

**MINUTES OF
CITY COUNCIL MEETING
CITY OF PINEY POINT VILLAGE
7676 Woodway, Suite 300
Monday, April 12, 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 John Ebeling, Mr. Kollenberg, Mr. Nemeth, Mr. Dodds, City Attorney David Olson, City Administrator Terri Johnson, City Secretary Davenport, City Engineer John Peterson. Councilmember Julie Goodall was absent.

PLEDGE OF ALLEGIANCE – Mayor Bresenhan led the Pledge of Allegiance

CITY ANNOUNCEMENTS -

Mayor Bresenhan announced that George Turner, who had led the Pledge of Allegiance at a recent Council meeting, had completed all of the requirements and was now an Eagle Scout.

She also announced that the Memorial Villages Water Authority does not want a cell phone tower on its property. The cell tower project is now back in the residents' hands.

Councilmember Peter Nemeth stated that he had recently attended meetings regarding Metro Funding. He reported on the possibility that the revenue sharing agreements with the 14 small cities would not be renewed when they expire in 2014. Mr. Nemeth stated that the Piney Point Village budget would be impacted by about two hundred thousand dollars per year and Piney Point Village would not have a huge voice in this matter. He reported that County Judge Emmett was not aware of this possibility and stated that he would join with the small cities to try to ensure this funding did not go away.

CITIZENS WISHING TO ADDRESS COUNCIL – No citizen in attendance to speak at this time.

2. Consider and take possible action regarding the agreement between Jacosoft, LLC and the Village Mayors utilizing the DeltAlert System software at the Village Fire Department for public service announcements to residents of the villages.

Piney Point Village's Fire Commissioner Janet Zimmerman introduced Battalion Chief Howard Miller who was present to answer questions from the City Council for this communication system agreement between the Village Mayors and Jacosoft, LLC. Chief Miller stated that this program

will be provided at no cost to the Village Fire Department and there have been no objections from the other cities regarding this proposed contract.

Motion by Councilmember Kollenberg to approve the Mayor to sign the contract with Jacosoft, LLC for the DeltAlert program
Second by Mayor Pro Tem Ebeling

Motion passed: all for

3. Consider and take possible action regarding the agreement between Jacosoft, LLC and the City of Piney Point Village utilizing the DeltAlert System software for public service announcements to residents of Piney Point Village.

Mayor Bresenhan presented this item and asked City Secretary Amanda Davenport to give details of the current agreement with Blackboard Connect. Mrs. Davenport reported that the City's current agreement is for 12 months and will expire on May 1, 2010 at a cost of \$3,300 per year.

Mayor Bresenhan authorized City Attorney David Olson to review the current agreement with Blackboard Connect and report back to the City Council.

Motion by Councilmember Kollenberg to approve the agreement between Jacosoft, LLC and the City of Piney Point Village utilizing the DeltAlert System software for public service announcements to residents of Piney Point Village
Second by Mayor Pro Tem Ebeling

Motion passed: all for

1. Consider and take possible action on update from Fire Commissioner Janet Zimmerman regarding the Villages Fire Department.

Mrs. Zimmerman reported that the sub-committee for compensation had met recently to begin an analysis of salaries of Fire Department staff.

4. Consider and take action on the First Quarter Investment Report.

City Administrator Terri Johnson presented the quarterly investment report for the first quarter of 2010.

Motion by Councilmember Dodds to accept the 1st Quarter investment report
Second by Mayor Pro Tem Ebeling

Motion passed: all for

6. Consider and take action on approval of revised accounts payable procedures.

The City Administrator was directed to revise the accounts payable procedures at the last City Council meeting.

Motion by Mayor Pro Tem Ebeling to approve the revised a/p procedures
Second by Dale Dodds

Motion passed: all for

7. Consider and take possible action on amending the fee schedule regarding unrecorded plats.

Peter Nemeth briefed the City Council on this item. It was his recommendation to amend the fee schedule for P&Z Plat Fees suggesting that the fee be \$1,750 per lot to be shown on the final plat.

