

REGULAR MEETING
May 28, 2019 – 6:30 PM

The members of City Council convened for a Regular Meeting of the City of Bayou Vista City Council on Tuesday, May 28, 2019, 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 S. Konyha	Present
Position 1:	Bob Althaus	Present
Position 2:	Tami Inman	Present
Position 3:	Paul Hershey	Present
Position 4:	Joshua Christie	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 Mayor Konyha 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 Pledges 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 & Public Hearing held on April 30, 2019 *(as called to order by Mayor Konyha)*
- Special Called Meeting – Canvass of the Ballots held on May 9, 2019 *(as called to order by Mayor Konyha)*

Alderman Inman noted a correction that was due to an error in the April 30, 2019 Regular Meeting & Public Hearing. She reminded the City Secretary, it was Mayor Konyha who asked the building official to bring some proposed changes to the building ordinance and not her as was indicated by the City Secretary in the minutes.

In addition, it was discussed a correction needed to be made changing the Summer Festival meeting from bi-monthly to bi-annual as it was written bi-monthly in the minutes in error.

Mayor Pro Tem Cook made a motion to approve the minutes of the Regular Meeting & Public Hearing held on April 30, 2019 with the corrections made as noted above and to approve the minutes of the May 9, 2019 Special Called Meeting- Canvass of the Ballots as presented.

The motion was seconded by Alderman Inman.

The motion carried with all in favor.

7. SPECIAL REPORTS AND PRESENTATIONS

A. City Departmental Reports

- Police Department activity report for the month of April 2019.
- Municipal Court activity report for the month of April 2019.
- Building Permit activity report for the month of March 17, 2019 through April 16, 2019.
- Code Enforcement activity report for the month of April 2019.
- Building Inspector activity report for the month of April 2019.

Mayor Pro Tem Cook and Alderman Inman both questioned Sgt. Bouquet, who was in attendance at the meeting due to the absence of Chief Gillane, as to the reason why Unit 3 is showing 0 mileage on the Police Activity Report. The Sgt. advised Unit 3 had a driver's side mirror missing and could not be safely driven, however, it was now repaired.

Alderman Inman asked if the Chief had gone over the mileage reports with Sgt. Bouquet as the total fleet mileage was 5,820 miles, which was up 1300 miles over the normal mileage report. The Sgt. informed Council the vehicles were being driven more as it was starting to get busy.

Alderman Inman questioned the notation of "unsafe structure" at 457 Pompano on the Building Inspector Activity Report. Mayor Konyha advised this is a recently discovered property violation the building inspector is working on as the stairs were missing.

Alderman Inman asked if the property at 534 Pompano, which was brought before Council at the last 2 meetings as a substandard structure, should have been on the agenda this month. Mayor Konyha explained to her that work was underway on the structure at 534 Pompano and it was not necessary to put it on the agenda this month.

B. Review the March and April, 2019 Financial Statements, as prepared by Whitley Penn.

Alderman Inman spoke regarding the insurance line item on the financials. She understands the employee health distributions were coded incorrectly to this account, however, when the corrections are made to allocate each of the amounts to the appropriate employee health credit line item, the result will be those individual line items are going to be over budget.

Mayor Konyha agreed with Alderman Inman and stated there is something still not quite right with the accounting and we would have to work with Whitley Penn to get to the bottom of the issue.

Alderman Inman questioned the line item amount indicating Russell Buhler's pay and why it is over what was budgeted for this fiscal year. The Mayor stated the budget was prepared and approved before an extra hour each day was allowed by Council for Mr. Buhler to perform administrative paperwork in conjunction with the building permits.

Alderman Inman was also concerned with the line item for the judge's salary as it is \$1,100.00 over for the year. After discussion, the city secretary reminded the Mayor a replacement paycheck for a paycheck that was never cashed from a previous year had to be re-issued and was cashed by the judge in this budget year.

