

**MINUTES OF THE REGULAR
MEETING OF THE BOARD OF ALDERMEN
TOWN OF BAYVIEW, TEXAS
104 S. San Roman, Bayview, Texas
April 21, 2022**

Elected officials present: Mayor Paris, Mayor Pro Tem Steenbock, Alderman Lewis, Alderman Evans, Alderman Heinz and Alderman Najera

Elected officials absent: None

Regular 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 and asked that anyone wanting to speak to raise their hand because there were many items to be addressed in tonight's meeting. He continued by explaining that when becoming the Mayor of the Town he had sent out a survey about how the residents felt on how the Council was doing and received positive feedback. He explained that right now it is not like that and expressed his concern about the negative energy in the room. He stated that in the last meeting residents were concerned about the building inspector and the job that he is doing. Mayor Paris brought out the International Building Code book showing 1800 pages and continued by informing residents that our Building Inspector has the knowledge that is in all the pages when inspecting permits. He continued by stating that the expectation for the Building Inspector is to ensure that everything built is in compliance with this code and ensure that buildings are safe. Therefore, he reinstated that the Building Inspector has 100% of his support.

D. *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."

Jeneria Lewis: 109 Red Crown: She stated she is the Emergency Management Coordinator and holds Alderman Place 2. She continued by apologizing for her actions in the March meeting.

Jay Carlsen: 181 N Valencia: He expressed his concern that someone had tried to steal his Kubota and tractor but when the alarm went off they left. He wanted everyone to know.

Jesus Amaya: 100 W Cotton Gin Rd: He expressed his concern about codes being violated on septic tank installation done at 114 S San Roman. He stated: (a) The Texas Commission on Environmental Quality shows that the State of Texas requires that septic tank installations must have a minimum of .50 of an acre and the property is .368 of an acre: (b) the State of Texas does have a variance on this if the property was replated before 1989, however this property was replated in 1993: (c) The Town of Bayview Septic Tank ordinance indicates the tank must be 15 feet from the property line, however, the owner has not provided a survey so that measurements can be verified: (d) the Town was advised through email on the concern of the installation: (e) This installation is a health hazard.

Jack Moffet: 27009 N San Roman Rd. He stated his concern about an ambulance trying to come down North San Roman during the rain last week and got stuck on the road. It had to go back to Centerline Road, then go through Ted Hunt and come through FM 106. He expressed his concern on this emergency and inability of services through this road.

Jim Bush: 133 W Resaca. He brought some information on using glue for roads which included an application for this material. He expressed that this would definitely give the Town a better solutions for these roads. He continued by stating that this solution could be used with the caliche on North San Roman to stabilize that road.

Dana Gregory: 155 N Valencia. He expressed his concern on North San Roman Road. . He suggested that if someone gathers the caliche from the side of the road and place a strong base which would be less than \$50M this would help sustain it.

Old Business

1. *Discussion and possible action approving or rejecting road repair program.* After a lengthy discussion on solutions for the pot hole repairs and issues with different roads, Alderman Lewis made the motion that the Town solicits for a minimum of two bids for potholes on the roads of the Town city limits not to exceed \$50,000. Seconded: Alderman Heinz. All in favor. Motion carried.
2. *Discussion update on Spectrum Contract and Star Link procurement.* Mayor Paris reported that a letter to the FCC went out from the Town attorney.
3. *Discussion Fence Ordinance Enforcement.* Mayor Paris reported he has sent out 37 letters for fence repairs and property maintenance. Mayor Paris also reported sending three (3) more letters on debris clean up.

NEW BUSINESS

4. *Discussion and possible action approving a Hold Harmless Letter and issuing a Certificate of Occupancy on 166 N San Roman Rd. new residential home.* Mayor Paris

asked that David Travis, Town Building Inspector, explain the variance on the stairs of the house which is on the first step of the stairs. He further stated that the code allows 7 $\frac{3}{4}$ inches on the first step and this house is 8 inches which the variance is $\frac{1}{4}$ of an inch. He continued by stating that these stairs are custom built to her house and made out of steel. Mrs. Freiman, owner of 166 N San Roman Rd, proceeded in reading her letter and providing the Town with a Hold Harmless Letter from her attorney. Mayor Pro Tem Steenbock made the motion to approve the issuance of a Certificate of Occupancy on 166 N. San Roman Rd. Second: Alderman Evans. All in favor. Motion carried.

5. *Discussion and possible action approving or rejecting re-zoning of 125 Old Port Rd requested by Eleazar Villafranco from residential to commercial.* Mr. Villafranco spoke on his plans of opening up a farmers market, rodeo, and have concerts or weddings by making it commercial. After brief discussion on options for the change, Mayor Pro Tem Steenbock made the motion to provide Mr. Villafranco with the state statute concerning zoning and investigate this so at this time we deny the motion to change it to commercial but will revisit this if we can find new information on it. Second: Alderman Lewis. All in favor. Motion carried.
6. *Discussion and possible action approving the dis-annexation of the properties on North San Roman north of Centerline Rd and Bayview Palms properties.* After brief discussion on possibility of dis-annexation of the properties, Alderman Evans made the motion to have a public hearing for discussion on dis-annexation of properties on North San Roman north of Centerline Rd and Bayview Palms properties. Second: Alderman Najera. All in favor. Motion carried.
7. *Discussion and possible action on residential concern of 114 S San Roman Rd. Septic Tank installation.* Mayor Paris reported that Mr. Amaya had brought the concern to him and he believed the lateral lines may be accroaching the 15 ft set back, however he was unable to determine this since everything was covered up. He continued by stating that he has gone out with Mr. Amaya to determine where the system is at and has not been able to determine this. Gilbert Cisneros, current OSSF Inspector for the Town, reviewed the file and found that because the property is less than .50 of an acre, an engineer plan report and variance is required anytime the property is that small. He continued by stating that he had Cameron County Health Division review the file and stated that the requirement is within 5 feet for the state however an engineer report is required however the Town Septic Tank inspector at the time had approved it. William Stull, owner of the 114 S San Roman Rd. property, stated that he and the installer had measure to ensure that there was 15 feet measurement. After a lengthy discussion on this situation, Mayor Pro Tem Steenbock made the motion to have this item tables until the owner of the property provide us with a survey with stakes in place on the property and an engineer plan of the septic tank; if the owner

fails to provide this, the situation should be forwarded to the Building and Standards Commission. Second: Alderman Lewis. All in favor. Motion carried.

