

**MINUTES  
OF CITY COUNCIL REGULAR MEETING  
CITY OF PINEY POINT VILLAGE  
7676 WOODWAY, SUITE 300  
MONDAY MARCH 22, 2010**

**DECLARATION OF QUORUM AND CALL TO ORDER**

Mayor Bresenhan called the meeting to order at 6:00 p.m. the following were in attendance: Mayor Bresenhan, Mayor Pro Tem Ebeling , Mr. Kollenberg, Mrs. Goodall, Mr. Nemeth, Mr. Dodds, City Attorney Bill Olson, City Administrator Terri Johnson, City Secretary Davenport

**PLEDGE OF ALLEGIANCE** – Mayor Bresenhan led the Pledge of Allegiance

**CITY ANNOUNCEMENTS** - Urban Forrester Cary Moran announced the Piney Point Village plans for Arbor Day on February 27, 2010 and gave a big thank you to Vickie Driscoll for all of her help with the Arbor Day fliers and announcements. Additionally Mrs. Moran announced that Piney Point Village has received the Tree City USA designation again this year. Resident Bill Bounds will take orders for trees and deliver them directly to the resident and also plant them if requested.

**CITIZENS WISHING TO ADDRESS COUNCIL** – none at this time

**COMMISSION REPORTS –**

Commissioner Chris Walker for the Police Department was not in attendance. Police Chief Gary Brye answered questions from Council member Kollenberg about the MVPD's budget process.

**Fire Commissioner Janet Zimmerman** told City Council that all six villages had passed resolutions supporting the interlocal agreement which called for the Fire Chief to answer to the Fire Commission.

**FINANCIALS**

1. Receive report from Randy Reimer regarding financials.

Mr. Reimer was not present, Council reviewed the report that was included in their packet and no comments were made.

## **BUILDING**

2. Consider and take possible action on revising A/P Procedures.

Mayor Bresenhan stated that she had concerns regarding herself approving invoices as well as signing the checks. She read an email from the City's accountant, Randy Reimer also regarding this issue and expressing his opinion and the current practices the City uses.

Following discussion by the City Council, it was suggested that the Mayor approve invoices before checks are issued and two Council members sign the checks. Mr. Kollenberg stated that in the policy he would like to see the signers specifically named. The City Administrator was directed to bring this back to City Council in written form for the next meeting.

3. Consider and take possible action regarding residential general/noise nuisance ordinance.

The City Administrator explained that previous action by the City Council relating to adding a noise level to the generator ordinance had not included a decibel level and presented a proposed Ordinance for City Council approval.

City Electrical Inspector Dennis Adams and the City's Building Official Annette Arriaga addressed the Council regarding the sound level of generators and explained that acceptable levels are up to 75 DBA up to 23 feet away from the generator.

It was decided that an ordinance amending the noise abatement section of the City Code was needed rather than the ordinance amending the zoning ordinance relating to generators. The City Attorney is to bring back a proper ordinance for City Council consideration at the next meeting.

4. Consider and take possible action on expired building permit for 9A Woods Edge.

Annette Arriaga reported to the City Council on the status of the building permit for 9A Woods Edge which will expire on March 23, 2010. She asked for direction from the City Council regarding how to proceed with this unsightly and potentially dangerous construction site.

City Attorney David Olson stated that there are sub-standard structure guidelines in place to handle this if that is the direction that Council wants

to proceed. He also explained the options for the City to take for obtaining compliance.

Motion by Councilmember Kollenberg to authorize staff and the City Attorney to initiate proceedings and move forward in accordance with Chapter 214 of the Local Government Code to issue notice to the property owners and lien holders.

Second by Councilmember Goodall

Motion passed: all for

8. Consider and take possible action on prohibiting parking on Greenbay Drive at any time.

Council member Dale Dodds reported that Mr. Bob Lindsey, Business Manager at Chapelwood, had inquired what the City could do to prohibit parking on Greenbay Drive as it is a nuisance on Sundays to have people parked along that street.

It was suggested that Chief Brye and Mr. Dodds visit with the church and find out exactly what they had in mind.

No action was taken.

9. Consider and take possible action on changing type of winter celebration event.

Mayor Bresenhan asked Police Chief Brye (who also acts as Santa Claus) if he felt there were enough people in attendance at the 2009 event to justify the expense. Chief Brye reported that only 50-60 people participated and this number was down from previous years.

Mayor Pro Tem Ebeling suggested that this decision be left up to the next City Council to consider and that maybe the event should be scaled back to previous years when it was held at Carol Tree Park and the attendance was substantial.

## **ENGINEERING**

5. Receive proposal from Claunch & Miller for engineering on Blalock Phase I and possible action thereon.

A lengthy discussion was held regarding this proposed project outlined in the Master Drainage Plan and possible financing of the project.

Councilmember Kollenberg would like to ensure the Harris County is on board with this project before spending any money in engineering fees.

City Engineer John Peterson presented the proposal for total fees for the preliminary engineering plan to be \$49,570.

