

**MINUTES OF THE REGULAR
MEETING OF THE PUBLIC HEARING MEETING AND
THE REGULAR BOARD OF ALDERMEN
TOWN OF BAYVIEW, TEXAS
104 S. San Roman, Bayview,
Texas
February 17, 2022**

Elected officials present: Mayor Paris, , Alderman Lewis, Alderman Evans, Alderman Heinz and Alderman Najera.

Elected officials absent: Mayor Pro Tem Steenbock

Public Hearing Meeting

A. Mayor Paris called the meeting to order at 6:30 p.m.

B. Mayor Paris led everyone in the Pledge of Allegiance.

C. Mayor Paris welcomed everyone stating we would be reviewing quite of bit of information including the Road Plan for 2022 and the update changes on the Town Ordinances. He thanked those citizens joining the Road Committee, attending the meetings for it, and in putting together the road plan. He continued stating that it was good for citizens to be involved.

D. Mayor Paris stated that the Public Hearing is being conducted to receive input from residents on:

1. 2022 Road Repair Plans
2. Revision of Town Ordinances to include revisions to permits, fees, and greenhouse definitions and requirements.

Alderman Evans presented the Road Plan for 2022 that the committee put together. He thanked all of those citizens that attended all the meetings and accommodations made to attend. He continued by reviewing specifically every road and the issues found along with possible alternatives for the maintenance to them . He also went over the recommendations from the committee with emphases on North San Roman Road past the paving portion of it that leads to Hwy 106. Mayor Paris reported he had sent a letter and discussed this road with Cameron County Commissioner Garza. Raul Gomez, representative for the Cameron County Commission, expressed that they had discussed going into a Interlocal agreement with the Town in repair of that portion of the road since the county owns part of it. Mayor Paris reviewed the expenses involved in repairing it and asked that Mr. Gomez talk to the County. He continued by reviewing the uses of the new 2021 Corona Virus funds which covers doing the repairs on the culverts on San Roman

and that plans for the funds must be turned in by April 1, 2022. He stated that the Town spent \$250,000 to finish Valencia Road which was done properly with brand new asphalt. Alderman Evans now continued with the recommendations which included requesting road speed bumps on North San Roman because of the speeds increasing as soon as they get to the caliche part of the road.

Carmen, Town Secretary and Mayor Paris presented the revisions to the Town Ordinances going through each of the highlighted portions being changed. The presentation included 6 items that were discussed and recommended for change.

E. *Public Comments Specific to Public Hearing:* Mayor Paris stated, “ This is an opportunity for citizens to address the Town Council on matters specifically relating to the Public Hearing that will be considered by the Council in this or subsequent meetings. Town Officials may make presentations and provide information to the Public during the course of the hearing; however, the Mayor and Aldermen may not engage in debate with speakers or among themselves or act on matters during the Public Hearing. Note: Speakers are required to state their name for the record and limit their comments to three minutes. Any speakers needing a translator are required to state their name for the record and limit their comments to six minutes.”

Dana Gregory, 155 N. Valencia: he expressed his concern on the north part of North San Roman which he frequently uses. He continued by stating that he does not live in that area but uses it quite a bit and an ambulance would never be able to get through during an emergency. He also stated the mailmen and the trashmen do not go down that road. He continued that a change needed to take place to help out those living in that area and how that area has beautiful homes and it's really growing out that area. He also stated that taxes our being paid and it's irritating to pay taxes and not see any services.

Victoria Pease, 27136 N. San Roman Rd.: She expressed that even though she does not live here, her son does and she has three items to discuss: (1) she had pictures of her vehicle and the receipts to the expense in repairing it because of the conditions she had to drive through which include a computer chip lost from the car. (2) She has animals located in this property and goes there twice a day. During one of the rainy days, she had to be pulled out by a neighbor Mr. Rudy Rodriguez. (3) she expressed her husband had already had a heart attack and her concern was if he were to have another one the ambulance would not be able to get to him. She continued by stating that now there are kids moving in and school busses are struggling to get through the road.

