10:15
No one commented in favor or opposition to the budget
Mayor Aughinbaugh closed the public hearing closed at 10:15 pm.

19. Oberman Lane Bids - Consider and act on approval of a bid for paving Oberman Lane. Consider and act on an optional add-on for pothole repair on Cielo Lane. **(GOAL 1 Develop an Infrastructure Plan)**
A motion was made by Mayor Pro Tem (3), Tom Newell, seconded by Alderman Place 5 Charles Grimes; to approve the Oberman Lane Bids. The motion carried.

Yes: 5 - Charles Grimes, Jeff Belton, Mike Nowels, Tom Newell, Bill Emsoff

20. **STRATEGIC PLAN KICKOFF** - Consider and take action relative to the items that have been identified to begin for either the last quarter of FY 2023 or the first Quarter of FY 2024. **(4) increase citizen involvement by engaging educating and communicating the Town's vision.**

a) appoint members to serve on the infrastructure committee (suggested membership, Town Engineer, Public Works, Citizen Representation, Town Council member)

The following individuals were appointed to the infrastructure committee:

Katie Klein, Mike Nowels, Cindy Aughinbaugh, Richard Arvizu, David Francis. And two resident positions.

21. Lakeside Manor - Consider and act on approval of the continuance of a non-conforming use for the entity known as Lakeside Manor located at 425 S. Shady Shores Road. **(2) To design a development and re-development strategy.**

A motion was made by Alderman Place 5 Charles Grimes, seconded by Mayor Pro Tem (3), Shady Shores Town Council Tom Newell; recess into executive session. The motion passed unanimously.

Yes: 4 - None
No: 0 - None
Recused: 0 - None

A motion was made by Alderman Place 5 Charles Grimes, seconded by Mayor Pro Tem (3), Shady Shores Town Council Tom Newell; to Lakeside Manor - reconvene into open session. The motion carried and the council reconvened into open session at 10:15 pm.

Yes: 4 - None
No: 0 - None
Recused: 0 - None

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

22. Lakeshore Bluffs- Consider and act on approval of a variance for the preliminary plat for Lakeshore Bluffs subdivision.

(2) Design a Development and re-development strategy.

A motion was made by Mayor Pro Tem (3), Tom Newell, seconded by Alderman Place 5 Charles Grimes to grant a variance allowing the entity known as Lakeshore Bluffs to extend their construction time to September 30, 2023.

(2) Design a Development and re-development strategy. The motion carried.

Yes: 4 - None
No: 0 - None
Recused: 0 - None

Mayor Aughinbaugh moved this agenda item at 8:29 pm.

23. Span Contract - Receive a report from Max Calder, Director of Operations regarding the new Span Contract. Consider and act on approval of the contract.

(4) increase citizen involvement by engaging, educating and communicating the Town's Vision.

A motion was made by Mayor Pro Tem (3), Tom Newell, seconded by Alderman Place 1 Jeff Belton; approve a contract with Span for 2023/2024

Yes: 4 - Charles Grimes, Jeff Belton, Tom Newell, Bill Emsoff

Max Calder was present and gave a slide presentation regarding span and its purpose. 9 months of local support, the Town only pays for local support trips, operates less than projection. Backed up by monthly invoices.

Mayor Aughinbaugh moved to this agenda item at 8:05 pm.

24. Trail Easements- Consider and act on an agreement with Toll Brothers for an easement that would allow residents to use a walking trail behind Lot 14 of Lakeside Villas. **(3) To promote and protect greenspaces and pathways for connectivity.**

A motion was made by Alderman Place 5 Charles Grimes, seconded by Mayor Pro Tem (3), Tom Newell; table consideration of an agreement with Toll Brothers for an easement that would allow residents to use a walking trail behind Lot 14 of Lakeside Villas. (3) To promote and protect greenspaces and pathways for connectivity. The motion carried.

Yes: 4 - Charles Grimes, Jeff Belton, Tom Newell, Bill Emsoff

No: 0 - None

Recused: 0 - None

25. 202 Smokey Lane- Consider and act on a request made by Justin Lee for a settlement on the lien placed on 202 Smokey Lane.

Mayor Aughinbaugh moved to agenda item #25 at 7:32 pm. Justin Lee was present and talked with the Town Council about his efforts to clean the property and clear the property of debris. Prior to his retirement he would like to build a house.

Bill Emsoff made a motion to recess into executive session at 7:33 pm, Jeff Belton seconded the motion.

Discussion: None

Ayes: 4

Nays: None

The motion passed, and the council recessed into executive session.

Bill Emsoff made a motion to reconvene into open session. Charles Grimes seconded the motion.

Discussion: None

Ayes: 4

Nays: None

The motion passed unanimously, and the council reconvened into Open Session at 8:04 pm.

A motion was made by Mayor Pro Tem (3), Tom Newell, seconded by Alderman Place 1 Jeff Belton; to approve a release of the lien placed on 202 Smokey Lane in the amount of \$15,000 upon successful completion of transfer of the title to Justin Lee. The motion carried.

Yes: 3 - Mike Nowels, Tom Newell, Bill Emsoff, Jeff Belton

No: 0 - None

Recused: 2 - Charles Grimes

The Town Council discussed that upon the title transfer the city will release the lien from and the interest and the future interest of the property, leaving the amount that the Town was out of pocket for the work that was done. The civil penalty portion and the interest that has accrued to date are to be released which would leave and leave the direct expenses that the town has been out from about 10,960.

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.

26. **551.071 (1) (A) a Consultation with Attorney re: Pending Litigation**
Lakeside Manor Mobile Home Park
551.071 (A) b Consultation with Attorney re: Settlement Offer
202 Smokey

ACTION REGARDING EXECUTIVE SESSION

There was no action taken during executive session.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

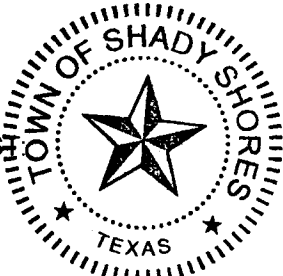
Charles Grimes, Tom Newell made a motion to adjourn and the meeting was adjourned at 10:48 pm.

PASSED AND APPROVED THIS THE 14th DAY OF September, 2023

APPROVED:

Cindy Aughinbaugh
Cindy Aughinbaugh, Mayor

ATTEST



Wendy Withers
Wendy Withers, Town Administrator/Secretary

REQUEST TO ADDRESS COUNCIL, P&Z, or ZBA
MEETING DATE 8/14/2023

PLEASE PRINT LEGIBLY

<u>Agenda Item</u>	
NAME:	<u>DALE EWARD</u>
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Please note: The length of individual comments may be limited by the presiding officer of the board which you are requesting to address. If there are several persons wishing to speak regarding the same item, the presiding officer may request that individuals avoid restating the same information repeatedly, but rather, simply state support or opposition of the item only in order to keep the length of the meeting reasonable for all attendees.