

**CITY OF BAYOU VISTA**  
**\*\*\*MINUTES\*\*\***  
**REGULAR MEETING**  
**TUESDAY, FEBRUARY 27, 2024**

The City of Bayou Vista's Mayor and City Council hereby gives public notice of their Regular Meeting to be held on Tuesday, February 27, 2024, at 6:30 p.m., at the **COMMUNITY CENTER** located at **783 Marlin**, at the corner of Neptune Drive and Marlin Street, Bayou Vista, Texas. The items to be discussed or considered and possibly acted upon are the following:

**1. CALL MEETING TO ORDER**

The meeting was called to order at 6:33 p.m.

**2. ROLL CALL**

Roll Call was taken and is as follows:

Mayor Paula Eshelman	Present
Mayor Pro-Tem Beard	Present
Alderman Pizzo	Present
Alderman Wortham	Present
Alderman McCloskey	Present
Alderman Bass	Present

**3. FIRST ORDER OF BUSINESS**

The Mayor Announces:

- A. A quorum of the City Council is present,
- B. City officials duly called this meeting, and
- C. City Administrator/Secretary posted the Meeting Notice 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 was led by Alderman Pizzo

**5. CITIZEN'S COMMENTS ON AGENDA ITEMS ONLY** (Each member of the public will have three (3) minutes to make comments. No yielding of time if permitted.)

A citizen had questions about the grandfather clause in Ordinance 2024-02 other questions about Parking Ordinance 2024-03.

**6. CONSENT AGENDA:** All of the following items on the Consent Agenda are 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 Minutes** of all prior meetings not yet approved including but not limited to:

1. Regular Meeting of January 30, 2024.

**A motion was made by Alderman Bass to approve the Regular Meeting minutes of January 30, 2024.**

**The motion was seconded by Alderman Pizzo.**

**Motion carried with all in favor.**

**7. SPECIAL REPORTS**

**A. City Departmental Activity Reports for January 2024**

- Police Department
- Municipal Court
- Building Permit
- Code Enforcement
- Building Inspector

**The reports were reviewed and discussed among the Council and Mayor.**

**B. Discuss and accept the Financial Statements for January 2024, as submitted by Ray Tax Group as submitted by Lydia Cook, CPA – Ray Tax Group.**

**The Financial Statements for January 2024 were reviewed and discussed among the Council and Mayor.**

**C. Mayor's Report:**

Appointment of Alderman Pizzo to work with the Mayor in the capacity of grant assistant concerning the ARPA (Covid Relief Funds).

**D. Aldermen Reports:**

1. Mayor Pro-Tem Berkley Beard – Road Maintenance Action Items B. and C.
2. Alderman Pizzo – TPWD Grant Progress with the BayScape 2020 Grant
3. Alderman McCloskey – Maintenance Projects – Sidewalk Repairs

**8. ACTION ITEMS**

- A.** Consider and take possible action to approve the quote submitted by “Wild Bill’s” or “Sun-Ray Patio Furniture” for the purchase of the new pool furniture and to secure the price for assembly and delivery to occur the first part of May in preparation of Memorial Weekend – Pool Opening.

**A motion was made bay Alderman Pizzo to accept the quote submitted by Wild Bills for the purchase of new pool furniture and to secure the price for assembly and delivery to occur for the first part of Mayo in preparation of Memorial Weekend.**

**The motion was seconded by Mayor Pro-Tem Beard.**

**Motion carried with all in favor.**

- B.** Consider and take possible action to approve the submitted quote by Fox Paving, Craig & Heidt, Inc., or Derk Harmsen for resurfacing of the large City Parking lot and for the work to be completed by the first of May.

**A motion was made by Alderman Bass to approve the bid from Fox Paving to resurface the large City parking lot.**

**The motion was seconded by Alderman McCloskey.**

	<b>Members in favor</b>	<b>Against</b>
<b>Mayor Pro Tem Beard</b>	___X___	_____
<b>Alderman Pizzo</b>	___X___	_____
<b>Alderman Wortham</b>	_____	___X___
<b>Alderman McCloskey</b>	___X___	_____
<b>Alderman Bass</b>	___X___	_____

**Motion carried with majority in favor.**

- C.** Consider and take possible action to approve Road Maintenance expenditure as presented by Mayor Pro-Tem Berkley Beard.

**A motion was made by Alderman McCloskey to approve this road maintenance road project.**

**The motion was approved by Alderman Pizzo.**

**Motion carried with all in favor.**

- D. Consider and take possible action to approve the recommendation from the Mayor to pursue a professional grant administrator through the necessary channels to provide the direction for the ARPA (Covid Federal Relief Funds) to be expended and to meet Federal criteria.

**A motion was made by Alderman Pizzo to approve the acquisition of a grand administrator.**

**Motion died for lack of a second.**

**A motion was made by Alderman Pizzo to approve the recommendation from the Mayor to pursue a professional grant administrator to provide direction for the ARPA Funds.**

**The motion was seconded by Alderman McCloskey.**

	<b>Members in favor</b>	<b>Against</b>
<b>Mayor Pro-Tem Beard</b>	<u>  X  </u>	<u>          </u>
<b>Alderman Pizzo</b>	<u>  X  </u>	<u>          </u>
<b>Alderman Wortham</b>	<u>          </u>	<u>  X  </u>
<b>Alderman McCloskey</b>	<u>  X  </u>	<u>          </u>
<b>Alderman Bass</b>	<u>  X  </u>	<u>          </u>

- E. Consider and take possible action to approve the request as presented from the Galveston County Mosquito Control District for approval of the Resolution authorizing the aerial spraying for mosquitoes.