Rudy Rodriguez, 27536 N San Roman Rd.: He has 5 acres along with his home and he expressed he continuously helps pull vehicles out for residents, government officials cars, and people that drive through getting their vehicles stuck. He has a 4-wheel drive truck and uses it to help out. He expressed his concerns of not getting mail during the rain, not being able to get propane because the trucks could not get to them, and issues with animals which the County Animal control cannot get the trailers in to get the animals. He continues explaining the expenses that are incurred to maintain a 4-wheel drive which he does not mind and understands he chose to live there. He also expressed that when

Cameron County maintains the road by grading it, the road begins to get a lip on the side of the road which causes rain to not go anywhere: then when it dries the caliche ends up on our driveways and properties. He has continuously help people for the past 7 years when their vehicles get stuck, even helped the Census representative taking reports that got stuck. He also stated he remembered the Cameron County had been out there working on the culvert. With not disrespect to Raul Gomez from Cameron County, he continued addressing that his job requires him to drive all over the county where he sees many roads being repaired where there is very little population so his tax money is being used elsewhere other than here in Bayview.

Jack Moffet, 27009 N San Roman: He expressed his concern on the San Roman Road and passed out pictures. He continued that his last communication with Commissioner Garza was unsuccessful because they never got back with him. He also stated that people living in that area are actually land locked because none of the vehicles can make it through the road. He said they consistently have mail and UPS interruption and no trash pickup because of the situation with the road. The last concern he had was emergency situations where the ambulance wouldn't be able to get to the resident in time and having to face death because of it.

Roger Mantony, 147 N San Roman Rd: He expressed the concern for safety for people looking out for residents on our gravel roads and do not want to neglect those that we have already spent a lot of money on that have concerns that need to be taken care of as well. He stated that as our community grows, where there is a sense of urgency, we need to take care of Trails End, Camp Road, parts of Poco Parte which are impassable, Calle Hermosa, and amount of traffic growing through North San Roman. He believes if the Cameron County is willing to work with the Town, it will be possible to service the needs on these roads. It's a joint effort.

Jeneria Lewis, 109 Red Crown: She stated that all of the points were very valid and she is taking vigorous notes. She continued noting that this road is a County road and they are not maintaining it. She stated: " that the annual town budget is about \$140,000 and it takes about all of it to run the Town, pay our legal bills and we have three parttime employees with the rest of us working for free. We have roads that are paved, roads that are falling apart, and a short term road plan to kind of bandage them. We do have \$300,000 that took a long time for us to get there. What I would like to see a lot more from Cameron County." She followed up with stating how beautiful South San Roman Rd is which is county road and nothing has been done with North San Roman which is also county. She also noted that we have Red Crown as issue and West Reparo.

Mayor Paris: He stated that it was necessary to do San Roman and hoping that a combined effort will work. He continued by again noting that the Town has over \$300,000 which we need to spend or else the Town will be having to reduce property tax rate.

David Travis, 109 Mockingbird Lane: He stated that after 2020 hurricane and if anyone went down North San Roman you would see a small creek as you drove down the road. He continued stating that this caused the erosion of the road. He continued stating that it would be good to consider a better culvert because once that drainage fills up it affects the road.

Joann Ammons, 192 N San Roman Rd: She expressed her concern on the environment when people drive down the road at 60 MPH and there is dust and pollution everywhere. She continued stating that she contacted the TECQ which responded that the Town of Bayview needed to do something. She also expressed that during some of the difficult weather situations, she chooses to work from home because of the driving situation which is impossible at times. She also stated that the North San Roman residents are getting together and helping each other knowing that when they get stuck they can call Rudy. She continued that her husband has a heart condition and would be in trouble if she needed the ambulance to get to them.

Ernesto Martinez, 104 Chachalaca: He expressed that he lives in Bayview and owns a lot of property around Bayview and uses the North San Roman plenty of times which needs repair. He feels that by using Caliche which is inexpensive the problem can be solved if everyone is willing to spend the money. He addressed the County stating not to grade it but fix it. He believes if the County and Town gets together it can be done. He continued its time to make the decision and get it done.

Pamela Downing, 181 N San Roman: She stated that her and her husband help residents by pulling them out of situations. She continued stating that they love this community but certainly noted that something needed to be done.

F. Alderman Lewis made the motion to adjourn the Public Hearing Meeting. Second: Alderman Najera. All in favor. Motion carried.

