

**MINUTES
THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
MONDAY, JULY 27, 2020**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING ON MONDAY, JULY 27, 2020 AT 6:30 P.M. AT CITY HALL, 7676 WOODWAY, SUITE 300, HOUSTON, TEXAS TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

The Council Meeting was accessible remotely by computer:

<https://8x8.vc/shamrock54152/piney.point>

To join by phone: 1-209-844-4600; when prompted enter code: 65943172#

COUNCIL MEMBERS PRESENT: Mayor Mark Kobelan, Joel Bender, Dale Dodds, Michael Herminghaus, Henry Kollenberg, Brian Thompson

CITY STAFF: Roger Nelson, City Administrator; Karen Farris, City Secretary; Annette Arriaga, Director of Planning & Development; David Olson, City Attorney; Joe Moore, City Engineer

DECLARATION OF QUORUM AND CALL TO ORDER

Mayor Kobelan called the meeting to order at 6:37 p.m.

PLEDGE OF ALLEGIANCE

CITIZENS WISHING TO ADDRESS COUNCIL – *At this time, any person with city-related business may speak to Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquiries about a subject that is not specifically identified on the agenda, a member of Council or a Staff Member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the matter.*

The following residents addressed Council:

Terry Lenert, 11320 Bothwell Way, was present and discussed 2 issues:

- When spraying for mosquitos, the mosquito control truck does not turn off the sprayer when someone is outside. City staff will contact vendor.
- Reminded the City that Piney Point is part of Harris County regarding dangerous and vicious dogs. This will be referred to the police department.

1. Discuss and take possible action on the MVPD monthly report

Chief Schultz updated Council on activities for the month of June. With halfway through the year the police department continues to be under budget; with expending 47% of the budget. The Finance Committee met to discuss the audit report response letter and investment policy.

Currently there are 4 employees quarantined for COVID-19. This does not affect the ability of the police department to provide services. They continue to backstaff

personnel where needed so the MVPD will be fully staffed and responding to all calls for service.

There were 2 burglaries near Green Bay and Hedwig Rd. The crimes were committed by juveniles on bicycles. Extra patrols are working the area. There were burglaries on Plantation which also appear to be committed by juveniles.

There was a suicide by firearm.

The police department continues to work on Strategic Planning. Major projects include replacing the fence, building repairs, and vehicle repairs.

For the month of June, in Piney Point, there were 2,900 calls for service: 2,600 house watches, and 2 accidents. There were 33 citations issued and 4 emergency calls with an average response time of 2 minutes 26 seconds. There were 61 police reports written

Council Member Herminghaus commended the police department on practicing safety measures during the COVID-19 pandemic.

- 2. Discuss and take possible action on the MVPD Employer sponsored 457B Fund**
Chief Schultz explained the police department is requesting a budget amendment to the FY2020 Budget by transferring \$33,000 from line item 130 Health Insurance, to line item 125 Employer Sponsored 457B. The reason for this request is to establish a mechanism for the employee to prepare for post-employment retiree health care. This was in the FY2020 Budget but was removed at the request of one of the other Villages. This is in the FY2021 Budget. The goal is to encourage employees and assist them in long term investment in the 457B plan that can be used to help employees supplement post-employment for health care premiums. Commissioner Southwick and Commissioner Hugenard explained this was one of the items that was voted on to hire and retain employees. There was discussion. Council Member Thompson made a motion to approve Amendment No. 2020-01. Council Member Herminghaus seconded the motion and it passed by a vote of 4 in favor and 1 opposed.

3. Discuss and take possible action on the VFD monthly report

Commissioner Nash provided updates:

- Averaging 1 COVID-19 case a day in the Villages
- The Fire Station remains virus free
- Started cutting trees
- There are 2 resignations; 1 offer and the other employee that submitted their resignation has decided to stay
- They continue to assess the timing of the FEMA reimbursement for COVID-19
- At 2% below budget

Mayor Kobelan handed out information he received from the Texas Medical Center concerning new daily COVID-19 cases.

Mayor Kobelan moved agenda item #18 Wilding Lane pavement width and parking pad material, agenda item #19 Wilding Lane Authorization to advertise and bid and agenda item #9 Discuss and take possible action on Solid Waste Collection Contract after agenda item #3

18. Discuss and take possible action on Wilding Lane – Discussion of pavement width and parking pad material

The City Engineer explained there have been 2 meetings with the residents on Wilding Lane to discuss paving options. Council discussed paving options and parking pad material. Council discussed advertising for 18' width with 2' gravel and for 18' width with 2' asphalt on each side up to side of driveways.