There are still some concerns with Alderman Inman regarding the \$8,200.00 the City is off on the police overtime and holiday pay. Alderman Inman advised the Council approved part-time officers to avoid paying overtime to the full-time officers. Mayor Konyha advised it was a mistake on his part due to failure to allow the extra line item in the budget for the overtime and with the new budget we will allocate the overtime. Mayor Konyha stressed he has spoken with Chief Gillane who agreed overtime would be kept to a minimum.

C. Recognition of Mr. Lou Wortham for his service and dedication while serving as Alderman for the City of Bayou Vista.

Mayor Konyha present Mr. Wortham with a plaque and thanked him for serving as Alderman.

D. Special Reports by Alderman, if any.

Mayor Pro Tem Cook offered his thanks and congratulations to each of the clubs participating in the Summer Festival for the great success of this year's event. He spoke of the pool opening and invited everyone to enjoy the pool this summer.

8. ACTION ITEMS

(At this time Mayor Konyha asked Council if there were any objections to moving Action Item 8.G. forward as it was an administrative action that should go before the other Action Items. There were no objections from the Aldermen.)

G. Consider and take possible action to elect a Mayor Pro Tem for a term of one year.

Mayor Konyha entertained motions from the Council to nominate a Mayor Pro Tem.

Alderman Inman shared she felt Mr. Cook had done a good job this year and made a motion to re-elect Mayor Pro Tem Cook for another term of one year.

Mayor Konyha asked if there were any other nominations and there were no other nominations.

The motion to nominate Mr. Cook as Mayor Pro Tem for a term of one year passed with all in favor.

A. Consider and take possible action regarding Mr. and Mrs. Fleener's statement requesting to re-plat their property at lot 24 & 25 Dolphin into 1 lot to build their home.

A motion to approve the re-plat of the property at lot 24 & 25 Dolphin into 1 lot was made by Mayor Pro Tem Cook.

Alderman Althaus seconded the motion.

The motion passed with all in favor.

B. Consider and take possible action to approve the Galveston County United Board of Health Resolution 2019-04

Alderman Althaus made a motion to approve Resolution 2019-04- Galveston County United Board of Health appointees.

The motion was seconded by Alderman Hershey.

The motion passed with all in favor.

C. Consider and take possible action to approve the renewal membership invoice and conflict disclosure form for continued participation with the Texas Municipal League.

Mayor Pro Tem Cook made a motion to approve the renewal of the City's membership with the Texas Municipal League.

The motion was seconded by Alderman Althaus.

The motion passed with all in favor.

D. Consider and take possible action to review and revised the current spending limit of the Mayor without Council approval. *(For placement on this agenda by Alderman Inman and Mayor Pro Tem Cook.)*

Alderman Inman made a motion for 2 levels of authorization. First to authorize discretionary spending by the Mayor without Council consent at \$2500.00 for general maintenance and second, for emergency spending, which is declared by either the Fire Chief or Police Chief, it would then be at the Mayor's discretion, there would be no limit.

Alderman Christie seconded the motion.

The motion passed with all in favor.

- E. Consider and take possible action to establish a *City Ordinance Review Committee* comprised of citizens, and to include a council representative, in which said Committee will present revisions and recommendations to council for consideration. (For placement on this agenda by Alderman Inman and Mayor Pro Tem Cook.)**

Alderman Inman made a motion to establish a citizen's committee to review city ordinances to be led by an Alderman and bring the item to Council for approval on next months agenda.

Alderman Christie seconded the motion.

The motion passed with all in favor.

- F. Consider and take possible action to establish a *Policy and Procedures Review Committee* comprised of citizens, and to include a council representative, in which said Committee will present revisions and recommendations to the Council for consideration. (For placement on this agenda by Alderman Inman and Mayor Pro Tem Cook).**

Alderman Inman made a motion to establish a citizen's committee to review personnel policy and procedures to be led by an Alderman and bring the item to Council for approval on next months agenda.

The motion was seconded by Alderman Hershey.

The motion passed with all in favor.