Motion by Councilmember Nemeth to amend the fee schedule to provide that the Planning and Zoning plat fees will be \$1750 per lot for each lot that will be shown on the final plat.

Second by Councilmember Kollenberg

Motion passed: all for

5. Consider and take possible action on options for financing proposed drainage projects as presented by Drew Masterson, Financial Advisor.

Mr. Masterson reported to the City Council that he had recently met with Council members Kollenberg and Nemeth. They had discussed refinancing the 2001 Tax Bonds and the 2004 Tax Notes, as well as obtaining new monies for future drainage projects. Mr. Masterson stated that an analysis of needs and prioritizing what the funds would be used for would be necessary.

Following a lengthy discussion, Mayor Bresenhan announced that a workshop would be scheduled closer to February, 2011 when these bond issues would become callable.

8. Consideration and action on adopting Ordinance 2010.04.12 amending the Code of Ordinances of the City of Piney Point Village by adding a new Section 26-2, prohibiting generators from exceeding 75DBA at 23 feet from the generator unit.

ORDINANCE NO. 2010.04.12

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY ADDING A NEW SECTION 26-2 TO ARTICLE I OF CHAPTER 26 THEREOF, PROVIDING FOR THE REGULATION OF GENERATOR NOISE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Motion by Councilmember Dodds to approve the generator ordinance No. 2010.04.12

Second by Councilmember Nemeth

Motion passed: all for

9. Consider and take possible action regarding the Final design of Metro Projects on Smithdale, Claymore and Hedwig roads.

City Engineer John Peterson reviewed the final design of these three projects stating these projects were based on the specifications set out by council in earlier meetings. These projects total \$911,575 and include a full-time site inspector and more of John Peterson's time on a daily basis to be out in the field.

Motion by Councilmember Kollenberg to authorize Mayor Bresenhan to execute the proposed engineering final design
Second by Councilmember Dodds

Motion passed: all for

10. Discuss the hydraulic analysis regarding the six bridges crossing Soldier's Creek.

City Engineer John Peterson presented this item with his findings. Following a lengthy discussion, it was agreed that taking out these six bridges would only help the owner of the bridge, not the City as a whole.

11. Consider and take possible action regarding the Master Drainage Study priorities and costs.

Mr. Kollenberg led this discussion with input from the City Engineer.

Following a lengthy discussion, no action was taken and the Mayor set a workshop for the City Council on April 27th at 6 PM.

12. Consider and take possible action on status of Blalock Road project completion.

Mr. Peterson reported that the project was nearing completion and he would be meeting with the contractor to finalize the project.

No action was taken.

13. Report on ongoing efforts and current status regarding need for Harris County Flood Control District to clean out Soldiers Creek.

The City Engineer reported that HCFCD had no plans to clean out Soldiers Creek . They were informed that if they could prove to HCFCD that if there was a foot or more of silt in the creek, they would be inclined to do the work.

The engineering firm is researching the original depth of Soldiers Creek at this time and will continue to try to prove the need for the clean out of the creek.

14. Consider and take possible action on directing the Flood Plain Administrator to prohibit development in the floodway that would result in any rise in the water's elevation.

John Peterson reported that this was required by FEMA.

Motion by Councilmember Kollenberg to direct the City's Floodplain Administrator to prohibit development in the floodway that would result in any rise in the water's elevation.

Second by Mayor Pro Tem Ebeling

Motion passed: all for

The City's Building Official, Ms. Annette Arriaga, is the Floodplain Administrator for the City of Piney Point Village.

21. Report on P&Z Commission's action regarding changing the zoning ordinances to prohibit a City Hall within the city limits.

Building Official Arriaga reported that the P&Z had held a public hearing on this issue and voted to recommend to the City Council that the City's

zoning ordinance (Section 74-243) be amended not to allow a City Hall within the City limits of the City of Piney Point Village.

15. Consider and take possible action on rescheduling the May 10th Council meeting to Tuesday, May 11th to accommodate the swearing-in of new mayor and aldermen.

Mayor Bresenhan rescheduled this meeting to May 11, 2010.

