

MINUTES, BOARD OF ALDERMEN
April 18, 2013 6:30 P.M.
102 S. San Roman, Bayview, Texas

1. A Public Hearing for discussion on the direction of the Town concerning Commercialization was called to order at 6:30 p.m. Those present were: Mayor Leon Deason; Aldermen: Tom Rodino, Garry Lowder, Ed Morris and Mark Mullendore; Town Secretary Susan Heinz.
 2. The Pledge of Allegiance was led by Mayor Deason.
 3. Mayor Deason opened the public hearing and invited those in attendance to give their name and keep their comments to 3 minutes. Several members of the community spoke concerning this issue, some for, some against. The majority of the comments were in favor of very closely monitored commercialization. Some suggestions were a coffee shop, nursing home, bed and breakfast. Mayor Deason expressed concerns that if we allow some commercialization in, then we will have to allow anyone in. Cliff Rowell explained the necessity of a Planning & Zoning (P&Z) Board and what all that would entail. He pointed out that our building codes would have to be changed, and that a commercial zone must be contiguous, not spot zoned. Mayor Deason expressed concern that once a business was let in then we would have to let everyone in. He also stated the concern that if we allowed too much commercialization into the Town, that our property values would go down. The Board members also expressed opinions that they were not opposed to closely monitored commercialization. There was very lively discussion concerning the area already zoned for commercial business. It is the consensus of everyone that Bayview is simply not large enough to support commercialization at this time.
 4. The Public Hearing was adjourned.
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1. The Regular Meeting of The Board of Aldermen of The Town of Bayview Texas was called to order.
2. Public Comments and Announcements were invited by Mayor Deason. Barbara Creighton asked about the nature and amount of billing from Rentfro Law Firm. She asked if more detail could be placed on the agenda and asked to see the bill. There was a question about the possibility of posting the meeting packet on the website. Bonnie Gibbons thanked the Mayor for helping set up the candidate forum, it was very informative. Mayor Deason introduced and welcomed Denny Flaherty, new property manager for the Girl Scouts.
3. Approval or Rejection of Consent Agenda items:
 - A. Minutes of the March 21, 2013 meeting were approved with a motion from Mark Mullendore seconded by Garry Lowder. Motion carried.
 - B. The March 2013 financials were approved with a motion from Tom Rodino and seconded by Mark Mullendore. Motion carried.
4. Building Inspector Donny Curry reported that Scott Patton still has done nothing. He has left messages with Richard Franke regarding the final inspection on his addition. Richard Meyn now has the materials for building on site. Anthony Gonzalez' pool is just waiting on a request for final inspection. Donny has not been able to contact Bret Andrews about his project. Barbara Creighton's house is almost finished, the steel for the pool is good, and the OSSF has been completed. Ken Jaeger Stop Worker order is still in effect. After inspection of the June Williams wall site, it is ok to pour the concrete. The John Malloy fence is

way back on the property and Donny is not sure where it is going in. Donny has not been in contact with Jerry Tombari on his remodel project, waiting on a final inspection. Clifford Rowell gave a report on the property at 138 Calle Hermosa. He inspected and approved the t-pole, also the steel, slab and strapping. All looks good, approved, and reports given to town secretary. The building inspector fees due to Donny for April are \$75.00 for Creighton OSSF, \$25.00 for Deaton sea wall, \$39.00, expired permit on Farmer fence, \$32.00 for June Williams' shed completion; for a total of \$171.00. Tom Rodino made a motion to accept the building inspector report and fees in the amount of \$171.00. The motion was seconded by Ed Morris. Motion carried.