19. Discuss and take possible action on Wilding Lane – Authorization to advertise and bid

Council Member Dodds made a motion authorizing advertising and bidding the Wilding Lane Paving Project. Council Member Bender seconded the motion and it passed unanimously.

9. Discuss and take possible action on Solid Waste Collection Contract

Council considered an amendment to the existing VF waste contract extending the current solid waste contract for five years. The cost would be \$38.11 per home. A representative from VF waste stated the only difference is that the current contract has an annual increase based on CPI. VF waste will cap at 3% for the new contract. Council discussed an extension of the contract for 3 years, with 2, 1-year options. Council is vague regarding the actual document. Council is authorizing the Mayor to execute as an extension of the contract along the terms discussed with the advice from the City Attorney as to the actual document. Council Member Bender seconded the motion and it passed unanimously.

4. Discuss and take possible action on 2021 Preliminary Piney Point Budget

Mayor Kobelan discussed budget changes. The sanitation number will change. HCAD taxable value decreased by \$102,000,000, which changes the property tax revenue and the allocation for Debt Service and M&O. There is not an explanation for the decrease, but this is not a final number. The change to the taxable value will affect the General Operating Revenues, Debt Service, Capital Fund, and Capital Projects. The tax rate is .25514. Council Member Kollenberg motioned to appreciate the Mayor's opinionated proposed budget for the purpose of calculating the tax rate. Council Member Herminghaus seconded the motion and it passed unanimously. Council discussed changes to the property tax rate setting process. The public hearing can be held on August 24, 2020, the same date as the Council Meeting; however, statute requires the tax rate and budget hearings be held in a location within Piney Point city limits. Possibly a Special Meeting can be held by Zoom to discuss only the tax rate and budget. It may also be that the City is required to have a separate published notice meeting to vote officially on the proposed tax rate. The Tax Assessor/Collector will publish required notices in the newspaper. Dates for the Public Hearing were not determined since there are still unresolved questions regarding how the Public Hearing can be held.

5. Discuss and take possible action on streets with setbacks of less than 50' (to P&Z)

There was discussion. Council Member Bender and the City Attorney will work on this item and will return next month for review.

7. Discuss and take possible action on regulations for fences and walls in required yards and rear yards (to P&Z)

Council Member Bender will discuss with Margaret and Cary options for landscaping recommendations from the Beautification Committee. Council Member Bender will provide an update at the next month Council meeting.

6. Discuss and take possible action on Temporary Certificates of Occupancy (to P&Z)

Council Member Herminghaus questioned the initial period of occupancy stated on the Ordinance (7) e. and f. as 30 days, which is currently 45 days. This was an error and will be corrected. Council Member Bender made a motion to take formal action to have the P&Z review the Ordinance related to Occupancy based upon Temporary Certificates of Occupancy, and based upon changes to "e" and "f" indicating an initial period of 45 days. Council Member Herminghaus seconded the motion and it passed unanimously.

8. Discuss and take possible action on non-conforming structures (to P&Z)

There was discussion regarding clarifying or simplifying the language. Council Member Bender made a motion to have the City Attorney clarify the Ordinance before it is passed on to Planning and Zoning for recommendations. Council Member Thompson seconded the motion and it passed unanimously. Council Member Kollenberg made a clarifying motion with respect to the 2 Ordinances. Council Member Kollenberg moved that the 2 Ordinances go together to Planning and Zoning, so the 60-day periods begin when both proposed Ordinances are submitted to Planning and Zoning.

10. Discuss and take possible action on Municipal Court (Kollenberg)

Council Member Kollenberg provided an update on Municipal Court. The discussion included concerns and thoughts regarding Municipal Court:

- The ability and inability to reopen Municipal Court.
- Zoom, there are several cities using Zoom for Municipal Court.
- The ability to do completely remote dockets; The City Attorney has a contact person with TMCEC (Texas Municipal Courts Education Center) that he will coordinate with Maria for some guidance on how to operate virtual dockets.
- Discuss with Bunker Hill and Hunters Creek Municipal Courts to all perform Municipal Court procedures in a uniform manner. It would be 3 cities with 1 court system. It will require more than one clerk for virtual dockets.
- Council Member Bender will assist in contacting 2 companies to assist with AV issues

11. Discuss and take possible action on Moth Infestations (Herminghaus)

Council Member Herminghaus had a concern regarding moth infestations. Council discussed. Residents can treat their yards. Cary explained that infestation of webworms and caterpillars and the damage they can cause to grass. It was

suggested that Cary write a procedure for caring for the lawn and what residents can do should they experience infestations.

12. Discuss and take possible action on signal lights at the Piney Point and Memorial Drive intersection (Herminghaus)

Council discussed the pedestrian crossing at N. Piney Point Rd. and Memorial. The City Engineer will get quotes and recommendations for pedestrian crossing.