8. *Discussion and possible action approving the residential occupancy of commercial building of 114 S San Roman Rd.* William Stull, owner of the property, read his letter to the Board on the situation of the occupancy of this building and explained that he has no intentions of converting the building into a residential occupancy because of the thickness of the walls and because his property is grandfathered through the laws when purchasing it. After a lengthy discussion on safety concerns in living there as a residential property, Alderman Heinz made the motion to have the owner comply with the residential compliance code at the time the building was constructed in 1985 which was presented to him by the Town Building Inspector, David Travis, to obtain a Certificate of Occupancy. Second: Mayor Pro Tem Steenbock. All in favor. Motion carried.
9. *Discussion and possible action approving the revision on the ordinance about Owner/Builder Liability Insurance requirement.* Alderman Heinz made the motion to have a Public Meeting changing the ordinance wording of Owner/Builder Liability insurance with not requiring insurance for fencing. Second: Alderman Evans. All in favor. Motion carried.
10. *Discussion and possible action approving new resident welcome letter and packet.* Alderman Evans presented the letter and explained about delivering the letter along with some kind of welcoming packet. At this time, the letter will be reviewed by the Board and Mayor Paris tabled this item to present at the next meeting.
11. *Discussion and possible action approving webmaster responsibilities and volunteer support.* After brief discussion, Alderman Heinz made the motion to approve volunteer support for the website at the secretary's request. Second: Alderman Najera. All in favor. Motion carried.
12. *Discussion and possible action approving speed limit signs to be installed on N. San Roman Rd north of Centerline Rd. along with Children Playing signs.* Mayor Paris tabled this item until the dis-annexation has been resolved.
13. *Discussion and possible action approving hiring Reliable Electric to install the automatic switching panel for the generator.* Mayor Pro Tem Steenbock made the motion to have Reliable Electric install the automatic switch panel for the generator up to an expense of \$1,500 plus 10% if necessary. Second: Alderman Heinz. All in favor. Motion carried.

14. *Discussion and possible action approving or rejecting the March 17, 2022 Regular Board of Alderman Meeting minutes.* Alderman Heinz made the motion to approve the motion to approve the March 17, 2022 Regular Board as presented with the addition of fence complaints under discussion items. Second: Alderman Evans. All in favor. Motion carried.
15. *Discussion and possible action approving or rejecting the March 31, 2022 Special Board of Aldermen Meeting Minutes.* Mayor Pro Tem Steenbock made the motion to approve the March 31, 2022 Special Board of Aldermen Meeting minutes as presented. Second: Alderman Heinz. All in favor. Motion carried.
16. *Discussion and possible action approving or rejecting the current financial reports with current projected balances.* Mayor Pro Tem Steenbock made the motion to approve the current financial reports with current projected balances as presented with payment to Building Inspector of \$2,345.07 over the budget. Second: Alderman Evans. All in favor. Motion carried.
17. *Discussion and possible action approving or rejecting the current Building Inspector's Report for March 2022 to include payment of \$2,345.07 representing 30% portion of contract which is over budget amount.* Mayor Pro Tem Steenbock made the motion to approve the Building Inspector's Report for March 2022 as presented to include the payment of \$2,345.07 over the budget amount. Second: Alderman Najera. All in favor. Motion carried.
18. *Discussion and possible action approving or rejecting the OSSF Inspector's Report for March 2022 to include payment of \$300 for inspection of 191 Trails End Rd which is over budgeted amount.* Mayor Paris tabled this item until report is received.

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.

Mayor Pro Tem Steenbock: would like to include shipping containers on the next meeting agenda

Alderman Lewis: would like to include Emergency Management Supplies on the next meeting agenda.

Discussion Items

1. *Coronavirus State & Local Recovery Funds.* Mayor Paris reported that the money needed to be spent. Alderman Lewis suggested to use it for culverts around several of the town roads to reduce flooding.

2. *Town Complaints.* Mr. James Bush reported on a property near him where the brush is out of hand and visibility has improved but suggested that the Town clear it and charge the owner.
3. *Emergency Management update.* Alderman Lewis reported the Corona Virus calls have been stopped. She continued by reporting that residents should be stocking up with items before May 23rd because in Del Rio when the Asians hit the border their grocery items diminished and there was not much left for the local residents. She wanted to remind everyone to make sure to stock up because the government is providing for these people.
4. *Bayview Beautification Day.* Alderman Najera reported the day would be on April 30th meeting at the Town Hall at 8:00 a.m.
5. *Report from Building and Standards Commission.* Susan Heinz, Secretary of Building and Standards Commission, stated that there is nothing at this time.

ADJOURN

Alderman Heinz made the motion to adjourn the meeting at 8:45 p.m. Second: Alderman Najera. All in favor. Motion carried.

Gary E. Paris, Mayor

Carmen I. Amaya, Secretary