Action Items:

5. Tom Rodino presented the possibility of using another web-site provider. He looked at a possible three and does not see any reason to change our current host – Wordpress, costs are basically the same. He stated that Wordpress has had some problems with people hacking into their sites recently causing slow-downs and lock outs. Tom printed an article from American City & County News and gave it to Susan for review, as we have had some of those issues with the Town computer. Tom recommended we stay with HostGator and Wordpress, all agreed.
6. The mayor asked for approval or rejection of the election committee personnel working the upcoming election. Susan Heinz presented her committee and hours. This was approved with a motion from Mark Mullendore and a second from Tom Rodino. Motion carried.
7. Approval or rejection of the spraying of the roads by Joe Lee Bryant with Roundup. He sprayed West Resaca, Red Crown, Palma, Calle Hermosa, West Toronja, East Toronja, Mockingbird, and Chachalaca. The Town contracted with Joe Lee to spray both sides of the road to prevent the grass growing into the road. The total bill was for 3.25 miles at \$75.00 per mile for a total of \$243.73. Garry Lowder made the motion to approve the billing, Ed Morris seconded. Motion carried.
8. Discussion for the approval or rejection of incorporating new hours for the Town office. The options were Mon-Thurs 9-1; Mon-Thurs 8-1; or Mon-Thurs 8-12. After some discussion it was agreed that the office hours would be changed, effective the first Monday in May, to Mon-Thurs 8-12. Susan will post office hour change on the web site as well as the bulletin board in the front and send an email to the Town. Tom Rodino made a motion that we accept the change in office hours to be Mon-Thurs 8-12. Ed Morris seconded. Motion carried.
9. Discussion was opened regarding the approval or rejection of incorporating the Noise Ordinance No. 2009-03 and the Animal Control Ordinance No. 2010-006-017, into the Zoning Ordinance Manual or leaving them as Stand Alone ordinances. Mayor Deason feels that the Noise Ordinance can be incorporated into the Ordinances fairly easily because it can be enforced by the Building and Standards Commission. The Animal Control Ordinance would be difficult, as we have no enforcement capability without an Animal Control officer. After some discussion, it was decided that the Noise Ordinance be incorporated into the Ordinance Book. Mark Mullendore made a motion to leave the Animal Ordinance as a stand-alone ordinance, and incorporate the Noise Ordinance into the Zoning Ordinance Book. Garry Lowder seconded. Motion carried.
10. Discussion and approval or rejection of new utility line rates. Letter stating that our line rates were increasing read by Mayor Deason. Motion made to accept the new utility line rates by Tom Rodino, seconded by Ed Morris. Motion carried.

11. Approval or rejection of billing from Rentfro Law Firm. The total billing was \$918.75. Tom Rodino made a motion to accept the billing. The motion was seconded by Mark Mullendore. Motion carried.

Discussion Items:

12. Mayor Deason presented the possibility of having Bill Hooton handle records management for the Town. The town cannot have him be the records manager until after the election when he is sworn in. Bill stated that there were some things the Town was not doing correctly as far as maintaining our records. Once he is sworn in, Bill and Susan will begin the process.
13. Mayor Deason updated those present on the roads.
14. Tom Rodino updated those present on drought plans and the 2013 Hurricane Season forecast. Tom stated hot and dry, the area is in severe drought. Tom gave a summary of his report to Susan which will added to the minutes.

Reports:

- A. Emergency Management: Alderman Tom Rodino stated that there was a county wide burn ban effective through May 11. There will be a 2013 Hurricane conference May 8 & 9 in McAllen for emergency management. Tom also explained the mandatory evacuation ramifications.
 - B. Acting Building & Standards Commission president Garry Lowder reported on the April 2, 2013 meeting. He stated that the commission had issued a fine regarding a burn permit violation.
 - C. Mayor Deason updated those present regarding citizens' concerns. The ordinances on the web-site are in the process of being updated and posted on the web-site. The roads are a continuing concern, but being taken care of. Tom Rodino read a couple of concerns from citizens regarding trash dumping. If the person dumping the trash can be identified, then the Sheriff can be contacted. There was also a report of a large alligator on North San Roman. Tom cautioned everyone to be careful and aware that they are out and about. Mark Mullendore stated that you could call Emergency Management at 547-7000 for trash dumping and they will come pick it up.
15. Mark Mullendore made a motion to adjourn the regular meeting of the Board, this was seconded by Ed Morris. The motion carried and the Regular Meeting was adjourned at 8:15 p.m. as authorized by Subchapter D, Chapter 551 of the Local Government Code to discuss pending or contemplated litigation and legal matters of theTown.

Mayor

Susan Heinz, Town Secretary