

BEACH CITY COUNCIL

REGULAR MEETING MINUTES

The Beach City Council met for a Regular Meeting October 28, 2008 at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Douglas Walker Ray Smith Vaughn Bercaw – Absent
 Tommy Clayton – Absent

CITY ATTORNEY: Daniel Jackson

CITY SECRETARY: Margaret Gainer

Mayor Persiani called the meeting to order at 7:10 P.M. Tuesday, October 28, 2008.

- I. **Review and consider approval of the Regular Meeting minutes of August 26th, 2008 (Meeting held on Sept. 2nd, 2008) and September 23rd, 2008.**

Minutes reviewed prior to the meeting by Council.

MOTION made to accept the Minutes of August 26th, 2008 and September 23rd, 2008 as presented.

MOTION: Walker SECONDED: Standridge Shoe of hands
APPROVED: 3 - 0

- II. **Review and consider approval of the Statement of Revenues and Expenditures for 1 month ending August 31st, 2008 and 2 months ending September 30th, 2008.**

Statement of Revenues and Expenditures for August 31st and September 30th, 2008 reviewed prior by City Council.

MOTION made to approve the Statement of Revenues and Expenditures for August 31st, 2008 and September 30, 2008 as stated.

MOTION: Walker SECONDED: Smith

Mayor Persiani explained the Annualized portion of the budget to Alderman Walker. He reported that expenditures were (5,242.19) over revenues. Total Assets are \$577,484.50 Question called:

Show of Hands
APPROVED: 3 – 0

The Statement of Revenues and Expenditures as approved for September 30, 2008 attached hereto and made a part of these minutes.

- III. **Review and consider approval of the proposed expenditures and investments.**

Council reviewed the proposed expenditures prior to the meeting.

MOTION made to approve the expenditures as stated.

MOTION: Smith SECONDED: Standridge

Council looked over the expenditures, question by Alderman Standridge about the TCEQ On-site Council fee expenditure in the amount of \$50.00. This is the fee of \$10.00 for every building permit application where an aerobic system will be installed. Alderman Standridge asked that the question be called.

Show of Hands.
APPROVED: 0 -3

The Expenditure Authorization approved in the amount of \$7,472.13 by Council on October 28, 2008 attached hereto and made a part of these minutes.

IV. Review and act upon Beach City Volunteer Fire Dept. request of funds to purchase "Burn Ban" signs.

Mayor Persiani stated that the burn ban went back in to effect and some dialog between Rusty and Mayor Persiani was that Rusty would help put out more signs, but there were no more signs. We have one sign that the County gave to the Fire Department. Mayor Persiani talked to the Officers of the fire department asked them to tell us what it would take to get more signage out there financially. He also talked to TexDot and learned that something came out earlier in March from Janet Manley, who is in Beaumont. Jay Hammas was present and handed Burn Ban Sign Proposals out to Council. The new locations that they are looking at are at FM 2354 and 1405, an entry point, FM 2354 at 3180 or at 2354 at Kendall Road which is the beginning of their district. Also one could be put at Fisher Rd. and FM 2354. She reported on designs, types of signs, and the cost involved. Mayor Persiani said he talked to Rylan Holzaepfel to see what he could do with this subject. Ryan suggested that you talk to the County Print Shop (the sign shop). It is a County wide problem so they will probably consider the subject and analyze the cost and decide what participation they need from the City. Mayor Persiani said his initial thoughts were it's going to take a while to get the permanent signage concept out there. Maybe we should just get a temporary sign out there and fund the Fire Dept. to go do that and just those three major spots. He asked Council if they would support funding the temporary signs and then have Ryan Holzaepfel and the Fire Dept. continue to follow up on this subject because basically TexDot says Each County government is responsible for the cost, installation and maintenance of the burn band signs.

MOTION made and seconded then amended and seconded to read: Motion to purchase four (4) signs, to be placed at the Fire Dept., near the intersection of Lawrence Drive and FM 3180, Fisher Road and FM 2354 (Mary Dunn's), and near the intersection of 1405 and FM 2354. Not to exceed \$600.00.

MOTION: Smith SECONDED: Walker Show of Hands
APPROVED: 3 - 0

V. Review and act upon authorization for Chambers County to provide aerial mosquito control applications.

Mayor Persiani read the letter from Chambers County Mosquito Control and the document authorizing the use of aerial application methods.

MOTION made that there are no objections to the Chambers County Mosquito

Control's use of aerial application methods for the purpose of mosquito control within the corporate limits of Beach City.

MOTION: Standridge SECONDED: Walker Show of Hands
APPROVED: 3 - 0

VI. Review and act upon sale or exchange of Morrison Drive from Ocean Drive to Trinity Bay.

Mayor Persiani said we have already said we would not abandon the Right-of-Way. He said he would like a motion so we could have discussion because we have representatives here for this issue. He would like to have them (the Morrison's and Dry,s) make one last informational statement for Council's consideration.

MOTION made not to sell or amend the right-of way.
MOTION: Smith SECONDED: Standridge

Discussion: Mr. Morrison said he knew the original thought was that Council was not interested in selling the whole road so we approached you about selling 20 feet on each side, leaving you a strip of 60 feet, which is certainly more that enough for a road. He said he was in quandary as to why that wouldn't make good sense for both City Council and the land owners. No comment from Council. Mayor Persiani and City Attorney Jackson defined what a right-of way is and how it can be used.

Question called:

AMENDED MOTION made not to sell the right-of-way of Morrison Drive from Ocean Drive to Trinity Bay and to encourage it remain unencumbered as defined in the original Right-of-Way Agreement.

MOTION: Smith SECONDED: Standridge Show of Hands
APPROVED: 3 - 0

VII. Review and act upon Proposed Building Permit Ordinance No. 2008-3.

Nothing to report.

VIII. Review and act upon Resolution No. 2008-2 adopting building permit fees.

Nothing to report

IX. Appoint City representative to H/GAC's 2009 General Assembly.

Mayor Persaini was appointed.

X. Review and act upon Beach City authority regarding navigation hazards in Trinity Bay.

GLO is handling this. They are working on moving debris from Trinity Bay.

XI. Review and act upon Preliminary Plat for Hidden Oaks Estate

Subdivision.

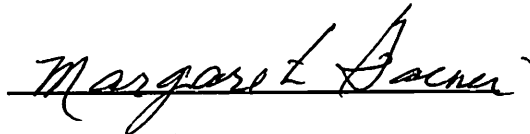
Mayor Persiani said the request from Mike Chandler on behalf of Buddy Johnson. Mr. Chandler provided plats for Council to review. He explained the layout which is in RWJ Airpark. It is a minor plat. Mayor Persiani said Don Brandon's concern is, here is a minor plat with a driveway that does not meet the County Rd. right of way standards. Mr. Johnson will be advised to submit a revised plat for further consideration by the City Council.

ADJOURN

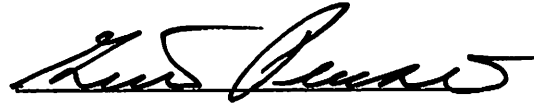
Mayor Persiani adjourned the meeting at 8:43 P.M., Tuesday October 28,2008

ATTEST TO :

APPROVED BY:



Margaret Gainer
City Secretary



Guido Persiani
Mayor