**A motion was made by Alderman Bass to approve the Resolution authorizing the aerial spraying for mosquitoes.**

**The motion was seconded by Alderman Wortham.**

**Motion carried with all in favor.**

- F. Consider and take possible action to approve **ORDINANCE 2024-02 AMENDING THE CODE OF ORDINANCES OF THE CITY OF BAYOU VISTA, TEXAS, BY REPEALING ARTICLE 07.07.00; ENTITLED; "SEX OFFENDERS" AND REPLACING IT WITH A NEW ARTICLE 07.07.00 ENTITLED; "SEX OFFENDER REGULATIONS" AND REPLACING THE INDIVIDUAL SECTIONS AS FOLLOWS: SECTION 07.07.01 ENTITLED; "PURPOSE AND INTENT", SECTION 07.07.02 ENTITLED; "DEFINITIONS", SECTION 07.07.03 ENTITLED; "SEX OFFENDERS PROHIBITION", SECTION 07.07.04 ENTITLED; "PROPERTY OWNERS PROHIBITED FROM RENTING REAL PROPERTY OF REGISTERED SEX OFFENDER," SECTION 07.07.05 ENTITLED; "EVIDENTIARY MATTERS", SECTION 07.07.06 ENTITLED; "EXCEPTIONS", PROVIDING FOR A SAVINGS CLAUSE, PROVIDING FOR A PENALTY CLAUSE FOR CLASS C MISDEMEANOR ALLOWING THE MAXIMUM FINE AMOUNT ALLOWED BY LAW AND CREATING EACH DAY OF A VIOLATION TO BE A SEPARATE OFFENSE, PROVIDING FOR SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE AND AUTHORIZATION TO PUBLISH.**

A motion was made by Alderman Bass to bring back this ordinance with suggested revisions to the next regular meeting of March 27<sup>th</sup> 2024.

The motion was seconded by Alderman McCloskey.

Motion carried with all in favor.

- F. Consider and take possible action to approve **ORDINANCE 2024-03 AMENDING THE CODE OF ORDINANCES OF THE CITY OF BAYOU VISTA, TEXAS, BY REPEALING AND REPLACING ONLY SECTION 10.05.01 ENTITLED "IN AND ALONG STREETS , ROADS OR HIGHWAYS" AND REPLACING IT WITH A NEW ARTICLE 10.05.00 ENTITLED "NO STOPPING, STANDING OR PARKING OF A MOTOR VEHICLE IN CERTAIN PLACES", AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR A SAVINGS CLAUSE, PROVIDING FOR SEVERABILITY, PROVIDING FOR A PENALTY CLAUSE THAT ESTABLISHES A VIOLATION OF THIS ORDINANCE SHALL CONSTITUTE A CLASS C MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED THE MAXIMUM ALLOWED BY LAW, AND PROVIDING FOR AN EFFECTIVE DATE AND AUTHORIZATION TO PUBLISH.**

A motion to table this Ordinance and bring back as a discussion item was made by Alderman Wortham.

The motion was seconded by Alderman Pizzo.

Motion carried with all in favor.

A motion was made by Alderman Bass to bring back Section "J" and "K" as a separate discussion item at the next regular meeting.

The motion was seconded by Alderman Pizzo.

Motion carried with all in favor.

- G. Consider and take possible action to approve Resolution suspending 45 days the new Grip Rate Requested by the Texas Gas Service.

**A motion was made by Alderman Bass to approve Resolution was presented.**

**The motion was seconded by Alderman Wortham.**

**Motion carried with all in favor.**

## 9. COMMENTS

- Citizen's Comments - (Each member of the public will have three (3) minutes to make comments. No yielding of time if permitted.)  
**Comments were made regarding the proposed parking ordinance. The Police Chief and the Sargeant should be involved in the parking ordinance; parking in the city lot is a waste of time and money; and speed limit in the city is unenforceable.**
- Aldermen Comments  
**Reminder of road closures on March 4<sup>th</sup>; vendor permit fees; and announcement of the passing of resident Sgt. John Hamm.**
- Mayor's Comments  
**No comment**

## 10. EXECUTIVE SESSION

### A. 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) pending or contemplated litigation; or (B) a settlement offer; or (2) 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.

**Executive Session was convened at 8:11 p.m.**

### B. RECONVENE IN OPEN SESSION FOLLOWING EXECUTIVE SESSION

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

**Executive Session was reconvened at 8:38 p.m.**

## 11. ADJOURNMENT

A motion to adjourn was made by Alderman Wortham. Alderman Pizzo seconded the motion. The motion to adjourn passed unanimously with all in favor at 8:39 p.m.

Respectfully Submitted,

Lillian Salinas, City Administrator-City Secretary