9. DISCUSSION

- A. Discuss the Personnel Policies and Procedures regarding the revision of sick leave and vacation time to a PTO (paid time off) policy. (For placement on this agenda by Alderman Inman and Mayor Pro Tem Cook.)**

Council agreed it would be prudent to leave this matter to the Personnel Policies and Procedures Committee that will be formed over the course of the next month.

Mayor Pro Tem Cook and Alderman Hershey both expressed the benefits of simplifying to a PTO policy.

- B. Discuss the proposed changes to Chapter 3 – Building and Construction; as requested of Building Official, Russell Buhler by Mayor Konyha during the April 30, 2019 Regular Meeting & Public Hearing.**

Mayor Konyha clarified that what Russell was proposing, would be to prevent any home builders from pouring a single (monolithic) concrete slab over the bulkheads that would prevent future required repairs. It might be better to have two separate slabs.

Alderman Inman stated there was not an eave restriction, which was causing some issues. She stated it may be best to **not** have a continuous roof that extends more than 24” and have a separate roof that covers other outdoor areas.

Alderman Hershey argued this would be a matter for the City Ordinance Committee that would be formed during the next month.

Alderman Inman corrected Alderman Hershey saying that the committee can’t make changes to the building codes as they are covered under the International Building Code. The proposed committee would be reviewing City Ordinances.

C. Discuss the Coastal Management Grant Program. (*For placement on this agenda by Alderman Althaus*)

Alderman Althaus gave an overview regarding the types of grants that were covered by the sponsors of the Grant Workshop.

Alderman Christie advised the Grant Workshop really opened his eyes to the problems in the canals. He suggested the City needs to develop and submit a mission statement to the grant program by the 12th of June, 2019. After submitting the mission statement, the City could then focus on gathering data for a study to come up with a solution to the canal issues that might win the approval of a grant.

Alderman Christie would like to bring this discussion back to Council next month for the possibility of forming a committee that would work directly with several of the people he networked with at the workshop.

Mayor Konyha suggested the City speak with the MUD and the Fishing Club to see if all parties could work together on this project and combine efforts with what has been done to date.

Alderman Althaus did not think the group could come together and submit something by the 12th of June.

Mayor Konyha stated that regarding the 40% match, the City will be required to come up with a plan that is effective and affordable.

Alderman Christie will reach out to a person he networked with at the workshop to see what his suggestions are regarding the submission of a mission statement.

10. COMMENTS

• Citizen’s Comments

A citizen requested Council to consider building a pet park.

A citizen asked if there are policies and procedures with the operation of the siren and who is in control of the siren. Mayor Konyha gave an overview of the operation of the siren and advised there would be a formal explanation of the operation of the siren when it has been programmed.

A citizen suggested the Council not limit the committee appointees to the group of names the Aldermen have currently received. She said it might be a good idea for citizens to apply for the committees and it should be a long-term commitment by the candidates of the committees.

A citizen expressed the spending limit for the Mayor on general maintenance should be at least \$5000.00. He further elaborated that all Aldermen should spend time on the committees to be formed.

A citizen asked if the City would be reimbursed for the cost of the destruction of the house that burned.

A citizen suggested there should be two-year term limits on the committees. She also questioned if Russell would have to be paid overtime to be on the committees and it might be good to have the fire chief on the committees. She also brought to Council attention that more chairs were needed at the pool.

- **Aldermen Comments**

Alderman Inman advised she appreciated everyone and their interest in the committees. She would be putting further information on the Bayou Vista Message Board concerning the committees. Ms. Inman stated she disagreed that an Alderman rotation on the committee would be a good idea, she said “the committee is not driven by the Council Member, the committee is driven by the functions of what is going on within the committee.”

- **Mayor’s Comments**

The Mayor thanked the citizens for coming and reminded everyone of the siren sounding at noon tomorrow.

11. **ADJOURNMENT**

A motion was made by Alderman Hershey, seconded by Mayor Pro Tem Cook, duly put and unanimously carried, the Council adjourned at 7:53 p.m.

Respectfully submitted,
Terri Neal – Administrative Assistant

Daniel S. Konyha, Mayor

Terri Neal – City Secretary