

**MINUTES OF
CITY COUNCIL MEETING
CITY OF PINEY POINT VILLAGE
7676 Woodway, Suite 300
Tuesday May 11, 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. Henry Kollenberg, Mr. Peter Nemeth, Mr. Dale Dodds, Mrs. Julie Goodall, City Attorney David Olson, City Administrator Terri Johnson, City Secretary Amanda Davenport, City Engineer John Peterson.

PLEDGE OF ALLEGIANCE – Mayor Bresenhan led the Pledge of Allegiance

CITY ANNOUNCEMENTS -

Councilmember Peter Nemeth issued an invitation to the other members of the City Council to attend a tour of the TranStar facilities in Houston.

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

Mayor Bresenhan stated that Mrs. Zimmerman had called her and reported that the Fire Commission had not had a meeting since the previous City Council meeting and there was nothing to report.

2. Consider and take possible action regarding property at 9A Woods Edge Lane.

City Engineer John Peterson reported to the City Council about a meeting held the previous week with the property owner and the City's structural engineer, Raj Patel. Mr. Peterson set out the information that was needed from Bellagio's engineer.

Mr. Wilbanks, the attorney for Bellagio, reported that a survey had been ordered and Bellagio's engineer, Hiram Isham, was present and updated the City Council and stated that he'd do everything in his power to get Bellagio what they needed.

City Council told Mr. Wilbanks that the report from Bellagio that Council expects to see at the May 24th Council meeting would need to be received by City Staff no later than 4:00 PM, Wednesday, May 19, 2010.

3. Consider and take possible action regarding all ongoing drainage projects/engineering/studies.

Projects discussed included:

Innisfree Project – trying to get the insurance

Hedwig Bridge relocation of utility lines – this has been taken out for bid

Blalock/South Piney Point project – working and identifying drainage areas

Hedwig/Smithdale/Claymore – SWIM and the Bypass System

Blalock paving project - Mr. Peterson is having The Asphalt Institute look at the paving job done on Blalock because of the unevenness of the surface, this is making the contractor that did the work very nervous. A punch list on this project has not been completed.

Magnolia re-paving - The back cul de sac on Magnolia was torn out and repaved and it looks much better.

Wilding re-paving – Mr. Peterson stated that this project is complete.

Mr. Peterson reported that the back cul de sac on Magnolia Circle was pulled up and replaced and it looks really good.

4. Consider and take possible action on the Smithdale Road construction regarding adding pavers, adding a right turn lane and adding additional parking to the West of Bakers Cove at Memorial Drive Elementary school.

Following discussion, it was agreed that a meeting with residents and parents needed to be held to discuss these items. The school's engineer would also be invited to attend the meeting.

Mr. Nemeth suggested that pavers be used for the school crosswalks instead of painting stripes on the pavement.

5. Consider and take possible action on approval of TxDOT's plan for street closure and detour during replacement of Hedwig Bridge.

Mr. Peterson reported that a portion of Hedwig Road could be closed during replacement of the bridge for up to four months beginning in October, 2010. During the closure, traffic would be detoured to Claymore Street.

Motion was made by Councilmember Kollenberg to authorize the City Administrator to execute the letter to TxDOT agreeing to the proposed detour of traffic during construction.

The Motion was seconded by Mayor Pro Tem Ebeling

Motion passed: all for

6. Consider and take possible action on approval of City's participation with property owners at 8B and 9A Woods Edge in drainage pipe project.

City Engineer Peterson handed out an exhibit that showed the lay of the bayou and the eroded area and affected drainage pipe. Mr. Peterson explained to the City Council that Buffalo Bayou had eroded land between the properties at 8B and 9A Woods Edge where the City had a 10' drainage easement. The two property owners had obtained the services of Mr. James Johnson, PE with Erosion Control Systems, Inc. Mr. Johnson has already secured approval of his plans from Harris County Flood Control District.

It was proposed that the City of Piney Point Village participate in the \$148,000 with the contribution of \$22,795 to cover the work to be performed on the City's easement.

It was the City Engineer's recommendation that PPV participate in this project.

City Attorney David Olson recommended that another agreement be written for the City's participation and stated that he would have it ready for Council consideration and action at the May 24, 2010 Council meeting.

