

**MINUTES
THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 25, 2017**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING ON WEDNESDAY, SEPTEMBER 30, 2017 AT 6:30 P.M. AT ST. FRANCIS EPISCOPAL CHURCH – HOGAN BOARDROOM, 345 NORTH PINEY POINT ROAD, HOUSTON, TEXAS, 77024 TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

COUNCIL MEMBERS PRESENT: Mayor Mark Kobelan, Mayor Pro Tem John Ebeling, Dale Dodds, Henry Kollenberg, Joel Bender, Brian Thompson

CITY STAFF: Roger Nelson, City Administrator; Karen Farris, City Secretary, Loren Smith, City Attorney, Olson & Olson; Joe Moore, HDR, Inc., Aaron Croley, HDR, Inc.

DECLARATION OF QUORUM AND CALL TO ORDER

Mayor Kobelan called the meeting to order at 6:33 p.m.

PLEDGE OF ALLEGIANCE

CITIZENS WISHING TO ADDRESS COUNCIL - *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquires 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.*

1. Public Hearing – Tax Rate

The tax rate is proposed at \$0.25514 per \$100. This is the 6th year that the tax rate has been the same. It was raised 6 years ago to pay for bonds that were to be used for drainage. The City has issued all of those bonds. The debt service on those bonds is roughly a million and a half dollars a year which is 21% of what the city collects in property taxes. Right now, the tax a person pays would be \$2,550 per million value.

There was one question from resident John Driscoll. Mr. Driscoll wanted to know if his proposal was submitted to the city attorney. Mayor Kobelan stated he would forward the proposal to the city attorney.

2. Public Hearing – FY 2018 Budget

Council discussed what the city receives in property taxes, permits, court fees, franchise taxes, and other, the total revenue for the general operating fund is just over 6.7 million dollars. The funds are used for police service, fire service, sanitation, contract services, building services expenses, general government, court expenses, public works and maintenance. The total amount of those items is 5.299 million dollars which leaves roughly \$1,400,000 for capital projects. Capital Projects can be anything from street repairs, drainage projects and anything that comes up throughout the year.

The city included as possible capital projects for next year the fire station improvements with the city share at \$300,000, the Virtual Gate project at \$350,000, and road improvements at \$50,000 for a total of \$700,000. These are not projects that have been approved. These are items that were added to see what would be left if these projects were actually done. There will be 1.4 million dollars remaining for projects that are open.

3. Discuss and take possible action on adoption of Ordinance 2017.09.25A regarding approval of the proposed FY 2018 Budget

Council discussed whether the city should include the virtual gate or fire station remodel in the budget. The fire station remodel is more likely depending on the proposal and the budget. The idea on the virtual gate is, it's going to cost approximately a million dollars for the initial installation and engineering. Council believes the fire department remodel is more realistic. Discussion continued that the fire department would like to get started at the end of 2018 and finished in 2019. The idea was to split the cost into 2 budgets. Council agreed about including the fire department remodel in the budget. The virtual gate not so much.

Councilmember Kollenberg moved to adopt the budget ordinance with the notation that the budget being adopted is the budget proposed by the mayor without the mention of the virtual gate project. Councilmember Bender seconded the motion and it passed unanimously.

Councilmember Kollenberg brought to council's attention that during the public hearing for the tax rate council was supposed to announce when the vote would be. At this time Mayor Kobelan announced the vote on the tax rate will be at 8:30 Thursday morning, September 28, 2017 at St. Francis Episcopal Church.

Pledge of Allegiance

4. Discuss and take possible action regarding the City's options for Smithdale Estates paving

Smithdale Estates paving has been approved and will be moving forward. Approval has been granted to remove half of the street, turning the corner and then going to #7 Smithdale Estates. The City has 2 alternates. Alternate one is to replace all of the concrete, both lanes on Smithdale Estates, all the way to the end of #7 at a cost of \$193,650. Alternate #2, is to continue replacing pavement all the way down and around the cul-de-sac which would be an additional \$118,775. The total being approximately \$310,000 for both. The basic difference is the difference between removing and replacing 1600 sq. yds. for Alternate #1 and 1000 sq. yds. for Alternate #2

Residents from Smithdale Estates were present and shared their concerns with council. Residents were concerned that during construction the big trucks and heavy equipment would damage property and streets. The issue is to keep the big trucks and heavy equipment off the surface that is not being repaired. Residents had a concern regarding the finished repairs. They were concerned that the elevation of the concrete, of different portions of the road, would not meet together perfectly. Joe Moore, of HDR Engineering explained that the concrete roads are designed to hold big loads, but, there are no guarantees. Joe explained the new pavement will be tied to pavement so there shouldn't be a difference in the settling. The contractor will take pictures and document

the street and surrounding properties prior to construction. Any damages to property will be repaired as stated in the contract. The city does expect the resident to inform the city if damages to property occur.

