

Regular Meeting - July 25, 2017 – 6:30 PM

The members of City Council convened for a Special Called Meeting of the City of Bayou Vista City Council on Tuesday, July 25, 2017, at 6:30 p.m., at the Community Center, - 783C Marlin, corner of Neptune and Marlin, Bayou Vista, Texas, concerning the following items:

A quorum of the City Council was present and included the following:

| | | |
|-------------|--------------------|---------|
| Mayor: | Daniel Konyha | Present |
| Position 1: | Bob Althaus | Present |
| Position 2: | Tami Inman | Present |
| Position 3: | Carlos Price | Present |
| Position 4: | Louis Wortham | Present |
| Position 5: | James L. Cook, III | Present |

Legal Counsel was present.

1. Call Meeting To Order

Mayor Daniel Konyha called the meeting to order at 6:35 p.m.

3. Roll Call

Roll call was taken as reflected above.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Konyha.

5. Pledge to the Texas Flag

The Pledge to the Texas Flag was led by Mayor Konyha.

6. Citizen's Comments on Agenda Items Only

Concerns were expressed by residents with regard to the cost of the purchase and maintenance required for a boat for the Police Department.

Additional concern was expressed that the boat would need to be manned by 2 persons for safety reasons causing an increase of cost by man hours and time.

7. CONSENT AGENDA: All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted in one motion. There will not be separate discussion of these items unless a Council Member requests.

A. Approval of the Minutes of:

- **Regular Meeting of June 27, 2017**
- **Special Called Meeting of July 6, 2017**

A motion was made by Alderman Tami Inman to approve the Minutes of the Regular Meeting of June 27th, 2017 and Special Called Meeting of July 6, 2017 as presented.

The motion was seconded by Mayor Pro Tem James L. Cook, III.

Motion carried all in favor.

8. SPECIAL REPORTS AND PRESENTATIONS

A. Special presentation to Bayou Vista Police Department by Kona Ice.

The owners of KONA Ice, Billy and Mary Jo Dalmolin, presented the City of Bayou Vista Police Department with a multitude of equipment items, including a pop-up canopy for protection from the sun and rain, needed to supply the Emergency Management Trailer.

Harris-Galveston Subsidence District Director Don Johnson gave report that the subsidence is controlled. He is working towards cities being exempt from paying the disincentive fees during times that surface water is unavailable.

B. City Departmental Reports

- **Police Department activity report for the month of June 2017.**
- **Municipal Court activity report for the month of June 2017.**
- **Building Permit activity report for the month of June 2017.**
- **Code Enforcement activity report for the month of June 2017.**

C. Discuss and accept the Financial Statement ending June 2017, prepared by Whitley-Penn.

The Aldermen reviewed Items 7-A and 7-B.

D. Special Reports by Aldermen – if any.

Alderman Bob Althaus gave report on the progress being made toward the L.E.D. streetlight project. The maps have been drawn up and the project is moving head.

Alderman Tami Inman gave report that TX-DOT will have a crew and equipment in the city, Thursday and Friday, this week to clean the concrete ditch.

Mayor Pro Tem stated he had found that the City does deny contractors the right to work here in the City if they do not follow the guidelines set out by the City.

Alderman Lou Wortham stated that Omega Homeowner's Association intends to proceed with dredging of their canals by the paying fee through MUD billing or by raising their property taxes voluntarily. He stated possibly the Council may need to look towards doing something as well.

9. ACTION ITEMS

A. Consider and take possible action to approve support of the 2017 Galveston County Bond Referendum project list.

There was no person from the Galveston County Commissioner's Court in attendance. No action was taken.

B. Consider and take possible action to require the removal of the portion of the dock that violates the 5' setback rule on the property located at 373 Ling, Bayou Vista, Texas.

A motion was made by Mayor Pro Tem James L. Cook to take no action.

The motion was seconded by Alderman Tami Inman.

Motion carried all in favor.

C. Consider and take possible action to approve an electric provider from the bids submitted.

A motion was made by Alderman Tami Inman to approve ENGIE as the electric provider from the bids submitted.

The motion was seconded by Alderman Lou Wortham.

Motion carried all in favor.

