

**SPECIAL CALLED
(REGULAR MEETING)**

December 12, 2017 – 6:30 PM

The members of City Council convened for a Special Called Meeting (Regular Meeting) of the City of Bayou Vista City Council on Tuesday, December 12, 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

Citizen expressed concern with Action Item 8-D Ordinances would like to see what is in the permit.

Citizen has concern about repeat offenders of ordinance violations and the cost of penalty.

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:**
- **Regular Meeting – October 31, 2017**

A motion was made by Alderman Inman to approve the Minutes of the Regular Meeting of October 31, 2017.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

7. SPECIAL REPORTS AND PRESENTATIONS

- A. City Departmental Reports**
- Police Department activity report for the month of October & November 2017.
 - Municipal Court activity report for the month of October & November 2017.
 - Building Permit activity report for the month of October 16 to December 6, 2017.
 - Code Enforcement activity report for the month of October & November 2017.

The City Departmental Reports were reviewed by Council.

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

The Financial Statements were reviewed by Council.

C. Special Reports by Aldermen.

Alderman Inman gave report that there has been no change in the status of the Flood maps. She also wanted to remind everyone of the January 9th Contractors & Builders Meeting at 11:30 a.m., for the Building Inspector to introduce himself and discuss his procedures for permitting.

8. ACTION ITEMS

A. Consider and take possible action to review and approve one (1) of the four (4) bid proposals for replacement of the City's bulkhead on the property located between Warsaw and Pompano (big lot).

Council reviewed and discussed the submitted bids and made the selection of BR Bulkhead as winner of the Bid.

A motion was made by Mayor Pro Tem Cook to approve the BR Bulkhead as the contractor to replace the bulkhead on the property located between Warsaw and Pompano.

The motion was seconded by Alderman Althaus.

Motion carried all in favor.

B. Consider and take possible action to approve the Center Point Energy proposal to relocate and install L.E.D. street lights at a cost of \$7,656.00.

A motion was made by Alderman Price to approve the Center Point Energy proposal to relocate and install L.E.D. street lights as presented.

The motion was seconded by Alderman Wortham.

The motion carried all in favor.

C. Consider and take possible action to approve the Letter of Engagement with the Accounting Firm of Whitley-Penn for their services.

A lengthy discussion ensued.

A motion was made by Alderman Wortham to table Action 8-C until next council meeting after receiving bids.

The motion was seconded by Alderman Althaus.

Motion carried all in favor.

- D. Consider and take possible action to approve Ordinance 2017-09 an **ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BAYOU VISTA, TEXAS, 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 A BUILDING ON A RESIDENTIAL LOT FOR A TERM SHORTER THAN 30 DAYS SHALL BE DEEMED TO BE A COMMERCIAL PURPOSE AND SHALL BE UNLAWFUL, PROHIBITING THE RENTAL OF MOTOR HOMES OR TRAVEL TRAILERS, CLARIFYING WHAT IS PROHIBITED ON A LOT DURING NEW CONSTRUCTION AND MAKING IT UNLAWFUL TO OCCUPY A MOTOR HOME OR TRAVEL TRAILER ON A RESIDENTIAL LOT OR A LOT RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE WITHOUT A VALID PERMIT AND ESTABLISHING LIMITED CIRCUMSTANCES BY WHICH AN OWNER MAY OBTAIN A PERMIT TO OCCUPY WITH A MAXIMUM OF FOUR OCCUPANTS 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 motion was made by Alderman Price to approve Ordinance 2017-09 as presented.

The motion was seconded by Mayor Pro Tem Cook.

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

The motion carried by majority vote.

9. DISCUSSIONS

- A. **Discuss a possible solution for repeated ordinance violation (Bayou Vista Code of Ordinances Section 02.07.00, et seq.) by the same offender per resident request.**

A lengthy discussion ensued of possible solutions to the issue of repeat offenders of Ordinance violations.

The Council chose to have Legal Counsel Draft an ordinance to include a fine scale that escalates with subsequent offenses.

- B. **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 with Council deciding members will do some research to see what other entities allow for vacation and sick leave and possibly come back to Council with options.

C. Discuss the plan and process for refurbishing/beautification of the City's parking lots, big lot on Neptune, and at Vista Realty, and the City Playground.

A lengthy discussion ensued with end results of the City having the parking lots owned by the City leveled and paved, replacing safety chips under the swing set in the park, possibly replacing or adding playground equipment and improving the landscaping in those areas.

D. Discuss the process underway to relocate the Muscovy Ducks within the guidelines and regulations of the law.

Chief Gillane gave report that after speaking with Parks & Wildlife and the County of Galveston Animal Control; both agencies have indicated that will assist in the removal of the Muscovy Ducks. However, other cities that have gone through this process do have the Muscovy Ducks return.

10. COMMENTS

• Citizen's Comments

Residents thanked Council for their discussion of solving the repeat ordinance violation offender issue.

Residents expressed concern as to the severity of the problem with the repeat ordinance violation offender and requested a meeting with Chief Gillane.

• Aldermen Comments

The Alderman expressed thanks to those who attended the meeting.

• Mayor's Comments

Mayor let the Council the he would be out of town the following week.

11. ADJOURNMENT

A motion was made by Alderman Wortham, seconded by Mayor Pro Tem Cook, duly put and unanimously carried the City Council adjourned at 8:30 p.m.

Respectfully submitted,
Lisa Mitchell

Daniel S. Konyha, Mayor

Lisa Mitchell, City Secretary