

CITY OF BAYOU VISTA
Regular Meeting – June 30, 2020– 6:30 PM

The members of City Council convened for a Special (Regular) Meeting of the Bayou Vista City Council on Tuesday, June 30, 2020, at 6:30 p.m., at the Community Center, located at 283 C Marlin, (at the corner of Marlin and Neptune) Bayou Vista, TX concerning the following items:

A quorum of the City Council was present and included the following:

Mayor:	Lou Wortham	Present
Position 1:	Jeff Campbell	Present
Position 2:	Shelby Dill	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

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. Pledge of Allegiance and Pledge to the Texas Flag

5. Citizen's Comments on Agenda Items Only

A citizen advised the Council that former mayor, Daniel Konyha, would like to continue his present term as the City representative with the Galveston County Animal Resource Center.

A citizen shared with the Council that she had sent an email to each of them and she would like to see something in the minutes acknowledging the popularity of the Water Aerobics Class.

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:**
- **Special (Regular) Meeting of May 26, 2020.**
 - **Special Called Meeting of June 4, 2020.**

Alderman Campbell made a motion to approve the minutes of the Special (Regular) Meeting of May 26, 2020 as presented and to approve the minutes of the June 4, 2020 Special Called Meeting with corrections made to Mayor Wortham and Alderman Campbells names on the list of the quorum that was present in the meeting.

The motion was seconded by Mayor Pro Tem Cook.

The motion carried unanimously with all in favor.

7. SPECIAL REPORTS AND PRESENTATIONS

A. City Departmental Reports

- Police Department activity report for the month of May 2020.
- Municipal Court activity report for the month of May 2020.
- Building Permit activity report for May 17th thru June 16th, 2020.
- Code Enforcement activity report for the month of May 2020.
- Building Inspector activity report for the month of May 2020

B. Discuss and accept the Financial Statement ending May 2020, prepared by Whitley-Penn.

C. Special Reports by Aldermen – if any.

8. ACTION ITEMS

A. Discuss and take possible action to ratify the City's Registration for Cares Act funding and approve upcoming and ongoing application for Cares Act payments.

A motion to approve the ratification of the City's registration for Cares Act funding and to allow the approval of Cares Act payments by Mayor Wortham was made by Alderman Christie.

Alderman Hershey seconded the motion.

The motion carried with all in favor.

B. Discuss and take possible action to understand the requirement of City officials to put contact information on the City website.

Mayor Pro Tem Cook made a motion to require Mayor Wortham to put his cell phone number on the City website.

The motion was seconded by Alderman Hershey.

The motion carried with all in favor.

C. Discuss and take possible action to acquire First Call phones for City use.

Alderman Hershey made a motion to table the acquisition of First Net phones until Chief Gillane could provide Council with a solid proposal, and a model policy for City phone usage.

The motion was seconded by Alderman Christie.

The motion passed with all in favor.

D. Discuss and take possible action to select and approve an Employee TML Health Insurance option.

A motion was made by Alderman Hershey to continue with the same employee plan as last year: CCPP H85-250-55-Mac A.

The motion was seconded by Alderman Campbell.

The motion carried with all in favor.

- E. Discuss and take possible action to allow employees who opt out of the City paid Health Insurance to have the option to receive the \$250.00 (as provided by the City) to offset costs of other insurance instead of the Nationwide 457(c) Account as long as the employee can provide proof of insurance to the City.**

No action was taken by the Council.

- F. Consider and take possible action to approve a dog washing station to be placed on City property (TBD).**

No action was taken by the Council.

- G. Consider and take possible action on the disposition of the 2005 Mazda Pickup (VIN 4F4YR12075PM04448); assigned to Maintenance and stored in the shed, that was used for the Mosquito Sprayer Unit. The original cost for the vehicle was \$5333.00.**

Alderman Hershey made a motion to sell the 2005 Mazda Pickup as is.

The motion was seconded by Alderman Christie.

The motion passed with all in favor.

- H. Consider and take possible action to appoint a City animal control representative to the Animal Resource Center (ARC).**

A motion was made by Alderman Hershey to allow former mayor, Daniel Konyha, to continue as the Animal Resource Representative for the City.

Mayor Pro Tem Cook seconded the motion.

The motion carried with all in favor.

- I. Consider and take possible action to enter into a contract with Spaulding Decon to disinfect the community center after each function at the lessee's expense.**

No action was taken by the Council.

- J. Consider and take possible action to approve the revised Employee Policies & Procedures; Chapter 5- Drug and Alcohol-Free Workplace as presented.**

A motion to approve the revised Employee Personnel Policies & Procedures- Chapter 5 as presented was made by Alderman Christie.

The motion was seconded by Alderman Dill.

The motion carried with all in favor.

K. Discuss and take possible action to establish safety requirements and scheduling for the Water Aerobics class.

A motion was made by Alderman Dill to approve the Water Aerobics Class, as a community service, first right to use the pool each morning; Monday through Saturday during the time slot of 8 am – 10 am, with the proper signage and signed waivers, with no lifeguard required and contingent that the Water Aerobics Class ask for permission from the Council each year for this time slot.

Alderman Christie seconded the motion.

The motion carried with all in favor.

L. Discuss and take possible action to establish an Adult Swim at the City pool on Thursday night.

Mayor Pro Tem Cook made a motion to table this agenda item.

Alderman Dill seconded the motion.

The motion carried unanimously with all in favor.

M. Discuss and take possible action to approve the pool rules and policies as presented by Alderman Dill and Alderman Campbell.

A motion to table was made by Mayor Pro Tem Cook.

Alderman Christie seconded the motion.

The motion carried with all in favor.

N. Consider and take possible action to approve a re-platting request of lots 352 and 353 Ling, combining the two (2) lots as one (1).

A motion was made to approve the replat at 352/353 Ling by Alderman Campbell.

The motion was seconded by Alderman Hershey.

The motion passed with Mayor Pro Tem Cook, Alderman Christie, Alderman Hershey, and Alderman Campbell in favor of the replat.

Alderman Dill was opposed to the replat and voted no.

9. COMMENTS

• Citizen's Comments

A resident commented she was in favor of having kid's parties at the pool. She did question what exactly the 2nd responder was exactly and went on to ask, "was it someone who is CPR certified"?

A resident made a comment directed at Mayor Wortham in regard to his inability to use a cell phone at his employment (school) during the day and questioned how he would be able to respond as the mayor in a city emergency.

Two residents spoke about the continuing light issues they have been experiencing with the neighbor across the canal from their house.

- **Aldermen Comments**

None

- **Mayor's Comments**

None

10. EXECUTIVE SESSION

A. Executive session: under Texas Government Code, Section 551.074(1): A governmental body may conduct a closed session (a) to deliberate personnel matters; the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or (b) to hear a complaint or charge against an officer or employee, to wit: Terri Neal.

B. Executive Session: under Texas Government Code, Section 551.071: A governmental body may conduct a closed session when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict.

The Council convened into Executive Session at 8:45 pm.

11. RECONVENE IN OPEN SESSION FOLLOWING EXECUTIVE SESSION

Reconvene from Executive Session and take the appropriate action, if any.

The Council reconvened from Executive Session at 10:24 pm. No action was taken.

12. ADJOURNMENT

A motion to adjourn was made by Alderman Christie.

Alderman Dill seconded the motion to adjourn.

The motion to adjourn passed unanimously with all in favor at 10:25 pm.

Respectfully submitted,
Terri Neal, Administrative Assistant

Lou Wortham, Mayor

Terri Neal, City Secretary