

**CITY OF BAYOU VISTA**  
**\*\*\*AGENDA\*\*\***  
**REGULAR MEETING**  
**APRIL 28, 2020 – 6:30 PM**

The members of City Council convened for a Regular Meeting of the Bayou Vista City Council on Tuesday, April 28, 2020, at 6:30 p.m., via Zoom Audio Meeting, concerning the following items:

A quorum of the City Council was present during the audio council meeting and included the following:

Mayor:	Daniel S. Konyha	Present
Position 1:	Bob Althaus	Present
Position 2:		Vacant
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**
- 2. Roll Call**
- 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. Citizen's Comments on Agenda Items Only**

Several Citizens commented on their disapproval of Action Item 7 C regarding Sec.3.03.01, #4 Sheds; in reference to size of buildings and setbacks.

Citizen stated "first of all, the way it (*ordinance*) is written. Other communities live with the IRBC Code at 200' and he thinks we could too." Citizen further stated "the 2<sup>nd</sup> thing that gets me is the hypocrisy. The City would be in violation of its own ordinance; every-day." "Because", he said, "as we define a shed, we will be operating our own shed. You may be familiar with it- the one in the parking lot with a painting of a Margarita on it; it is on the first page of our website." He said "the real concern is the lack of aesthetics, and whether you agree with that assessment or not I am afraid this ordinance will create a negative effect on how things look." Citizen said "we have so many sheds because we have so many residences that are designed to be weekend residences, where people go to vacation and fish. If someone needs 200' of storage, any resident could get the oldest, ugliest travel trailer, gut it, keep the license current and be legal.

Citizen commented there should be a time limit of 180 days on a permit to finish construction because it is hard to control builders.

A remark was made by a citizen that fences should be regulated and should also include bushes, shed's and trees.

Citizen commented any extension over 60 days on a building permit needs to be heard as a variance by Council.

A citizen said Council cannot keep having changes to ordinances without citizens having seen the changes first.

**5. 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 motion was made by Alderman Christie to approve the March 31, 2020 minutes of the Regular Meeting.

The motion was seconded by Mayor Pro Tem Cook.

The motion carried with all in favor by a roll call vote of the Alderman.

**6. SPECIAL REPORTS AND PRESENTATIONS**

**A. City Departmental Reports**

- **Police Department activity report for the month of March 2020.**
- **Municipal Court activity report for the month of March 2020.**
- **Building Permit activity report for March 17<sup>th</sup> thru April 16, 2020.**
- **Code Enforcement activity report for the month of March 2020.**
- **Building Inspector activity report for the month of March 2020.**

Alderman Hershey asked Chief Gillane about the number of Agency assists on the activity report to Galveston County. The Chief advised a percentage of the back-ups were for traffic, a percentage for issues in Freddiesville and a percentage were on the highway.

Alderman Althaus asked the Chief who was in Bayou Vista while night shift was assisting other agencies and if Bayou Vista was left unprotected. The Chief responded that Hitchcock was doing away with dispatch and along with Kemah had both reduced their numbers in the police department.

Mayor Pro Tem Cook asked the Chief if the increase in citations was the normal course of business and the Chief responded it was in the normal course of business.

**B. Discuss and accept the Financial Statement ending March 31, 2020 as presented by Whitley Penn, if available.**

Alderman Christie had questions about the FEMA Disaster Declaration in regard to the City being fully compensated. He also questioned the Mayor about the City Revenue other line on the financials. The Mayor advised the down payment to Conch Shell Construction was paid in last years budget and Council asked for a portion of it back from Conch Shell which was in this year's budget so it was deposited to the City Revenue Other account.

Alderman Hershey inquired if we had any estimates of the money to be refunded by FEMA.

Chief Gillane responded to both Mr. Christie and Mr. Hershey that he was compiling the time sheets and invoices and was about 2 weeks out in providing the information to Council.

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

Mayor Pro Tem Cook commented on the further investigation of designing a City Facebook page, updated Council on the progress of the City drug policy and stated the Ordinance Committee was in transition until Mr. Campbell takes the oath of office.

**7. ACTION ITEMS**

**A. Consider and take possible action to approve or deny a request for a variance at 348/349 Ling for a replat.**

A motion to approve the request to replat lot 348 & 349 Ling into one lot was made by Alderman Hershey.

The motion was seconded by Mayor Pro Tem Cook.

The motion carried with all in favor by a roll call vote of the Alderman.

**B. Consider and take possible action to approve or deny a request for a variance at 773/774 Marlin for a replat.**

A motion was made by Alderman Hershey to table this action item until the survey could be reviewed to determine if another resident owned the other 25'.

The motion was seconded by Mayor Pro Tem Cook.

The motion to table was passed with all in favor by a roll call vote of the Alderman.

**C. Consider and take possible action to approve the Bayou Vista Ordinance Committees proposed changes to Chapter 3. Building and Construction.**

A motion was made by Mayor Pro Tem Cook to table this action item until some minor tweaks could be made to the proposed changes.

The motion was seconded by Alderman Hershey.

The motion to table passed with all in favor by a roll call vote of the Alderman.

## **8. COMMENTS**

### **Citizen's Comments**

No citizen comments.

### **Aldermen Comments**

Mr. Cook inquired if the City had received any applications for the Position 2 Council Vacancy.

### **Mayor's Comments**

Mayor Konyha commented; contingent on the Governors call tomorrow, he will rescind the stay at home order to include re-opening the Bayou Bistro.

The Mayor thanked his wife, Pat, and the other ladies who were making the Covid-19 protective masks for the community and asked the residents to do the same.

Mayor Konyha directed Mr. Wortham to contact him to begin the transition as the Mayor Elect to conduct the next Council meeting in June.

## **9. ADJOURNMENT**

A motion was made by Alderman Hershey to adjourn.

The motion was seconded by Mayor Pro Tem Cook.

The motion to adjourn passed by a roll call vote with all in favor at 7:28 pm.

Respectfully submitted,  
Terri Neal, Administrative Assistant

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Daniel S. Konyha, Mayor

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Terri Neal, City Secretary