

**MINUTES  
THE CITY OF PINEY POINT VILLAGE  
REGULAR COUNCIL MEETING  
MONDAY, MAY 23, 2016**

**THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING ON MONDAY, MAY 23, 2016 AT 6:30 P.M. AT CITY HALL, LOCATED AT 7676 WOODWAY, SUITE 300, HOUSTON, TEXAS, TO DISCUSS THE AGENDA ITEMS LISTED BELOW.**

**COUNCIL MEMBERS PRESENT:** Dale Dodds, Henry Kollenberg, Mayor Kobelan, John Ebeling, Joel Bender, and Brian Thompson

**CITY STAFF:** Maggie Carty, City Secretary; Annette Arriaga, Director of Planning, Development, & Permits; David Olson, City Attorney with Olson & Olson; Joe Moore and John Peterson, City Engineers with HDR Engineering.

**DECLARATION OF QUORUM AND CALL TO ORDER**

Mayor Kobelan called the meeting to order at 6:31 P.M.

**CITIZENS WISHING TO ADDRESS COUNCIL**

No citizens addressed Council.

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

Chief Schultz updated Council on the department's monthly activities. A total of 987 events occurred in Piney Point in April. For the entire year, 4394 events have occurred. House watches have increased 32%. At the intersection of Blalock and S. Piney Point, 49 citations were issued during the first few days of the road closure. Chris Alexander informed Council that the budget package will be ready to present at the next meeting along with information on Ticket Writers. Officer Lerma informed Council that the 10<sup>th</sup> Annual Clay Shoot, which raises funds for the Memorial Villages Police Officers Association, will be held on October 19<sup>th</sup> at Westside Sporting Grounds in Katy, Texas.

**2. Discuss and take possible action on the VFD monthly report.**

Zeb Nash informed Council the Commission is working on the 2017 Budget. The proposed budget will reflect a 3% increase in the operating budget, including a 2% increase in salaries, the purchase of a new ladder truck, and possibly a reserve for facilities improvements and repairs. The first newsletter was issued this week.

**3. Discuss and take possible action on a presentation by Kinkaid regarding proposed plans for the west campus.**

Mr. Werlin with Kinkaid presented plans for improvements on the West Campus and requested authorization to move forward. The plans will be submitted to the Planning and Zoning Commission next month.

**4. Discuss and take possible action on an update from St. Francis regarding options to resolve the noise from a rooftop HVAC system.**

Councilman Kollenberg updated Council on St. Francis' proposal for construction of sound barrier walls to comply with the 2000 SUP. The construction would involve increasing the height of partition walls and covering them with sound absorbing material. The City will send a letter to surrounding residents informing them of the project. St. Francis will update Council at the June meeting.

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

- **April 2016 Financials**
- **Update on Mosquito Spraying**

Maggie Carty, City Secretary, presented the April 2016 financials to Council. She also informed Council of the increased schedule in mosquito spraying which was authorized by Mayor Kobelan.

**6. Discuss and take possible action on the Sign Ordinance.**

Councilman Kollenberg suggested the Sign Ordinance go to the Planning and Zoning Commission for review and recommendation. No action was taken.

**7. Discuss and take possible action on the Engineer's Report regarding ongoing projects.**

John Peterson, City Engineer, updated Council regarding the City projects. The ability to make U-turns on Memorial was discussed. John Peterson informed Council about a problem with AT&T cable bundles which are in conflict with and causing a delay in the completion of the S. Piney Point / Blalock project. HDR, along with David Olson, will look for a workable solution to get the project back on schedule as quickly as possible.

**8. Discuss and take possible action on an emergency repair at the Tynewood Ditch at Memorial Drive.**

Councilman Kollenberg made a motion to declare an emergency repair and to authorize the Mayor to approve the expense up to \$150,000 after consulting with the engineers. Councilman Dodds seconded the motion and it passed unanimously.

**9. Discuss and take possible action on proposed new drain hole cover at 9 Smithdale Estates.**

HDR will design and estimate the cost of a new drain hole cover and the Mayor will use his discretionary authority to approve the expense if under \$5,000.