Motion by Councilmember Dodds to accept the Blalock Phase I Preliminary Engineering Report  
Second by Mayor Pro Tem Ebeling

Motion passed: all for

7. Discussion of Smithdale, Claymore and Hedwig projects and March 9 public meeting and consider and take possible action to request Claunch & Miller to prepare and present proposal for final engineering and other action in connection with progress on these projects.

John Peterson presented this item and reported that he is trying to coordinate with Spring Branch ISD but will continue the valuation of the pipe and move forward with Smithdale and Claymore at the same time. Claunch and Miller will present a fee proposal for all three roads in one engineering package but the construction packet will be Smithdale/Claymore in one and Hedwig in another.

Following discussion, the City Engineer was directed to bring the final design for the Metro projects on Smithdale, Claymore and Hedwig back to City Council for approval on April 12<sup>th</sup>.

6. Discussion with engineers of additional work in connection with drainage study, discussion of scope of drainage study and contract with Claunch & Miller and possible action thereon.

Cary Moran, the City's Urban Forester, reviewed the trees that would need to be removed to complete the Innisfree Drainage Improvement Project. Mrs. Moran agreed that this removal is a necessity and stated that it may not be her recommendation to replace the trees with pine due to the size and that the problem would recreate itself as the trees grew.

City Engineer John Peterson told the City Council that he had visited with most of the property owners regarding driveway replacement for this same project. It was agreed that only a plain concrete driveway would be replaced and if the home owner wanted additional work done to the driveway, it would be between the home owner and the paving contractor.

Additional tasks that the City Engineer was authorized put in the fee proposal for the roadway projects include:

1. Verify the design capacity of the Soldiers Creek Bypass.
2. Evaluate the possibility of diverting flow away from Soldiers Creek to the Soldiers Creek Bypass.
3. Evaluate the possibility of upsizing the proposed drainage system on Smithdale Road and Claymore Road for potential bypass systems for Soldiers Creek.
4. Evaluate the possibility of using a restrictor in Soldiers Creek to force more flow from Soldiers Creek through the Soldiers Creek Bypass.

It was also agreed that evaluating the hydraulic conditions of Soldiers Creek with the nine identified pedestrian bridges replaced would be accomplished in on-going services by Claunch & Miller.

It was requested that these items be discussed further at the April 12<sup>th</sup> City Council meeting for finalizing priorities and submitting the final stamped plan.

## **ADMINISTRATIVE**

10. Consider and take possible action on best approach to replacing Piney Point's city limits signs.

Mayor Bresenhan pointed out that the city limit signs were shabby and one was even missing. She also stated that she felt the signs should be lighted.

Following discussion by the City Council, Council member Julie Goodall was asked to check with the man who had been contacted by the previous City Council to refurbish the signs and find out the status of his work

11. Consider and take possible action on approval of minutes for the City of Piney Point Village February 22, 2010 and March 8, 2010 council meetings.

Motion by Mayor Pro Tem Ebeling approving the Feb. 22 and March 8, 2010 minutes.

Second by Councilmember Dodds

Motion passed: all for

13. Consider and take final action on closing City Hall between 12:00 – 1:00 Monday through Thursday.

The City Administrator pointed out that initial Council action closing City Hall for the noon hour was to be brought back to Council after a trial period of 3 months.

Motion by Mayor Pro tem Ebeling to continue to close City Hall for the noon hour from 12:00 – 1:00 Monday-Thursday.  
Second by Councilmember Goodall

Motion passed: all for

14. Consider and take action on declaring the May 2010 election candidates unopposed and cancelling the May 2010 City of Piney Point general election.

Mayor Bresenhan stated that the following are unopposed for Council positions for the May 2010 election:

Mayor	Peter G. Nemeth
Alderman	Joel Bender
Alderman	Henry Kollenberg

Motion by Mayor Pro Tem Ebeling to approve Resolution 10.03.22  
Second by Councilmember Dodds

Motion passed: all for

12. Consider and take action on establishing a policy outlining procedures for city staff to bring to the mayor unresolved issues with the city administration.

Following discussion of the Mayor's concerns, the City Attorney stated that there needs to be a written document outlining an avenue for due process for the employees to have grievances heard. Mr. Olson was directed to bring a readable document back to City Council for approval.

15. The City Council of the City of Piney Point Village may adjourn into closed executive session for discussion pursuant to Texas Local Government Code § 551.071 Consultation with City Attorney regarding city citations.

The Mayor adjourned the regular City Council meeting and convened the executive session at 8:22 PM.

Mayor Bresenhan announced that no action had been taken in the closed session and adjourned the executive session at 8:49 PM.

With no further business at hand, the Mayor adjourned the City Council meeting at 8:50 PM.

PASSED AND APPROVED THIS 12th DAY OF April, 2010.

/s/ Karey Bresenhan  
Karey Bresenhan, Mayor

Attest:

/s/ Amanda Davenport  
Amanda Davenport, City Secretary