D. Consider and take possible action to approve the purchase of a boat for the purpose of providing the Bayou Vista Police Department the ability to patrol the city from the canal side of homes to inspect residence for code enforcement.

A motion was made by Alderman Carlos Price to table this Item to provide time for further details to be provided in reference to startup costs, annual maintenance costs, and operating costs both mechanical and man hour.

The motion was seconded by Mayor Pro Tem James L. Cook.

Motion carried all in favor.

E. Consider and take possible action to approve Ordinance No. 2017-07, an ordinance amending the Cod of Ordinances of the City of Bayou Vista, Texas, Chapter 3 entitled Building and Construction; Article 3.05.00 entitled Provisions for Flood Hazard Reduction; Section 3.05.01 entitled General Standards – by adding Sections A. 8, 9, 10 and 11, for the purpose of requiring any owners of new or substantially improved property to certify that a structure will be constructed to meet the latest version of the National Flood Insurance Program (“NFIP”) requirements and that enclosures below the lowest floor must not be subsequently modified without meeting all NFIP requirements and further requiring the City to use its best efforts to document and maintain photographic evidence of the enclosures below the lowest floor prior to issuing the certificate of occupancy, requiring the City to deny building permits and certificate of occupancy, as applicable, to those who fail to meet these safety requirements, with all other articles within this chapter to remain as written repealing all ordinance or parts of ordinances inconsistent or in conflict herewith; providing for a penalty and providing for severability.

A motion was made by Mayor Pro Tem James L. Cook to approve Ordinance No. 2017-07, with the addition of the phrase “the requirement that” to A-9 as specified by Alderman Lou Wortham.

The motion was seconded by Alderman Carlos Price.

Motion carried all in favor.

F. Consider and take possible action to approve the Resolution 2017-07R as recommended by Mayor Konyha to amend the 2016-2017 Fiscal Year Budget as follows:

A motion was made by Alderman Carlos Price to approve the Budget Amendment recommended by Mayor Konyha with the correction to COA 606, 607 and 711.

The motion was seconded by Mayor Pro Tem James L. Cook.

Motion carried all in favor.

G. Consider and take possible action to approve the dates for the Special Called Budget Workshop Meetings and Public Hearings to be held within the month of August and September as recommended by Mayor Konyha.

- 1. Tuesday, August 8, 2017 – Special Called/Budget Workshop**
- 2. Tuesday, August 22, 2017 – Special Called/Public Hearing/Budget Workshop/Regular Meeting**
- 3. Tuesday, September 5, 2017 – Special Called/Public Hearing/Budget Workshop**
- 4. Tuesday, September 19, 2017 – Public Hearing/Special Called/Regular Meeting/Approval of Tax Rate and 2017-2018 Budget**

A motion was made by Alderman Carlos Price to approve the dates recommended by Mayor Konyha with correction to the specific dates, August 8th, September 5th and 19th, with proper wording.

The motion was seconded by Alderman Tami Inman.

Motion carried all in favor.

10. DISCUSSION

A. Discuss the option of paying to have the City Council Meetings video recorded giving the public the ability to view and listen to Council Meetings.

A lengthy discussion ensued with a decision of the need for further information on options available, costs and legality.

11. COMMENTS

• Citizen's Comments

Resident expressed he would rather have patrolling on the street side but it would be nice to have an occasional patrol from the canal side.

It was suggested that the City Council consider videotaping the ingresses and egresses of the City.

It was requested that City Council look into the options of the control of the Muscovy ducks, Seabrook has an ordinance that addresses the handling and removal of them.

Mr. Don Johnson of the H-G Subsidence District let us know that the County Tax Office can now renew your boat registration.

- **Aldermen Comments**

Council members all expressed thanks to those residents in attendance at the meeting and for their input.

- **Mayor's Comments**

Mayor Konyha expressed his thanks for those who attended the meeting.

12. **ADJOURNMENT**

A motion was made by Alderman Carlos Price, seconded by Alderman Lou Wortham, duly put and unanimously carried, the Council adjourned at 9:25 p.m.

Respectfully submitted,
Lisa Mitchell – City Secretary

Daniel S. Konyha, Mayor

Lisa Mitchell – City Secretary