

**Regular Meeting  
July 31, 2018 – 6:30 PM**

The members of City Council convened for a Regular Meeting of the City of Bayou Vista City Council on Tuesday, July 31, 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**

It was expressed that the Ordinance change seems to be a reasonable solution to the problem with watercraft equipment.

**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 June 26, 2018**

A motion was made by Alderman Price to approve the Minutes of June 26, 2018 as presented.

The motion was seconded by Alderman Althaus.

Motion carried all in favor

**7. SPECIAL REPORTS AND PRESENTATIONS**

**A. City Departmental Reports**

- **Police Department activity report for the month of June 2018.**
- **Municipal Court activity report for the month of June 2018.**
- **Building Permit activity report for the month of June 17<sup>th</sup> thru July 16<sup>th</sup>, 2018.**
- **Code Enforcement activity report for the month of June 2018.**

Alderman Inman expressed concern that the City's resources are being taken advantage of by the County and other cities due to their staffing problems and hoping these others have a resolution coming soon.

Mayor Pro Tem Cook stated his understanding is the County and other cities do have plans in place to address the staffing issues.

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

Mayor Konyha stated we have received final payment from FEMA for Harvey Expenditures and we are in the process of requesting the monies due from the State.

Alderman Inman pointed out the deficits in the fuel and the patrol officer's payroll the possible need for a budget amendment.

The City Secretary explained that the payroll deficit was due to the Captain retiring and the promotion of an officer to Sargent who received a raise due to new rank and is still being paid out of patrol officer's line item.

Mayor Konyha explained the fuel deficit being due to the rising costs of fuel and stated both line items will be corrected by a budget amendment.

**C. Special Reports by Aldermen – if any.**

Alderman Price reported receipt of a thank you letter from the Ronald McDonald House for the \$3,000.00, the largest donation made from the golf tournament, and he is still waiting for one last check which will stay in the account to start next year's tournament.

Alderman Inman stated the Texas Parks & Wildlife Grant request has been submitted and expressed thanks to the City Secretary for the work in helping her to get it handled.

Mayor Pro Tem stated due to issues at the pool he has been going by the facility and checking to see things are running smoothly. He offers to continue to do so and feels each pool season there should be a Council Member appointed to oversee the pool staff.

**8. ACTION ITEMS**

**A. Consider and take possible action to approve the variance request for a cargo lift for resident of 1027 Redfish.**

Council discussed the request as presented.

Alderman Inman stated this one is no different than the other previously granted requests.

Alderman Wortham asked if something was preventing the lift being installed in a different area.

The resident stated placing at the front or back would cause more work to be done and would block views.

A motion was made by Alderman Price to approve the variance request as presented.

The motion was seconded by Alderman Wortham.

Motion carried all in favor.

**B. Consider and take possible action to accept the recommendation of Mayor Konyha to appoint an Alderman to act in the capacity of committee chair to review received sealed proposals for the Request for Qualifications for Legal Services for the purpose of the committee to make their recommendations to the City Council at the Regular Meeting of August 28, 2018, concerning the award of contract.**

Mayor Konyha recommends appointing Mayor Pro Tem Cook, Alderman Price, and himself as the committee, with Mayor Pro Tem Cook as Chairman.

A motion was made by Alderman Inman to approve Mayor Konyha's recommendations as stated.

The motion was seconded by Alderman Althaus.

Motion carried all in favor.

**C. Consider and take possible action to accept one of the sealed bid proposals for Disaster Recovery Assistance.**

Council discussed and reviewed the bid proposals as presented.

Mayor Konyha stated the experience with Crowder Gulf was a good one through Hurricane Ike.

Mayor Pro Tem stated after reviewing the pricing and all points in the bids his choice is the one we have experience with.

- 8. C. Cont'd** Alderman Inman stated her review found pricing to be a wash between the companies, where one is higher the other is lower and vice versa. She chooses to stay with who we have experience with.

Alderman Wortham expressed concern of overlapping of contracts with the M.U.D. 12, and stated he wanted to be certain the contractor isn't paid twice for the same job.

The Mayor explained the different items covered under the City's contract not covered by the M.U.D.'s contract.