There was discussion regarding flooding on Marchmont Dr. Council explained the flooding on Marchmont Dr. is not part of this discussion. Council added that HDR Engineering performed a study that explained why there was flooding on the bayou and less flooding elsewhere. The results was that the rate the rain came down was not as high as the previous 2 rains. This information was based on the measurements that Harris Flood Control receives from the gauges throughout the city.

Councilmember Dodds made the motion to approve Alternate #1, the removal and replacement of the concrete pavement on the west side of Smithdale Estates from Smithdale Road through #7 Smithdale Estates. Councilmember Ebeling seconded the motion and it passed with a vote of four in favor and one against. This includes paving both sides of the street up to the end of the construction part for the amount of \$193,650. This does not include the cul-de-sac.

The second option the City will consider is to add Alternate #2, the removal and replacement of the concrete pavement from #7 Smithdale Estates through the cul-de-sac. Motion was not introduced. The City of Piney Point will do Alternate 1 and will not do Alternate 2.

5. Discuss and take possible action on the MVPD monthly report and request to amend budget to add \$5,606.37 to the Capital Fund from Forfeitures and to add \$14,266.24 from the Village Fire Insurance Cooperative Disbursement to the Capital Contingency Account. (This item was tabled 08/30/2017)

Chris Alexander, Police Commissioner explained that this amendment was being done for the purpose of recordkeeping. The amount of \$14,266.24 was a refund check from the Insurance Cooperative. The \$5,606.37 is money that was in the evidence room that had gone unclaimed for many years. The police department was finally given clearance to dispose of this money.

In terms of the monthly report, the police department was extremely busy during Hurricane Harvey. There were a number of rescues, very long hours, and employees ate and slept at the police department. As a result of additional expenses related to Hurricane Harvey including preparation, overtime, and building repairs; the police department will be coming forward with a budget amendment. The net total will not exceed \$150,000 or \$50,000 for each city.

Councilmember Bender made a motion to amend the MVPD budget to add \$5,606.37 to the Capital Fund from Forfeitures and to add \$14,266.24 from the Village Fire Insurance Cooperative Disbursement to the Capital Contingency Account. Councilmember Ebeling seconded the motion and it passed unanimously.

Councilmember Kollenberg noted for the record that even though he voted to amend the MVPD budget on this agenda, the idea of taking money that was not related with vehicles or capital improvements and not deposit it into the general fund was unusual.

Councilmember Kollenberg also added in regards to the forthcoming budget amendment related to Hurricane Harvey expenses that even though council has not officially approved the budget amendment, there are funds in the police department line item that if a \$50,000 request was received, an advancement would be made and the budget amendment could be approved at a later date.

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

The Fire Commissioner, Zeb Nash commended the police department for the excellent communications they distributed throughout the storm. The Fire Department participated in over 260 water rescues during the storm period. Not all rescues were in the Villages, some were in Houston. Fire responders waded through contaminated water which resulted in ruining equipment. Most will be reimbursed by FEMA. The new ladder truck had approximately \$20,000 of water damage which was covered by insurance; however, there will be discussion with the insurance company regarding water damage to the building. The insurance company does not believe water damage is covered under the policy. The driver of the ladder truck is in Puerto Rico assisting in recovery efforts, which again, shows the dedication of the first responders and public safety personnel. The Fire Department believes FEMA will cover all of the storm related expenses.

Council express their appreciation to the Fire Department for the great work they did. Councilmember Kollenberg made a motion to authorize the Mayor with the assistance of the City Administrator to issue an appropriate proclamation expressing their appreciation to the members of the police and fire departments. Councilmember Thompson seconded the motion and it passes unanimously.

7. Discuss and take possible action on ratification of the curfew following Hurricane Harvey

No discussion and no action taken

8. Public Hearing – Temporary Certificates of Occupancy

The Public Hearing of the Piney Point City Council was called to order at 7:26 p.m. by Mayor Mark Kobelan to discuss Temporary Certificates of Occupancy.