- 10. Discuss and take possible action on the Inter-local Agreement with Memorial Villages Water Authority for replacement of a 24” sanitary sewer in conflict with the S. Piney Point /Blalock Project.**  
Councilman Bender made a motion to approve the Inter-local Agreement with Memorial Villages Water Authority which allows reimbursement to the City for replacement of a 24” sanitary sewer conflict during the S. Piney Point/Blalock Project. Councilman Dodds seconded the motion and it passed unanimously.
- 11. Discuss and take possible action on the Proposal for Engineering Services for the Final Design of Smithdale Estates Bypass Project.**  
Councilman Dodds made a motion to approve the Proposal for Engineering Services for the Final Design of Smithdale Estates Bypass Project. Councilman Ebeling seconded the motion and it passed unanimously.
- 12. Discuss and take possible action on the Proposal for Engineering Services for the Final Design of the N. Piney Point Road Paving and Drainage Improvement Project.**  
Councilman Dodds made a motion to approve the Proposal for Engineering Services for the Final Design of the N. Piney Point Road Paving and Drainage Improvement Project. Councilman Bender seconded the motion and it passed unanimously.
- 13. Discuss and take possible action on the Proposal for Engineering Services for the Final Design of Lanecrest Drainage Improvements.**  
Councilman Dodds made a motion to approve the Proposal for Engineering Services for the Final Design of Lanecrest Drainage Improvements. Councilman Ebeling seconded the motion and it passed. Councilman Kollenberg was opposed.
- 14. Discuss and take possible action on an Amendment to Engineering Contract for S. Piney Point/Blalock Project - Bunker Hill Inter-local Agreement Improvements.**  
Councilman Bender made a motion to approve the Amendment to the Engineering Contract for S. Piney Point/Blalock Project in regards to the Inter-local Agreement with Bunker Hill. Councilman Ebeling seconded the motion and it passed unanimously.
- 15. Discuss and take possible action on an Amendment to Engineering Contract for S. Piney Point/Blalock Project – Memorial Villages Water Authority Inter-local Agreement Improvements.**  
Councilman Bender made a motion to approve the Amendment to Engineering Contract for S. Piney Point/Blalock Project in regards to the Inter-local Agreement with Memorial Villages Water Authority. Councilman Ebeling seconded the motion and it passed unanimously.

**16. Discuss and take possible action on the minutes for the April 20, April 25, and May 9, 2016 City Council Meetings.**

Councilman Dodds made a motion to approve the minutes subject to revisions suggested by Councilman Kollenberg to Item 12 of the April 25<sup>th</sup> meeting minutes. Councilman Ebeling seconded the motion and it passed unanimously.

**17. Discuss and take possible action on any future agenda items.**

For scheduling purposes, Councilman Kollenberg suggested all Council Members let the City Secretary know of any vacation schedules for the summer. Councilman Dodds discussed adding to a future agenda approval of a second drainage study.

**18. EXECUTIVE SESSION: The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (CONSULTATION WITH ATTORNEY), specifically regarding pending and potential litigation; and pursuant to Section 551.072 of the Texas Government Code (DELIBERATION ABOUT REAL PROPERTY), specifically to deliberate the purchase, exchange, lease, or value of real property; and pursuant to Section 551.074 (PERSONNEL MATTERS), specifically to discuss the City Administrator position.**

Council adjourned into Closed Executive Session at 8:25 P.M.

**19. Action outside of Executive Session, if any.**

Council reconvened in Open Session at 9:00 P.M. No formal action was taken.

**20. Discuss and take possible action on Resolution 2016.05.23 concerning the use of eminent domain to condemn an easement and two temporary construction easements across property located at 7 Smithdale Estates for the construction of a storm water sewer line as part of the City's Smithdale Estates Bypass Drainage Project.**

Councilman Kollenberg made a motion that the City of Piney Point Village authorize the use of the power of eminent domain to acquire an easement across the 1,789 square foot tract of land, together with a temporary construction easement across the 895 square foot and 1,989 square foot tracts of land on the Ellison property for the construction of a storm water sewer line as part of the City's Smithdale Estates Bypass Drainage Project pursuant to Resolution 2016.05.23. Councilman Dodds seconded the motion. A roll call vote was taken:

All in favor:

Councilman Dodds – Aye  
Councilman Kollenberg – Aye  
Councilman Ebeling – Aye  
Councilman Bender – Aye  
Councilman Thompson – Aye

Motion passed unanimously.

Councilman Kollenberg further moved to authorize the Mayor to authorize Loren Smith, with Olson & Olson, to file the eminent domain suit at such time as he believes appropriate. Councilman Bender seconded the motion and it passed unanimously.

**21. Adjourn**

Councilman Bender made a motion to adjourn. Councilman Thompson seconded the motion and the meeting adjourned.

**PASSED AND APPROVED this 27th day of June, 2016.**

  
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**Mark Kobelan**  
Mayor

  
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**Maggie Carty**  
City Secretary