13. Discuss and take possible action regarding the Landscape Maintenance Agreement with Westco

Council discussed renewing the City's landscape maintenance contract with Westco Grounds Maintenance. Westco has been providing lawn maintenance since 2017. The 2020 contract is the same cost as the 2019 contract. The City Administrator recommends renewal of the contract with Westco. Council requested information regarding if Westco offers any benefits such as discounts for any prepayment for a future project. The City Administrator will inquire. Council Member Bender made a motion to accept the bid from Westco with the agreement that the City ask about prepayment and authorize the Mayor to execute the contract. Council Member Herminghaus seconded the motion and it passed unanimously.

14. Discuss and take possible action on trail easement

Council discussed the trail easement on the west end of Quail Hollow. Mayor Kobelan explained that the decision was to have all the residents, that have a driveway, that use that street to sign an easement allowing the City to replace the gravel walkway with a paved walkway. Bunker Hill will do the same work on their side. There was discussion determining the width and the need to obtain metes and bounds. The City Engineer will get a cost estimate for the metes and bounds. All survey work has been done. The City Engineer will return next month with the cost for the metes and bounds.

15. Discuss and take possible action on the City Administrator's monthly report, including but not limited to:

- **June 2020 Financials**

The June Financials and the June Monthly Tax Office Report is included.

16. Discuss and take possible action on Chuckanut Ditch Regrade and Culvert Reset Quotes

Council previously requested quotes to regrade the Chuckanut ditch. This is the east/west portion of Chuckanut, off Piney Point. There was discussion. The quotes include lowering 2 culverts and regrading the ditch. Council decided to discuss with the residents of Chuckanut and listen to their concerns before moving forward with this project. Council Member Dodds and Council Member Herminghaus will set up a Zoom meeting with Chuckanut residents to discuss how the City will help the drainage issues.

17. Discuss and take possible action on Sidewalk Repairs Change Order

The City Engineer explained at the last Engineer Meeting it was discussed to do the rest of the sidewalk repairs. Council discussed and decided to do the Sidewalk Trip

Hazard repairs and the sidewalk repair from Millbrook to Blalock. The City Engineer will return next month with quotes for approval.

Mayor Kobelan moved agenda item #18 Wilding Lane pavement width and parking pad material, and agenda item #19 Wilding Lane Authorization to advertise and bid after agenda item #3

20. CDBG-MIT Grant Funding Recap

The City Engineer explained the CDBG-MIT is a program providing an opportunity for assistance in areas impacted by disaster. This was discussed at the Engineer meeting. The City Engineer and the City Administrator met with the grant administrators. The projects they are looking for range from \$3,000,000 - \$10,000,000. Projects must have the same goal. Mitigation projects do not have to be related to disasters. Council discussed projects that could be included. The City Engineer by direction of Council will move forward with applying for grant funding. The application is due the end of October.

21. Discuss and take possible action on the City Engineer's monthly report

Surrey Oaks – is making progress. The contractor is scheduled to finish in August.
Beinhorn Drainage & Sidewalk Improvements Project – the storm sewer is installed from Hedwig to North Piney Point Road and will begin installing storm sewer on Grecian Way. Contractor has begun installing the sidewalk.

Williamsburg and Jamestown Culvert Replacement and Ditch Regrading is completed. There was discussion regarding the water.

2020 Paving Improvements – A geotechnical investigation and report was obtained to finalize the recommendations for pavement rehabilitation for the streets included in this project (full base reclamations, mill and overlay, or overlay only).

Chapelwood Court – Council discussed the ditch along the east side of 11201 Claymore from Claymore Road through to the driveway off Chapelwood Court.

22. Discuss and take possible action on the Minutes of the June 22, 2020 Council meeting

Council Member Dodds made a motion to approve the Minutes of the June 22, 2020 Council Meeting. Council Member Bender seconded the motion and it passed unanimously.

23. Discuss and take possible action on any future agenda items, meeting dates, etc.

Strategic Planning

24. EXECUTIVE SESSION: The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (CONSULTATION WITH ATTORNEY), and pursuant to Section 551.072 of the Texas Government Code

Council adjourned into a closed session at 9:45 p.m.

Council reconvened into open session at 9:55 p.m.

25. Action outside of Executive Session if any

No action taken

26. Adjourn

Council Member Bender made a motion to adjourn. Council Member Dodds seconded the motion and it passed unanimously. The meeting adjourned at 9:56 p.m.

PASSED AND APPROVED this 24th day of August 2020



Mark Kobelan
Mayor



Karen Farris
City Secretary