

**BEACH CITY COUNCIL**

**REGULAR MEETING MINUTES**

The Beach City Council met for a Regular Meeting September 2<sup>nd</sup>, 2008 to cover the August 26<sup>th</sup>, 2008 meeting that was not held due to the Agenda not being posted. The meeting was held at the Beach City Community Building. Those present were:

MAYOR: Guido Persiani

MAYOR PRO TEM: Rita Standridge

ALDERMAN: Ray Smith

Vaughn Bercaw

Douglas Walker

Tommy Clayton – Absent

The Mayor called the meeting to order at 7:10 P.M., Tuesday September 2<sup>nd</sup>, 2008.

**I. Review and consider approval of the Regular Meeting minutes of July 22<sup>nd</sup>, 2008.**

The minutes were reviewed by Council prior to the meeting.

MOTION made to accept the minutes.

MOTION: Smith

SECONDED: Standridge

Show of Hands

APPROVED: 4 - 0

**II. Review and consider approval of the Statement of Revenues and Expenditures for 1 month ending July 31<sup>st</sup>, 2008.**

The Statement of Revenues and Expenditures for July 31<sup>st</sup>, 2008 reviewed prior To the meeting.

Mayor Persiani reported on the Statement stating that the revenues were \$8,657.47 and expenditures were \$7,585.28 for a total of \$1,072.19 revenues over expenditures. He reported that The CD at Amegy Bank matured and he just rolled it over at a rate of 3.93% and it matures 07/13/09. Total Assets are \$573,661.12. The interest rate at TexPool as of Sept. 1, 2008 was 2.3245%.

MOTION made to approve the Statement of Revenues and Expenditures for July 31<sup>st</sup>, 2008 as stated.

MOTION: Standridge

SECONDED: Smith

Discussion: Alderman Walker said his question is around maturity dates. Essentially we were trying to do a ladder but when he looks at this we have somewhere around \$250,000 maturing in mid 2009, somewhere we lost the ladder. Alderman Standridge said that was due to the fact that the interest rates changed dramatically. She went on to say that we talked about this immediately and it was decided by consensus that we go with the higher interest short term rates as it was felt that the rates would start going back up fairly soon.

Question asked

Show of Hands

APPROVED: 4 - 0

September 2, 2008

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

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

The proposed expenditures were reviewed by Council prior to the meeting.

Mayor Persiani explained the Office Depot expenditure was for a printer and fax machine. The Office Small Business 2007 Software was needed for the new Lap Top Computer for the Mayor. Alderman Walker called attention to Reginald Nalleys' check #1387 for \$650.00 should have been in the amount of \$350.00. Check #1387 was voided and Ck# 1404 replaced it in the amount of \$350.00.

MOTION made to approve the Expenditure Authorization as stated and amended in the amount of \$7,298.26.

MOTION: Standridge                      SECONDED: Walker                      Show of Hands  
APPROVED: 4 – 0

The Expenditure Authorization approved in the amount of \$7,298.26 by Council on September 2<sup>nd</sup>, 2008 attached hereto and made a part of these minutes.

**IV. Review and act upon request by Natural Gas Company to extend pipeline across McCollum Park Road to the Layton Energy facility.**

Mayor Persiani stated that he don't have anything to present to Council but the original application that Mike Lannou submitted. Don Brandon has said it is acceptable. Alderman Smith said he thinks we should wait for the drawing. This item will be on the next agenda.

**V. Review and act upon minor plat of 5.005 acres in Barrow Ranch Subdivision Section II – Restricted Reserve C.**

Nothing to report.

**VI. Review property appraisal of Morrison Street R.O.W. from Ocean Drive to Trinity Bay for sale or exchange.**

Mr. & Mrs. Dyre was present to present this item. Mr. Dyre handed out copies of the Appraisal Report to Council; he then presented the land Appraisal Report of the Morrison Street R.O.W. When he finished he said they would like for Council to take the next step and place a sign with intent to sell. Mayor Persiani said we can not do anything to night, he made sure to word the agenda item to just review the property appraisal and ask any questions but there is no intent to take any action tonight.

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

Nothing to present.

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

fees.

Nothing to report

**IX. Environmental Services and Nuisance Mitigation**

**A. Review open items on the Environmental Complaints Log.**

Nothing new.

**B. Review Beach City Response to TCEQ Audit.**

The Mayor reported that Reggie Nalley had responded on this and he and Alderman Standridge is working on a response.

**C. Review and act upon Environmental Service request for proposal.**

Mayor Persiani will work on this after discussing it with Attorney Jackson.

**D. Review and act upon revision of Ordinance No. 2004-1 to allow homeowner maintenance of Ross's.**

Mayor Persiani reported that he went to a H-GAC OSSF Workshop on the current TCEQ rules. In 2004 the City decided to follow the TCEQ mandates that had to do with aerobic systems. At the time you had to have a maintenance contract. One of the requirements we have is when you buy a piece of property with an OSSF there is an affidavit that you have to have on file that says if you sell that property, that person must be made aware that there is an OSSF and that party must also have a maintenance contract. The last Legislature changed that one item to the point where they left it to the entity or, in our case, the Authorized Agent for TCEQ can make the requirement that the homeowner must have a maintenance contract. The Health and Safety Code says you can't have a standard that homeowners can maintain their own systems. If you are going to require them to have a maintenance contract then you as an entity declare that. He went on to say before they couldn't do it, now by law they can do it. Our Ordinance says, "We're going to follow the law". Right now anybody in Beach City can maintain there own OSSF. Mayor Persiani stated that TCEQ pointed out that they are going to revise the Affidavit to the Public document that has to be recorded in the County Clerks office and a copy maintained in our files. We will have to review our Affidavit to make sure it is consistent with the new rules.

MOTION made to keep Ordinance No. 2004-1 as currently worded.

MOTION: Smith

SECONDED: Standridge

Show of Hands

APPROVED: 4 - 0

**X. Council Member Comments**

Alderman Standridge reported on Reggie Nalley's accident. He's O.K.

Alderman Smith gave information on the possibility of an aquatic team at the Barbers Hill High School. Mayor Persiani asked him to keep the Council informed.

Alderman Walker said he got a call from a Beach City resident with a complaint about his neighbor, but did not want him to bring it to Council. He wanted to know what the ordinance was concerning how tall grass could be. Alderman Walker told him he knew there was an ordinance but he wasn't sure what it

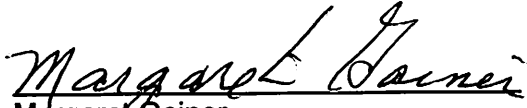
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said about how tall the grass could be. Mayor Persiani said the ordinance was written for OSSF and septic systems; it is written relative to health hazards. Thrash buildup has to be of the nature of a health hazard.

**XI. Adjourn**

Mayor Persiani adjourned the meeting at 9:07 P.M. Tuesday, September 2, 2009

ATTEST TO

  
Margaret Gainer  
City Secretary

APPROVED BY:

  
Guido Persiani  
Mayor