

**MINUTES
THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING / PUBLIC HEARING
MONDAY, OCTOBER 24, 2016**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING AND PUBLIC HEARING ON MONDAY, OCTOBER 24, 2016 AT 6:30 P.M. AT CITY HALL, 7676 WOODWAY, SUITE 300, HOUSTON, TEXAS, TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

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

CITY STAFF: Roger Nelson, City Administrator; Maggie Carty, City Secretary; Annette Arriaga, Director of Planning, Development & Permits; David Olson, City Attorney with Olson & Olson; Joe Moore and Aaron Croley, City Engineers with HDR Engineering.

DECLARATION OF QUORUM AND CALL TO ORDER

Mayor Kobelan called the meeting to order at 6:30 p.m.

CITIZENS WISHING TO ADDRESS COUNCIL

Robert Mann, representing VF Waste, introduced himself to Council and the audience as the person to contact to address any issues. No one had any questions or concerns at the time.

Pledge of Allegiance

Mayor Kobelan gave an update regarding the Oktoberfest held on October 22nd at the First Congregational Church. Approximately 150 people attended. It was a success and he hopes to plan another Oktoberfest next year.

1. Discuss and take possible action on the Memorial Police Department monthly report.

Chief Schultz gave a brief update on the September monthly activities. There were no crimes against persons, 15 property crimes, 68 petty crimes, 18 arrests, and 222 citations issued, of which 50 citations were in Piney Point Village. The department continues to operate under budget. They are completely staffed, but did receive an Intent to Retire notice today. The previously approved AEDs have now been installed in all vehicles. An order has been placed for the electric motorcycle and it should be in by the end of the week.

Councilman Thompson congratulated the department for being voted the number one safest city in and around Houston.

2. Discuss and take possible action on the Village Fire Department monthly report.

No report or update given. There was no meeting in the previous month.

3. Discuss and take possible action on Ordinance 2016.10.24.F, the Kinkaid School's SUP request to demolish the Milby house, its surrounding buildings, and the swimming pool.

Gene Werlin addressed Council regarding Kinkaid's plans to demolish the Milby house and fill in the pool. Councilman Bender made a motion to approve Ordinance 2016.10.24F. Councilman Ebeling seconded the motion and it passed.

4. Discuss and take possible action on historic trails.

Mayor Kobelan asked the Council to support a heritage trail located in Arrowwood Circle and along N. Piney Point Road. Two historical signs and three interpretive panels would be installed along the route. Private funding has been raised for half of the project. Mayor Kobelan requested the City to support and fund the other half which would cost \$7500. Mr. Jim Cole, a resident on Arrowwood, also addressed Council and reviewed the proposal from Dan Worrall with the Harris County Historical Commission. Councilman Kollenberg expressed concern about the lack of details regarding the sign placement. Councilman Thompson made a motion to approve \$7500 subject to the details being provided. Councilman Ebeling seconded the motion and it passed.

5. Open Public Hearing on ordinance changes, specifically:

Mayor Kobelan opened the public hearing on the first four proposed ordinance changes at 6:48 PM.

An ordinance amending chapter 74 of the code of ordinances of the City of Piney Point Village, Texas, by deleting subsection (1) of section 74-280 in its entirety and adding a new subsection (1) to section 74-280, establishing exceptions to the provisions and regulations of article v of chapter 74; providing for other matters related to the subject; providing for a penalty in an amount not to exceed \$2,000 for each day of violation; and providing for severability. (*Signage placed in private rights-of-way by residents of a private street*)

David Olson explained the proposed ordinance change would allow residents on private streets to put up street or traffic signs.

An ordinance amending chapter 74 of the code of ordinances of the City of Piney Point Village, Texas, by deleting the definition of "80% fence" in section 74-1 in its entirety and adding a new definition of "80% fence," clarifying the definition of such 80% fence; providing for other matters related to the subject; providing for a penalty in an amount not to exceed \$2,000 for each day of violation; and providing for severability. (*Revised definition of 80% fence*)

David Olson explained the proposed definition of an 80% fence would be 7 ft. see-through sections with a maximum of 2 ft. width columns between each 7 ft. section.