13. Consider and take possible action regarding Memorial Drive Elementary School drainage issues.

Council member Henry Kollenberg discussed his concerns that the back property at Memorial Drive Elementary School drained to Soldiers Creek. He pointed out that the City had just recently decided to try to take water off of Soldiers Creek to prevent flooding of homes in the vicinity.

John Peterson reported that he, the City Administrator and the City's Public Works/Code Officer had met with the school's engineers last week and were informed that the school had already bid for the work to be done and signed an agreement with the contractor. Building Official Arriaga reported that the school had not been issued a permit for drainage work to be done following the end of this school year.

Council requested that Mr. Peterson and Council member Dale Dodds set up another meeting with the school engineers to discuss this project.

7. Consider and take possible action on accepting an engagement letter for Bob Richter and appointed Mr. Richter as special prosecutor regarding the fence issue at #4 Hedwig Court.

City Attorney David Olson recommended that the City Council appoint Mr. Bob Richter to act as the Deputy City Attorney for the prosecution of the case involving the fence at #4 Hedwig Court, this is only a formality to allow Mr. Richter to perform this duty. His hourly rate would be \$150.

Motion was made by Mayor Pro Tem Ebeling to appoint Mr. Bob Richter as the City's special prosecutor for this matter.

The Motion was seconded by Councilmember Kollenberg

Motion passed: all for

8. Consider and take possible action on approval of City Council meeting minutes from April 26, 2010 and April 27, 2010 workshop.

Councilmember Kollenberg amended the April 26th minutes regarding the Conflicts Disclosure statements that he and Mr. Nemeth had filed with the City Secretary. He would like the April 26 minutes to read "their law firm currently does business with JLE Investing/Associated Mortgage Investors and in the past Mr. Kollenberg personally has represented JLE Investing."

Motion was made by Councilmember Kollenberg to amend the April 26, 2010 minutes by amending item #3 to read "their law firm currently does business with JLE Investing/Associated Mortgage Investors and in the past Mr. Kollenberg personally has represented JLE Investing."

The Motion was seconded by Councilmember Dodds

Motion was made by Mayor Pro Tem Ebeling to approve the April 26, 2010 minutes as amended

The motion was seconded by Councilmember Dodds

Motion passed: all for

Motion was made by Councilmember Kollenberg to approve the April 27, 2010 minutes

The motion was seconded by Mayor Pro Tem Ebeling

Motion passed: all for

9. 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.

The City Attorney reported that the tentative date for the jury trial for this issue has been set for June 17th. He stated that the defense attorney had a conflict but had not submitted a motion for continuance at this time.

The City's Building Official, Annette Arriaga, reported that Mr. Richter, the City's prosecutor for this case, requested that no further citations be issued from this time until the case is heard in Court.

Council member Julie Goodall asked that the Council go into closed session and Mayor Bresenhan recessed the special meeting at 6:54 p.m.

The Mayor announced that no action had been taken in closed session and re-convened the special meeting at 7:04 p.m.

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

No action was taken.

11. Swearing in of Mayor-Elect Nemeth, Alderman Kollenberg and Alderman-Elect Bender.

Mayor Bresenhan read a prepared farewell statement regarding her two-year term as the Mayor of the City of Piney Point Village.

Mayor-Elect Nemeth presented Mayor Bresenhan with an engraved gavel and thanked her for her service to the City.

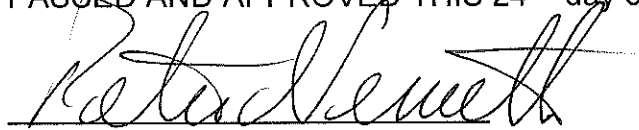
The Mayor introduced Mr. Nemeth's family who were present for the swearing-in ceremony:

Mayor Bresenhan administered the oaths of office to Mayor-Elect Peter Nemeth, and Aldermen Henry Kollenberg and Alderman-Elect Joel Bender.

12. Adjourn

With no further business at hand, the special meeting was adjourned at 7:24 p.m.

PASSED AND APPROVED THIS 24TH day of May, 2010.



Peter G. Nemeth
Mayor

Attest:



Amanda Davenport
City Secretary

