

**MINUTES OF SPECIAL MEETING  
TOWN OF BAYVIEW, TEXAS  
Held at  
102 S. San Roman, Bayview, Texas**

**October 7, 2013**

**SPECIAL MEETING**

The Special meeting of the Town Council was called to order by Mayor Rodino at 6:30 p.m. Those present were: Mayor Rodino, Aldermen Lowder, Hooton, Mullendore, Stachowiak and Deason; Town Secretary Susan Heinz; Town attorney, David Irwin and TML attorney, Roger Hughes.

Pledge of Allegiance was led by Mayor Rodino.

Mayor Rodino welcomed those attending the meeting and asked if there were any comments. Jeneria Lewis read a statement regarding Bayview Palms and stated that she did not support any variance other than the lot size variance already granted. Ed Nuss, a resident of Bayview Palms, spoke about being one of the original partners in the Bayview Palms subdivision, and the reasons they backed out of the partnership. Evon Nuss spoke as well as to the character of ACE Partnership.

**Adjourn open meeting**

The open meeting was adjourned at 6:38 p.m. so that the Town Council could go into Executive Session.

**Executive Session**

The Town Council went into Executive Session at 6:40 p.m. as authorized by Subchapter D of the Open Meetings Act for deliberations regarding:

Section 551-071: Consultations with Attorneys

**Adjourn**

The Executive Session was adjourned at 7:20 p.m.

**Resume open meeting**

The open meeting was resumed at 7:22 p.m.

1. Discussion and possible action on matters relating to the Bayview Palms subdivision.
  - a. Alderman Deason made a motion to reject a specific confidential settlement offer

as discussed with counsel in executive session to be made to Kenneth Jaeger/ ACE Partnership. Alderman Mullendore seconded the motion. The possible Settlement offer was rejected.

- b. Other matters, if any, requiring Town Council action arising from the discussions in Executive Session. There were none.
2. Discussion and possible action on engaging a contractor to clear four previously Identified ROW areas where brush creates a traffic safety problem. Alderman Hooton reported that he is in consultations with TML and David Irwin concerning liability and funding for future ROW maintenance. After some discussion it was decided to set a volunteer work day on Saturday, Oct. 12 to cut back the brush.

Alderman Hooton made a motion that the Town not hire a contractor at this time to clean up the ROW issues on W. Resaca and Palma. The motion was seconded by Alderman Lowder. Motion carried.

### **Adjourn**

The regular meeting of the Board of Alderman was adjourned at 7:40 pm with a motion from Alderman Lowder and a second from Alderman Hooton.

/s/ Tom Rodino, Mayor

/s/ Susan Heinz, Town Secretary