This agenda item calls for the City Council to hold a Public Hearing on the proposed changes to the Code of Ordinances and discuss and consider approval of Ordinance 2017.09.25B regarding the issuance of Temporary Certificates of Occupancy. This was previously discussed, pushed back, and then it went to the Planning and Zoning Commission and they have returned with a proposal that is similar to what has been discussed with one change, which is, changing the time allowed for Temporary Certificate of Occupancy to go from 30 days to 45 days. The Temporary Certificate of Occupancy will only be issued if the house is completed. The applicant is required to post a \$25,000 security cash deposit and be completely done in about 45 days or forfeit \$2000.

The Public Hearing closed at 7:28

9. Discuss and take possible action on Ordinance 2017.09.25B regarding Temporary Certificates of Occupancy

Councilmember Bender made a motion to amend Ordinance 2017.09.25B regarding Temporary Certificates of Occupancy. Councilmember Ebeling seconded the motion and it passed unanimously.

10. Discuss and take possible action on landscaped island at the intersection of South Piney Point Road and Memorial Drive

Mayor Kobelan explained this agenda item. If heading east on Memorial Drive and you want to turn south on Piney Point Rd. there is a 90 degree turn. This is a very narrow street. Larger vehicles basically can make the turn, but the larger vehicles drive over the curb and landscaping. There has been discussion about the possibility of moving the curb, or making the curb curved or even cutting the corner, but there is an electric pole at that location and it would be very expensive. Anything dealing with changing the road must be approved by Harris County. Another option would be to build what is equivalent to a 50 foot piece of sidewalk approximately 3 feet wide and 10 inches thick. This would be level with the top of the curb. Joe Moore of HDR will request quotes from contractors and does not anticipate the cost to be over \$50,000.

11. Discuss and take possible action on Hedwig Road sidewalk

Council discussed placing crossing stripes on Hedwig Road at the request of a resident who lives on Hedwig Green. Her children cross Hedwig to go to grade school. There is no crossing at the end of the street. The location is approximately 80 feet before the stop sign. There is no sidewalk on that side of Hedwig. The property on that side of the street, up to the residents lot line, is the property of Piney Point. Jim Pappas informed Mayor Kobelan they would be willing to pay for it. This would be similar to the agreement Piney Point has with Hedwig Village for the sidewalk on the northside of Beinhorn. That too is the property of Piney Point; however, Hedwig maintains it. Council will look at the situation with placing a crossing and a sidewalk depending on the presence of a ditch.

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

- **August 2017 Financials**
- **Debris Removal – Site Cleaning**

There was no discussion regarding the August 2017 Financials. Council discussed the debris removal. Debris removal is going slowly. Piney Point had 2 trucks since last Wednesday, and 4 more are needed. The contract does not stipulate the number of vehicles provided. The other item of importance is the first area that debris was taken down was on N. Arrowood Circle. That was finished today, but there was a lot of insulation still on the ground. Currently waiting for proposals from Yellowstone and Yardworks to determine the cost to clean up after the cleanup. Debris is not piled on private property but is piled up on the right-of-way.

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

- a. **Site Visit 09/14/2017**
- b. **Inclinometer Schematic**
- c. **S. Piney Point Point Repairs Pics**
- d. **S. Piney Point Voids**
- e. **OPCC Sidewalk on Smithdale**
- f. **Master Drainage Study Update – DRAFT Scope**

Joe Moore of HDR, Inc. was present to give a monthly report.

N. Piney Point Rd: Water line adjustments were done. There were a few issues with the contractor; however, the project is going well. They are scheduled to do 3 adjustments a day. The sidewalk on the north end is starting to progress.

Smithdale Estates is going well. The contractor has moved over to the west side of Dana Lane. Last week they did some exploratory work; looking for utilities. They hope to finish by Halloween.

Harvey Related Repairs: The voids on S. Piney Point Rd. were caused by piping in which water moves the soil. The Geo Tech Engineer has some concern about the stability of the road. Issues were noticed that are evidence that the road may have settled some. It's undetermined if the issues are related to Harvey or has been like this for years. The recommendation for the city is to watch the voids for about a month for any changes that may occur. A contractor will be filling in the voids. A change order will be done to include the additional voids. As far as the road stability is concerned, there are a couple of different things to do. One is watch the road and notice if cracks or the road starts shifting. The second is to set some survey bench marks, and the third is combination of watching and surveying; plus adding inclinometers. A rough estimate of \$50,000 to install 3 meters and then pay an additional \$6,100 +/- to take readings and provide a report. This is the most though method. HDR works with Land Tech Engineering to set the survey benchmarks. The cost is approximately \$1,500 per benchmark. If council chooses to install inclinometer, Joe will bring back a full proposal. If council wants to monitor or survey elevations, Joe will get a quote and bring it to the next meeting. Installing survey benchmarks would be the first step.