REGULAR MEETING

G. Mayor Paris called the Regular Meeting to order.

H. *Public comments and announcements:* Mayor Paris stated, "this is now the opportunity for our citizens to address the Town Council on matters relating to Town business, issues, concerns or interests, including any items that are on the agenda. Speakers are required to state their names for the record and to limit their comments to three minutes. Note: State law does not permit the mayor/aldermen to discuss debate or act on items that are not on the agenda. Persons making comments and announcements may be referred to Town Staff for follow up or to have items placed on the agenda for a future town meeting."

None

Old Business

1. *Discussion and possible action approving or rejecting PC Matic for computer protection plan.* Carmen, Town Secretary, presented a quote from Bitdefender showing \$36 for the protection plan because PC Matic never responded. Alderman Evans made the motion to approve Bitdefender for computer protection plan. Second: Alderman Najera. All in favor. Motion carried.

2. *Discussion update on Spectrum Contract.* Mayor Paris presented a copy of letter sent to the Federal Communications Commission by Town Attorney, Irwin & Irwin, P.L.L.C. on behalf of the Town stating that the Town had not approved the increase in the price. Alderman Heinz stated that the letter was missing the financial injury portion described as accurately as possible to include attorney fees, time spent by Carmen, and how bad the Town was injured financially. Alderman Lewis explained that not only did they over charge the Town, they have never responded to our communication with them. Mayor Paris will let attorney know of the update.

New Business

3. *Discussion and possible action approving or rejecting the 2022 Road Repair Plans.* After lengthy discussion on the extent of the road problems, Alderman Lewis made the motion to approve for the Mayor to produce a work order for the Town Engineer based on the 2022 Road Repair Plans recommendations and seeking for culverts at the crossing on West Resaca, entry to East Reparo, and the section of road on West Toronja going to Camp Road. Second: Alderman Heinz. All in favor. Motion carried. Alderman Heinz made a second motion to authorize the Mayor negotiate with Commissioner Garza and Cameron County to get an Interlocal Agreement established on any areas that were discussed tonight that we can move forward on. Second: Alderman Lewis. All in favor. Motion carried.
4. *Discussion and possible action approving or rejecting the revision of Town Ordinances to include permit, fees, and greenhouse definitions and requirements.* Each change as follows were approved individually:
 - (1) Section 3, page 8 – added “does not include greenhouses”: Alderman Heinz made the motion to approve this change. Second: Alderman Lewis. All in favor. Motion carried.
 - (2) Article IX, page 34-added “I” that gives some guidance on greenhouses. Alderman Heinz made the motion to approve this change. Second: Alderman Lewis. All in favor. Motion carried.
 - (3) Article X, section 2, page 35- Inserted language out of the IRC to indicate permits are required for various forms of remodels. Alderman Heinz moved to keep the original ordinance language. Second: Alderman Lewis. All in favor. Motion carried.
 - (4) Article X, Section 2, page 35-Inserted language that makes section 105.2 of the IRCC controlling. This would eliminate permits for anything up to and including 200 square feet.
 - (5) Article X, section 3b, page 37- Removed “new” from first line. This means that permit fee requirements would apply to all construction that requires a permit. I then added the last sentence indicating that existing building remodels individual permits will be charged for. This may or may not be what the board wants but most remodels will be a \$75 permit fee. Can we cover all secondary permits for \$75?
 - (6) Article XVIII, number 13, page 49- added definition of greenhouse.

Alderman Heinz made the motion to approve changes listed on items 4,5 and 6 as presented. Second Alderman Lewis. All in favor. Motion carried.