A motion was made by Alderman Inman to approve the sealed proposal of Crowder Gulf.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- D. Consider and take possible action to approve the Ordinance 2018-10 an ordinance amending the Code of Ordinances of the City of Bayou Vista, Texas by amending Article 07.10.00 Personal Watercraft Lift, Section 07.10.01 through 07.10.02 to prohibit and declare a nuisance when all or part of a watercraft lift, FLOATING DOCK OR OTHER SIMILAR WATERCRAFT EQUIPMENT extends into a side set back line except while launching or recovering a personal watercraft for a period not to exceed fifteen minutes; providing for a penalty and providing for severability.**

A motion was made by Alderman Wortham to approve Ordinance 2018-10 as presented.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- E. Consider, discuss and take possible action to review the information on employee health insurance benefits as submitted by the Texas Municipal League – Multistate Intergovernmental Employee Benefits pool to determine the amount of the health insurance contribution that will be awarded to each full-time employee who wish to participate in the program for the purpose of budget preparation for the 2018-2019 Fiscal Year. With possible supplemental AFLAC Insurance.**

A lengthy discussion ensued.

Mayor Konyha explained with the rising cost of Health Insurance he believes it would be beneficial to the City as well as those employees eligible for health coverage for the City to pay for Policy H85-250-30 with an added supplement of coverage by AFLAC to assist employees in covering the costs of health care as well the option of disability coverage.

**8. E. cont'd** Alderman Inman pointed out the way the Personnel guidelines are set out which allows employees to draw from a sick leave pool was set up for disability purposes. Therefore she would approve the Mayor's recommendation without the AFLAC disability supplement.

Alderman Wortham wanted to be certain Police Officers would be covered even if injured on the job. The Mayor replied "yes".

A motion was made by Alderman Inman to approve the price of \$678.62 for the H85-250-30 plan, dental coverage of \$9.28 and Life and Accidental Death of \$8.88, and the cost of an AFLAC supplement to be added.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

**F. Consider and take possible action to approve the Current 457 contribution by the City in the amount of \$200.00 per month, per employee, for those full-time employees who do not need to participate in the Health Insurance Program.**

Mayor Konyha made the recommendation to increase the amount to \$250.00 due to the increases of health care plans over the last several years.

A motion was made by Alderman Price to approve the Mayor's recommendation of increasing the amount to \$250.00 per month per employee, for those full-time employees who do not need to participate in the Health Insurance Program.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

**G. Consider and take possible action to approve the purchase of a Police vehicle to replace the one wrecked 6-3-18.**

Chief Gillane explained he has been working, as requested by Council, on acquiring funds to supplement the money received from insurance for the wrecked vehicle. He has successfully acquired \$9,000.00 in donations and \$850.00 will come from the Police Donation line item. He gave a breakdown on the price of the vehicle and equipment and explained the need for the items.

Alderman Inman expressed her thanks to Chief Gillane for working on this so diligently. She expressed the belief that if Council moves toward going forward with equipping other City police vehicles with integrated bodycam car video equipment then Council should pursue the available grant money.

Alderman Wortham inquired about private donations, how private is private? Could this be susceptible to an FOI requests?

Chief Gillane stated he has the donors' names they just were not placed on this spreadsheet but are not meant to be hidden.

- 8. G. cont'd** A motion was made by Mayor Pro Tem Cook to approve the purchase/replacement of the wrecked police vehicle.

The motion was seconded by Alderman Inman

Motion carried all in favor.

**9. COMMENTS**

- **Citizen's Comments**

Concern was expressed with regard to the City & M.U.D. overlapping responsibilities of debris removal and who is responsible for the ditches.

- **Aldermen Comments**

Alderman Wortham stated his concern with the contract was the paying of taxes to both the City and M.U.D. and that money being paid out twice for debris removal. But he is now clear and satisfied with the separation.

Alderman Inman again thanked the City Secretary for the work on the TPW Grant and stated the process was cumbersome and reiterates the need for the City to have a grant writer. She also welcomed Mayor Konyha back from vacation.

Mayor Pro Tem Cook also welcomed Mayor Konyha back.

- **Mayor's Comments**

Mayor Konyha expressed thanks to Mayor Pro Tem Cook for all the work he did while he was out on vacation.

**10. ADJOURNMENT**

A motion was made by Alderman Price, seconded by Alderman Wortham, duly put and unanimously carried, the Council adjourned at 7:20 p.m.

Respectfully submitted,  
Lisa Mitchell – Administrative Assistant

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Daniel S. Konyha, Mayor

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Lisa Mitchell – City Secretary