

**MINUTES OF
THE CITY OF PINEY POINT VILLAGE
SPECIAL COUNCIL MEETING
MONDAY, May 9, 2011**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE HELD A SPECIAL COUNCIL MEETING ON MONDAY, MAY 9, 2011 AT 6:00 P.M. AT 7676 WOODWAY, SUITE 300, HOUSTON, TEXAS 77063.

Mayor Pro Tem Ebeling called the meeting to order at 6:00 p.m. and announced that a quorum was present. In attendance were Mayor Pro Tem Ebeling, Mr. Kollenberg, Mrs. Goodall, Mr. Bender, Mr. Dodds, Ms. Johnson, Mrs. Davenport and City Engineers. Mayor Nemeth was absent.

Mayor Pro Tem Ebeling led the Pledge of Allegiance.

No citizens were in attendance to speak to council.

1. Consider and take action on the Village Fire Department report. Mr. Kollenberg reported on the April meeting of the Villages Fire Department Fire Commissioners. A budget workshop is scheduled for May 17, 2011.

2. Consider and take action on the Memorial Villages Police Department monthly report. Chief Brye reported on the latest activities of the Police Department.

3. Consider and take action on the approval for engineering services on the 2011 Paving Improvements Project. City Engineer, John Peterson, summarized the proposal to council.

Motion was made by Council member Dodds to accept the 2011 paving improvement project proposal. The motion was seconded by Council member Kollenberg. The motion passed unanimously.

4. Consider and take action on March 2011 financials report.

Motion was made by Council member Kollenberg to accept the March 2011 financial report, the motion was seconded by Council member Goodall. The motion passed unanimously.

5. Consider and take action on Ordinance 2011.05.09A regarding construction work hours on Sundays and holidays.

Motion was made by Council member Kollenberg to adopt Ordinance 2001.05.09A subject to leaving out the wording regarding working on the eve's of certain holidays. The motion was seconded by Council member Goodall. The motion passed unanimously.

Ordinance 2011.05.09A attached to these Minutes as Exhibit A.

6. Consider and take action on Ordinance 2011.05.09B authorizing the Code Officer to issue all municipal citations for violations of one or more provisions of the City Code of Ordinances.

This item was tabled pending further review.

8. Consider and take action on the 2011 1st Quarter Investment Report.

Motion was made by Council member Kollenberg to approve the 201 1st quarter investment report. The motion was seconded by Council member Bender. The motion passed unanimously.

9. Consider and take action on minutes from the March 28, 2011, April 11, 2011, April 21, 2011 and April 25, 2011 City Council meetings.

Motion was made by Council member Bender to approve the minutes for March 28, April 11, April 21 and April 25, 2011 as presented. The motion was seconded by Council member Kollenberg. Motion passed unanimously.

10. The City Council will adjourn into closed executive session pursuant to section 551.071 of the Texas Local Government Code (CONSULTATION WITH ATTORNEY): specifically to discuss the Kemwood Drainage Issues and related municipal citations.

Council adjourned into executive session at 6:42 p.m.

Council reconvened into regular meeting at 7:15 p.m.

No action was taken out of executive session.

7. Consider and take action on public meeting and presentation given on April 25, 2011 regarding the bond election and proposed projects.

Council member Kollenberg gave his thoughts on the results of the April 25 meeting.

The meeting was adjourned at 7:21 p.m. upon motion by Council member Bender which was seconded by Council member Goodall. Motion passed unanimously.

PASSED AND APPROVED this 23rd of May, 2011.

Peter G. Nemeth
Mayor

Amanda Davenport
City Secretary



ORDINANCE NO. 2011.05.09A

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY DELETING SUBSECTION (a) OF SECTION 10-1 OF ARTICLE I OF CHAPTER 10 THEREOF AND SUBSTITUTING THEREFOR A NEW SUBSECTION (a) OF SECTION 10-1, PROVIDING TIME LIMITATIONS ON BUILDING ACTIVITIES, INCLUDING A PROHIBITION FOR SUCH ACTIVITIES ON SUNDAYS AND HOLIDAYS; 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.

* * * * *

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PINEY POINT VILLAGE, STATE OF TEXAS:

Section 1. The Code of Ordinances of the City of Piney Point Village, Texas is hereby amended by deleting Subsection (a) of Section 10-1 of Article I of Chapter 10 thereof and substituting therefor a new Subsection (a) of Section 10-1, to provide as follows:

“Sec. 10-1. - Time limitations on building activities.

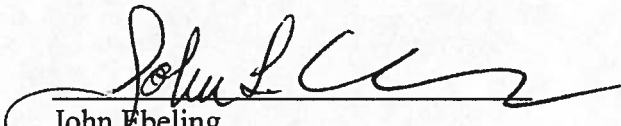
- (a) It shall be unlawful for any person to cause, permit or perform any construction, renovation, alteration, repair or demolition of any building or structure, or any excavation related thereto (“building activities”), within the city, except between the hours of 7:00 a.m. and 7:00 p.m. on Mondays through Fridays, and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. All building activities are strictly prohibited on Sundays and Holidays. Holidays shall include Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Years Day.”

Section 2. Any person who shall violate any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

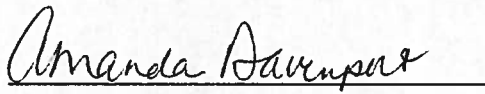
Section 3. All ordinances and parts of ordinance in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the Board of Aldermen of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on first and final reading this 9th day of May, 2011.


John Ebeling
Mayor Pro Tem

ATTEST:


Amanda Davenport
City Secretary

