

**Regular Meeting
May 29, 2018 – 6:30 PM**

The members of City Council convened for a Regular Meeting of the City of Bayou Vista City Council on Tuesday, May 29, 2018, 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 Konyha called the meeting to order at 6:30 p.m.

2. Roll Call

Roll call was taken as reflected above.

3. First Order of Business

A. Announcement by the Mayor of the presence of a quorum that the meeting had been duly called, and the notice of the meeting had been posted in the manner prescribed by law.

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

No citizen's comments.

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 of April 24, 2018.**
- **Special Called Meeting of May 16, 2018.**

A motion was made by Alderman Price to approve the Minutes with correction to the April 24th, 2018 minutes 7C to reflect Golf Tournament in place of 2nd Summer Festival.

The motion was seconded by Alderman Inman.

Motion carried all in favor.

7. SPECIAL REPORTS AND PRESENTATIONS

A. City Departmental Reports

- **Police Department activity report for the month of April 2018.**
- **Municipal Court activity report for the month of April 2018.**
- **Building Permit activity report April 17th thru May 16th, 2018.**
- **Code Enforcement activity report April 2018.**

The City Council reviewed the report.

B. Discuss and accept the Financial Statement ending May 2018, prepared by Whitley-Penn.

The City Council reviewed the Financials.

C. Special Reports by Aldermen – if any.

Alderman Inman gave report of the Flood Map appeal – the Mayor did sign off on it saying we are accepting it and requested an implementation date. Which should be 7 to 10 months, we will notify everyone once the Mayor receives a date back. As for the Road Bond Monies she spoke with Michael Shannon, the County Engineer, he stated we have been pushed back due to some of the “powers that be” want another engineer hired with him, as well as a project manager on board. The ones moving forward are Texas City, League City and Kemah because they already had their own engineering done and plan in place. There is \$400 thousand allocated for Bayou Vista and they will match dollar for dollar what monies Bayou Vista puts up.

Mayor Konyha stated the cost of the engineering would most likely be taken out of the \$400 thousand.

Mayor Pro Tem Cook stated we had a good Summer Festival weekend. There may not have been as much traffic as we would like but it was a successful weekend.

8. ACTION ITEMS

A. Consider and take possible action to approve the request for variance to allow the installation of a cargo lift at 35 Dolphin.

There was discussion as to exactly where the homeowner wanted to place the lift in reference to other neighboring structures, to prevent causing very near contact so that people cannot get through between the houses. It was determined it would not be placed as to cause a barrier.

A motion was made by Alderman Inman to approve the variance as requested.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

B. Consider and take possible action to approve a re-platting request of lots 101 and 102 Tarpon, combining the two (2) lots as one (1).

Council reviewed and discussed the re-plat request brought in by homeowner.

Alderman Althaus observed and pointed out the surveyor addressed the re-plat as the Village of Bayou Vista rather than the City of Bayou Vista. He recommended accepting the re-plat with the correction of "Village" to "City".

A motion was made by Alderman Inman to approve the re-plat with the correction of Village to City.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

C. Consider and take possible action to approve a re-platting request of lots 318 and 319 Ling, combining the two (2) lots as one (1).

Council reviewed and discussed the re-plat as presented the error of "Village" was found to be on the re-plat.

A motion was made by Alderman Inman to approve the re-plat with the correction of Village to City.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

9. DISCUSSION ITEMS

A. Discuss the requirement to have a permit for the painting of a residence to allow the City to regulate the time period the painting should be completed in.

A lengthy discussion ensued.

Alderman Inman explained the need for this discussion item being due to home owners who have had their homes partially painted for a long period of time. She pointed out the permit would not be to restrict colors, only to provide a specific time frame for the painting to be completed within. There would be no fee for the permit. It will allow the Building Inspector the ability to keep track of the progress.

Alderman Wortham stated it could take as much as 16 months depending on any unexpected difficulties that may occur. He feels 2 seasons should be allowed, which would be about a year and a half. He will be comfortable with an extendable free permit.

Mayor Konyha suggested a 90 or 180 days no fee permit that starts the clock on the project. If extenuating circumstances or difficulties occur then it could be extended, which can be determined on a case by case basis.

Mayor Pro Tem stated he believes communication is the key to resolving the issue with the time frame. He stated he is certain that the Building Inspector would be open to extending the time allotted with good cause.

Alderman Price stated he is concerned the Council is over reaching, trying to control too much of everybody's life, at what point does it stop. Everyone says they don't want an HOA.

Alderman Althaus believes the free permit will encourage the home owner to get it done.

Council agreed to have Legal Counsel come up with a draft for their review and consideration.

B. Discuss the options of regulating the placement and usage of jet ski lifts.

Mayor Konyha explained due to the rise in jet ski lifts being placed on docks here in the City and it seems to be a growing problem this discussion item is being brought before Council. The lifts are being permitted and placed in a manner that meets the required guidelines in the ordinance. However, the issue has come up with the lifts being left in a manner that does impede the setback, although temporarily, it has caused concern of the possibility of being left for an extended time. We have had 2 separate sets of neighbors where an issue has arisen from this happening or the pending possibility of it happening. Mayor believes this can be regulated by a time period being placed in the Code of Ordinances permitting the lift to only be in the setback lines during unloading and loading.

Alderman Price suggested possibly regulating the time period or amending Ordinance regarding the setback rather than adding an article to the ordinance.

Alderman Inman stated one issue was a resident who refused to swing his jet ski lift back on their dock. There seems to be no concern with the inconvenience of neighbors. She also agreed with Alderman Price to possibly amend the ordinance pertaining to the setback lines.

10. COMMENTS

• Citizen's Comments

Citizens expressed concern about those residents who live out of town and the time it may take them to complete a paint job. As well as every day citizens having to come during the day to see the building inspector.

Citizens also pointed out La Marque's Town Meeting approved an early warning system for Omega Bay and suggested one of the Council Members work with the City of La Marque to see if we can get on also. It was also suggested an explanation of how the warning system works being placed on the City website.

- **Aldermen Comments**

Alderman Inman stated that the Building Inspector works with citizens by phone and email to fulfill the permitting requirements. Thanks for coming out to the meeting.

Alderman Wortham expressed his thanks to those who came to the meeting.

- **Mayor's Comments**

Mayor Konyha expressed thanks to all those who were in attendance and to those who helped make the Summer Festival a success.

11. **ADJOURNMENT**

A motion was made by Alderman Wortham, seconded by Alderman Althaus, duly put and unanimously carried, the Council adjourned at 7:25 p.m.

Respectfully submitted,
Lisa Mitchell – Administrative Assistant

Daniel S. Konyha, Mayor

Lisa Mitchell – City Secretary