16. Consider and take possible action on establishing formal procedures for handling requests for private streets to be given to the city.

Mayor Bresenhan read the letter she received from a resident regarding this issue. Action on this item was delayed at this time.

17. Consider and take possible action on the city hall office space issue.

Councilmember Peter Nemeth explained to the City Council that when he was sworn in as Mayor he would be setting up an office at City Hall. Currently the space in City Hall was not efficient and requested that a space planner be consulted.

Mayor Bresenhan approved the expenditure of \$500 for consultation with a space planner.

18. Consider and take possible action on renewing the contract with Pitney Bowes regarding the postage machine.

The City Administrator reported that Pitney Bowes would no longer be maintaining the City's current postage machine. This new agreement would cover a newer model postage machine at a lower cost.

Motion by Councilmember Dodds to sign a new contract with Pitney Bowes for the postage machine

Second by Mayor Pro Tem Ebeling

Motion passed: all for

19. Consider and take possible action concerning establishing a policy handbook/employee manual, including establishing a policy outlining procedures for city staff to bring unresolved issues to the Mayor.

City Attorney David Olson presented a proposed policy and stated that the City did not have an employee handbook. Mr. Olson suggested that this policy be incorporated into an entire employee handbook.

No action was taken.

20. Consider and take possible action on request to express City's concern re the planned closing of the NASA Space Center through a resolution and letter.

Motion by Councilmember Dodds to approve Resolution #10.04.12 supporting NASA
Second by Mayor Pro Tem Ebeling

Motion passed: all for

RESOLUTION #10.04.12

URGING CONGRESS AND THE ADMINISTRATION TO CONTINUE FUNDING FOR THE HUMAN SPACE FLIGHT PROGRAM CONSTELLATION

WHEREAS, the fiscal year 2011 federal budget submitted to Congress by the White House proposes to cancel the Constellation human space flight program; and

WHEREAS, the Constellation program would provide a means for developing new launch vehicles and spacecraft capable of human space flight to the moon, Mars and other destinations after the current space shuttle program is phased out; and

WHEREAS, NASA's manned space flight program is directed from Houston's Johnson Space Center (JSC); and

WHEREAS, the Constellation program would help the JSC workforce, civil servant and contractor, transition effectively as the space shuttle is retired following completion of the International Space Station assembly in 2010-2011; and

WHEREAS, cancellation of the Constellation program will have a negative impact on the Houston-Galveston region's economy including loss of 4,000 to 7,000 direct jobs, 2,300 to 4,000 indirect jobs and \$560 million to \$1 billion in economic loss; and

WHEREAS, cancelling Constellation could also adversely impact the nation's and JSC's leadership role in space exploration, technology development that results from manned space flight and science, technology, engineering and mathematics education; and

WHEREAS, the City of Piney Point Village's residents may be affected both directly and indirectly by the cancellation of the Constellation program;

NOW, THEREFORE BE IT RESOLVED BY THE City Council of the City of Piney Point Village that:

- 1) The U.S. Congress and the Administration are urged to continue funding for the human space flight program Constellation.
 - 2.) This resolution be distributed to federal, state and local officials as appropriate.
22. Consider and take possible action on approval of City Council meeting minutes from February 24, March 9 and March 22, 2010.

Motion by Councilmember Dodds to approve the minutes
Second by Mayor Pro Tem Ebeling

Motion passed: all for

23. EXECUTIVE SESSION

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 fencing issues at 4 Hedwig Court and sub-standard building issues at 9A Woods Edge Lane, both in Piney Point Village.

Mayor Bresenhan recessed the open meeting and convened the Executive Session at 9:07 PM.

The Mayor closed the executive session at 9:35 PM and announced that no action was taken.

24. Action, if any, as a result of the executive session.

No action was taken at this time.

25. Adjourn

With no further business at hand, the Mayor adjourned the City Council meeting at 9:36 PM.

Passed and approved the 26th day of April, 2010.

/s/ Karey Bresenhan
Karey Bresenhan, Mayor

Attest:

/s/ Amanda Davenport
Amanda Davenport, City Secretary