An ordinance amending chapter 74 of the code of ordinances of the City of Piney Point Village, Texas, by deleting subsections (b) and (c) of section 74-212 in its entirety and adding new subsections (b) and (c) to section 74-212, establishing regulations for the termination of nonconforming structures and the calculation of damage or obsolescence to nonconforming structures, respectively; and by adding a new subsection (d) of section 74-212, establishing a regulation for the

replacement of nonconforming existing driveways; providing for other matters related to the subject; providing for a penalty in an amount not to exceed \$2,000 for each day of violation; and providing for severability. (*Change to the thresholds for nonconforming and damaged or obsolete structures and a new section regarding replacement of existing driveways not creating a nonconformity*)

David Olson explained the proposed change would allow the homeowner of an older home to stay in nonconformity after a remodel if the homeowner can prove the value of the home. Also the change would exempt existing driveways from creating a nonconformity.

An ordinance amending chapter 74 of the code of ordinances of the City of Piney Point Village, Texas, by deleting paragraph (4) of subsection (a) of section 74-244 in its entirety and adding a new paragraph (4) of subsection (a) to section 74-244, establishing regulations for the location of generators; providing for other matters related to the subject; providing for a penalty in an amount not to exceed \$2,000 for each day of violation; and providing for severability. (*Revised standards for placement of generators*)

David Olson explained that the change would allow homeowners to place a generator next to the HVAC, but not less than 10 ft. from the side yard line and 5 ft. from the building.

The floor was opened to the public for questions or comments. Council answered a few questions clarifying the proposed changes. The public hearing was closed at 7:01 PM.

6. Discuss and take possible action on Ordinance 2016.10.24.A - Signage placed in private rights-of-way by residents of a private street.

Councilman Kollenberg made a motion to approve Ordinance 2016.10.24.A. Councilman Dodds seconded the motion and it passed.

7. Discuss and take possible action on Ordinance 2016.10.24.B - Revised definition of 80% fence.

Councilman Bender made a motion to approve Ordinance 2016.10.24.B. Councilman Dodds seconded the motion and it passed.

8. Discuss and take possible action on Ordinance 2016.10.24.C - Change to the thresholds for nonconforming and damaged or obsolete structures and a new section regarding replacement of existing driveways not creating a nonconformity.

Councilman Kollenberg made a motion to approve Ordinance 2016.10.24.C. Councilman Ebeling seconded the motion and it passed.

9. Discuss and take possible action on Ordinance 2016.10.24.D - Revised standards for placement of generators.

Councilman Dodds made a motion to approve Ordinance 2016.10.24.D. Councilman Thompson seconded the motion and it passed.

Mayor Kobelan opened the public hearing on the proposed Ordinance 2016.10.24.E, 80% fences not required in side yards and rear yards abutting a street, at 7:03 PM.

An ordinance amending chapter 74 of the code of ordinances of the City of Piney Point Village, Texas, by deleting paragraph (3) of subsection (i) of section 74-245

20. **Discuss and take possible action on any future agenda items and future meeting dates.**

The next Strategic Planning Workshop will be on November 7, 2016 at 5:00 PM. The next Regular Council Meeting will be on November 21, 2016. The December Regular Council Meeting will be on December 19, 2016.

21. **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 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), specifically to discuss the position of Receptionist.**

Council adjourned into Closed Executive Session at 10:00 PM.

Council reconvened in Open Session at 10:15 PM.

No formal action was taken on any item.

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

Councilman Bender made a motion to authorize the City Administrator to hire a Receptionist. Councilman Thompson seconded the motion and it passed unanimously.

23. **Adjourn**

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

PASSED AND APPROVED this 21st day of November, 2016.


Mark Kobelan
Mayor


Maggie Carty
City Secretary

