

**REGULAR MEETING**  
**October 31, 2017**

The members of City Council convened for a Regular Meeting of the City of Bayou Vista City Council on Tuesday, October 31, 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 6:30 p.m.

**3. Roll Call**

Roll call was taken as reflected above.

**4. Pledge of Allegiance and Pledge to the Texas Flag**

The Pledge of Allegiance and Pledge to the Texas Flag were led by Mayor Konyha.

**5. Citizen's Comments on Agenda Items Only**

Don Johnson of the Subsidence District introduced Subsidence District Board Candidate Shannon Lucas.

**6. 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:**

- **Public Hearing - Special Called Meeting (Regular Meeting) – September 19, 2017**

A motion was made by Mayor Pro Tem Cook to approve the minutes of the Public Hearing – Special Called Meeting (Regular Meeting) – September 19, 2017, as amended.

The motion was seconded by Alderman Price.

Motion carried all in favor.

**7. SPECIAL REPORTS AND PRESENTATIONS**

**A. City Departmental Reports**

- **Police Department activity report for the months of September 2017**
- **Municipal Court activity report for the month of September 2017**
- **Building Permit activity report for August 16<sup>th</sup> through September 15<sup>th</sup>, 2017**
- **Code Enforcement activity report for the months of September 2017**

The City Departmental Reports were reviewed by Council.

**B. Discuss and accept the Financial Statement ending September 2017, prepared by Whitley-Penn.**

The Financial Statements were reviewed by Council.

**C. Special Reports by Aldermen.**

Alderman Inman gave an update on the NFIP extension. She remains in contact with Randy Weber's office, they did not extend, they need to extend for a 6 year period, but they didn't reach an agreement due to the storm and the issues it caused, so the date to make the decision has been moved to December 8<sup>th</sup>.

Alderman Wortham stated with regard to Action Item 8-F he had heard unanticipated concerns from constituency about privacy issues. He mentioned this so Council might have a moment or two to think on it before taking up the Action Item 8-F.

**8. ACTION ITEMS**

**A. Consider and take possible action to approve the request for variance as submitted by the owner of 356 Ling.**

A lengthy discussion ensued.

A motion was made by Alderman Wortham to table the request for variance submitted by the owner of 356 Ling.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

**B. Consider and take possible action to approve the amount of Flood Insurance coverage for the following:**

**1. Contents of the City Hall Offices from November 07, 2017 through November 06, 2018.**

A motion was made by Alderman Price to select and approve Option B for Flood Insurance coverage for the contents of the City Hall Offices from November 07, 2017 through November 06, 2018.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

**C. Consider and take possible action to approve the Resolution and cast 5 votes for one of the 9 nominees for the Board of Directors of the Galveston Central Appraisal District for a term beginning January 1, 2018 through December 31, 2019.**

A motion was made by Alderman Althaus to cast the 5 votes for nominee Vaun Henry.

The motion was seconded by Alderman Price.

Members voting in favor: Mayor Pro Tem James L. Cook, III  
Alderman Bob Althaus  
Alderman Lou Wortham  
Alderman Carlos Price

Members voting against: Alderman Tami Inman

Motion carried with the majority in favor.

- D. Consider and take possible action to approve the pool supplies and equipment vendor contract renewal with Pruitt's Pool Service beginning October 1, 2017 and ending September 30, 2018.**

A motion was made by Mayor Pro Tem Cook to approve the supplies and equipment vendor contract renewal with Pruitt's Pool Service as presented.

The motion was seconded by Alderman Inman.

Motion carried all in favor.

- E. Consider and take possible action to support the recommendation of the Mayor for excess funds from the 2016-2017 Fiscal Year to be transferred into the Road Repair, Emergency Fund, and Capital Improvement bank accounts.**

A motion was made by Mayor Pro Tem Cook to approve the recommendation of the Mayor for excess from the 2016-2017 Fiscal Year to be transferred to the bank accounts as presented.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- F. Consider and take possible action to approve ORDINANCE NO. 2017-09 amending the Code of Ordinances of the City of Bayou Vista, Texas, by amending Chapter 3 Entitled Building and Construction; Article 3.02.00 Entitled Development Standards for Lots Restricted or Used for Single – Family Residential Use; Section 3.02.02 Entitled Residential Lot Restrictions and Development Standards – by amending Subsections A. and B., FOR THE PURPOSE of clarifying that the rental of all or part of real property for a term shorter than 30 days shall be deemed to be a commercial purpose, clarifying what is prohibited on a lot during new construction process, and for making it unlawful to occupy a motor home or travel trailer on a residential lot or a lot restricted to single family residential without a valid permit and establishing limited circumstances by which an owner may obtain a permit to occupy for certain times; with all other sections and subsections in this Chapter to remain as written repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for a penalty and providing for severability.**

A lengthy discussion ensued.

A motion was made by Mayor Pro Tem Cook to table the action to approve Ordinance No. 2017-09 for corrections to be made per the discussion.

The motion was seconded by Alderman Wortham.

Motion carried all in favor.

- G. Consider and take possible action to approve the Council Meeting dates for November and December, as recommended by the Mayor.**

A motion was made by Alderman Inman to approve the Council Meetings for November and December be combined and held on December 12<sup>th</sup>, 2017, per the recommendation of the Mayor.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

**9. DISCUSSION**

**A. Discuss and review the Bayou Vista Personnel Policies and Procedure Chapter 7 – entitled Attendance and Leave, Section 7.03 entitled Vacation and Section 7.04 entitled Sick Leave.**

A lengthy discussion ensued as to options to improve Sections 7.03 and & 7.04 to limit the City's exposure to these benefits being abused by an employee or leaving the City with a large, unexpected financial pay out. The Council Members will review the sections on their own and return with their opinions, and recommendations at the next Council Meeting.

**10. COMMENTS**

• **Citizen's Comments**

Concern was expressed for the need to approve Ordinance 2017-09 to keep the home rentals and the motorhome/travel trailer stays under control.

It was also stated that while reviewing and discussing the Personnel Policies and Procedures the Council should keep in mind not to restrict good employees.

• **Aldermen Comments**

Alderman Inman stated there is a need for a Discussion Item with regard to getting quotes for road work to be done to prepare the City to fight for an appropriate portion of the County Bond that recently passed. Alderman Inman also inquired as to the possible Ordinance violation of the home on Sailfish that has been boarded up, as well as the status of the road repair work needed on the corners.

The Mayor replied to the inquiries; The home on Sailfish is not in violation of the City Ordinances it is a maintained sound structure and the yard is kept to the City Ordinance standards. The road repair work on the corners and sides of the road on Neptune have taken a setback due to the inability to make contact with the contractor who was to handle the repair. The Mayor stated he is working with another contractor to take care of the repairs needed.

• **Mayor's Comments**

Mayor Konyha expressed his thanks to those who attended the meeting and to the Council for the rescheduling of the November and December meetings.

**11. ADJOURNMENT**

A motion was made by Alderman Price, seconded by Mayor Pro Tem Cook, duly put and unanimously carried the City Council adjourned at 8:10 p.m.

Respectfully submitted,  
Lisa Mitchell

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Daniel S. Konyha, Mayor

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Lisa Mitchell, City Secretary