The last of Hurricane Harvey related repairs is asphalt repairs. Windemere is still outstanding. The City of Houston re-bid. They may start around Thanksgiving.

Councilmember Dodds requested a cost estimate to connect the sidewalk on the south side of Smithdale between Lanecrest and Dana. At this time there's a sidewalk in front of the school. It goes to Dana and stops. The cost estimate for a 5 foot sidewalk is \$17,000. Council requested an estimate for a 7 foot sidewalk.

A Master Drainage Study Update was last done in 2010. The update will need to be coordinated with surrounding cities.

14. Discuss and take possible action on ditch regarding quotes for routine maintenance (This item was tabled 08/30/2017)

There are several streets in which the City does routine ditch regrading. Discussion followed. There have been comments that the City should look at Wilding Ln. and add it to the regrading. The lowest bidder is Donmar Grading. They have been doing ditch regrading for years and have provided a bid of \$25,913.75. After the ditch has been regraded it is left as is, meaning there is never any re-sodding or hydro mulch. Joe Moore recommends that council authorize Donmar to regrade the ditches. Councilmember Kollenberg moved to accept the bid for Donmar Grading and assuming he will give us the same pricing per quantity that we add such quantities as the Mayor

and City Administrator believe appropriate on Wilding. Councilmember Bender seconded the motion and it passed unanimously.

15. Discuss and take possible action on quotes for asphalt point repairs on S. Piney Point & Memorial Drive

This is a work in progress. Will get bids. Tabled

16. Discuss and take possible action on 351 Tynebridge quotes for storm sewer and driveway repair (This item was tabled 08/30/2017)

There was discussion. The pipe has roots in it which indicates that there are holes in the pipe. That may be where the void is under the driveway. Councilmember Bender made a motion to approve the repair not to exceed \$18,500. Councilmember Ebeling seconded the motion and it passed unanimously.

17. Discuss and take possible action on City of Bunker Hill water line (This item was tabled 08/30/2017)

The City of Bunker Hill submitted water line plans to put a water line on the west side of Blalock Rd. Not the entire length, but in between a couple of streets. They have a line there now and this would be replacing that line. HDR had a concern of where they wanted to put the line. When Piney Point repaved Blalock Rd. there was a big ditch so the west side of the road was stabilized. The location of where they want to put the waterline is 2 feet off the stabilized subgrade, so when they cut a trench they're going to get into the stabilized subgrade and ruin the integrity of that portion of the road. Council discussed and questioned if an Interlocal Agreement exists and if one doesn't, one should. Joe will confirm if an Interlocal Agreement exists. No action taken.

18. Discuss and take possible action on Smithdale Estates Bypass Change Order No. 2 – Grout Filling

Council discussed. Instead of removing the pipe and possibly creating voids, leave the pipe in place and fill with grout. Councilmember Dodds made a motion to approve the Smithdale Estates Bypass Change Order No. 2 – Grout Filling. Councilmember Thompson seconded the motion and it passed unanimously.

19. Discuss and take possible action on North Piney Point Road InstaValve

There are multiple water line adjustments required on N. Piney Point Road. This will require that a section of the water line that feeds to St. Francis and Memorial Drive Baptist Church be shut down. City Engineer will contact the churches to provide an advanced notice of water interruption and/or determine what day would be best.

20. Discuss and take possible action on the minutes of the August 30, 2017 Council meeting.

Councilmember Dodds moved that the minutes of the August 30, 2017 Council Meeting be approved. Councilmember Bender seconded the motion and it passed unanimously.

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

A Special Meeting is scheduled 09/28/2017 for the approval of the proposed 2017 tax rate. An Emergency Meeting is scheduled 09/28/2017 to consider Resolution 2017.09.28 regarding extension of disaster declaration.

22. 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.

Executive Session was not needed.

23. Action outside of Executive Session, if any
Not applicable


24. Adjourn

Councilmember Bender made a motion to adjourn at 8:30 pm. Councilmember Ebeling seconded the motion and the meeting adjourned.

PASSED AND APPROVED this 23rd day of October, 2017.



Mark Kobelan
Mayor



Karen Farris
City Secretary