5. *Discussion and possible action approving or rejecting the Star Link Internet Services.* After a brief discussion on internet service needed, Alderman Heinz made the motion to approve \$500 for the equipment and \$99.00 for connecting with Star Link Internet Services now so the Town can be ready by July 2022 when the Spectrum Contract is completed. Second: Alderman Najera. All in favor. Motion carried.
6. *Discussion and possible action approving or rejecting the permit fee for 181 N Valencia.* Mayor Paris visited the property with Mr. Carlsen and explained the issues in the property with terminate damage along with the double fee for the permit fee. Mr. Carlsen then presented his experience with the house in trying to fix areas and running into walls falling apart. He continued with his concern on the double fee for this remodeling. After brief discussion, Alderman Heinz made the motion to keep the permit fee with the penalty and reduce it by the amount of the roof permit fee that has been paid from it. Second: Alderman Najera. All in favor. Motion carried.
7. *Discussion and possible action approving or rejecting the re-consideration of annexation of 8.92 acres as described below requested by owners: Dora A. Galvan and Robert Alvarado: (8.91 acres of land consisting of a .0691 acres (Tract 1) and 8.29 acres of Block Fifty (50) Bayview Citrus Groves Subdivision, Unit No. 2, Cameron County, Texas.* Ms. Galvan and Mr. Alvarado presented their experience in trying to build their home through Cameron County, the county asking for property to be re-platted and their commitment to maintain the road if the Town would reconsider the annexation. After length discussion, Alderman Lewis made the motion to table this item until they get clarification from Cameron County as to why they must replat in order to build a home. Second: Alderman Najera. All in favor. Motion carried.
8. *Discussion and possible action approving permits for Stop Work Orders.* Alderman Najera made the motion to have David Travis write a Stop Work Order policy for the next meeting. Second: Alderman Evans. All in favor. Motion carried.
9. *Discussion and possible action approving or rejecting the enforcement of the Zoning Ordinance, Perimeter Fence Maintenance (Section 14).* Alderman Lewis reported that she has been getting many complaints on not enforcing this ordinance. Alderman Lewis made the motion that the Mayor go around the Town seeking out perimeter fence violations that are on public roads and write letters to them giving them 90 days to correct their violations along with a copy of the ordinance and if it is not corrected

they will automatically go to the Building and Standards Commission. Second: Alderman Najera. All in favor. Motion carried.

10. *Discussion and possible action approving or rejecting the January 20, 2022 Regular Board of Aldermen Meeting Minutes.* Alderman Heinz made the motion to approve the January 20, 2022 Regular Board of Aldermen Meeting minutes as presented. Second: Alderman Evans. All in favor. Motion carried.
11. *Discussion and possible action approving or rejecting the current financial reports with current projected balances.* Alderman Heinz made the motion to approve the current financial reports with current projected balances as presented. Second: Alderman Evans. All in favor. Motion carried.
12. *Discussion and possible action approving or rejecting the current Building Inspector's Report for January 2022.* Alderman Heinz made the motion to approve the current Building Inspector's report for January 2022 as presented. Second: Alderman Evans. All in favor. Motion carried.
13. *Discussion and possible action approving or rejecting the current OSSF Inspector's report for the month of January 2022.* Mayor Paris tabled this item since there was no activity for the month of January 2022.

Future Agenda Items – *Any current member of the board in good standing may add one agenda item to the agenda of a future meeting specified by that Alderman. No agenda item added by an Alderman may be removed, altered or modified without the written consent of the alderman adding the agenda item unless the language or content of the agenda item conflicts with state or local laws.*

Alderman Heinz suggested to approve a Stop Work Order policy.

Discussion Items

1. *The hiring of a web master.* Alderman Evans proposed that we find someone that works with websites come in and update what we have or find a new one. He continued explaining that it is difficult to find our website and hiring someone that is familiar with websites. Alderman Lewis expressed that she gets a lot of compliments on the website and if issues were brought up we could probably fix those. She also explained the security on that website. After brief discussion, it was suggested that if any changes or additions are needed to please forward to Carmen so she can work on it.
2. *Town Complaints.* Mayor Paris reported that 124 N San Roman the debris was pushed on to her property created a big dip filled with water and the Town needs to fill it with dirt.

3. *Emergency Management update:* Alderman Lewis stated that COVID 19 calls are still on every week. She reported cases are down in Cameron County by about 1,000 this week over last week and hospitalizations are down by about half. She continued by reporting that 66% to 76% of the number of people in the hospital with COVID have been vaccinated. She also stated that there is no mask requirement update for school children and it does depend on the school district.

4. *Bayview Beautification Day.* Alderman Najera reported that the day would be on Saturday, February 26, 2022 meeting at 8:00 a.m. and asked for an email to be sent out asking for more assistance.

5. *Report from Building and Standards Commission.* None

ADJOURN

Alderman Evans made the motion to adjourn the meeting at 9:05 p.m. Second: Alderman Najera. All in favor. Motion carried.

Gary E. Paris, Mayor

Carmen I. Amaya, Secretary