

**MINUTES
THE CITY OF PINEY POINT VILLAGE
SPECIAL COUNCIL MEETING
MONDAY, DECEMBER 20, 2021**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A SPECIAL COUNCIL MEETING ON MONDAY, DECEMBER 20, 2021, AT 6:30 P.M. AT CITY HALL, 7676 WOODWAY, SUITE 300, HOUSTON, TEXAS, TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

Council Members Present: Mayor Pro Tem Joel Bender, Dale Dodds, Michael Herminghaus, Henry Kollenberg, Brian Thompson
Absent: Mayor Mark Kobelan

City Staff: Karen Farris, City Secretary, David Olson, City Attorney, Joe Moore, City Engineer

Declaration of Quorum and call to order

Mayor Pro Tem Bender called the meeting to order at 6:30 p.m.

Pledge of Allegiance

CITIZENS WISHING TO ADDRESS COUNCIL: *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquires about a subject that is not specifically identified on the agenda, a member of Council or a Staff Member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the non-agenda matter.*

Citizens present:

- Resident of 11402 Quail Hollow Ln. was present to comment on replacing an existing fence.
- Resident of 11213 Wilding Lane was present to comment on parking pads.

City Council Agenda:

1. Public Hearing on a proposed Ordinance amending Section 74-123 of Division 4 of Article II of Chapter 74, establishing when specific use permits are required. Mayor Pro Tem Bender opened the Public Hearing for discussion at 6:34 p.m. The purpose of the amendment was discussed. Mayor Pro Tem Bender closed the Public Hearing at 6:36 p.m.
2. Discussed and considered possible action on Ordinance No. 2021.12.20, amending Section 74-123 of Division 4 of Article II of Chapter 74 of the Code of Ordinances. Council Member Kollenberg made a motion to adopt Ordinance No. 2021.12.20 amending Section 74-123 of Division 4 of Article II of Chapter 74 of the Code of Ordinances. Council Member Herminghaus seconded the motion and it passed unanimously.

3. Discussed the Memorial Villages Police Department monthly report. Chief Schultz provided the report for the month of November.
4. Discussed and considered possible action on the Village Fire Department monthly report. Commissioner Nash provided the report for the month of November.
5. Discussed and considered possible action on an agreement with Cypress Creek Mosquito Control, Inc. The terms of the agreement will be for three years starting January 1, 2022 and ending on December 31, 2024. Spraying will commence the week of March 15th and ending the week of November 15th. Council Member Herminghaus made a motion to approve the agreement with Cypress Creek Mosquito Control, Inc. Council Member Thompson seconded the motion and it passed unanimously.
6. Discussed and considered action on Ordinance No. 2021.12.20.1 establishing regular City Council Meeting dates for 2022. The November 28, 2022, Regular Council Meeting will be moved to November 21, 2022. The December 26, 2022, Regular Council Meeting will be moved to December 19, 2022. Council Member Herminghaus made a motion to approve Ordinance No. 2021.12.20.1 establishing regular City Council Meeting dates for 2022 with the change reflected for the November 2022, and December 2022, City Council Meetings. Council Member Thompson seconded the motion and it passed unanimously.
7. Discussed and considered action on approving proposed Holidays for 2022. There were 2 typographical errors on the schedule. The observed Thanksgiving Day is November 24th. The New Year's Day January 1, 2023 date was deleted since it is for the next year.
8. Discussed the Mayor's Monthly Report.
 - Update on Moody's issuer rating – this was tabled due to Mayor's absence. An update was provided by Mayor Pro Tem Bender. Mayor had discussions with financial advisor, and it was determined that maintaining the Moody's issuer rating was not needed.
9. Discussion regarding the City Administrator's Monthly Report, including but not limited to:
 - November 2021 Financials
10. Discussion and considered action on the Public Management Proposal associated with the American Rescue Plan Act, Coronavirus Local Fiscal Recovery Fund. This item was tabled and will be on the January agenda. Council Member Herminghaus volunteered his services to negotiate the Public Management Proposal in close coordination with the Mayor.
11. Discussed and considered action on a proposal for professional survey services for the Piney Point Circle easements. Council had requested that HDR obtain a proposal for survey on an existing storm sewer and potential drainage easement along the side yards and backyards of 11302 and 11303 Piney Point Circle and then 11410 Memorial Drive to identify the location of the existing storm sewer in

relation to the property lines so that an easement size can be determined. Council Member Dodds made a motion to accept the proposal from MBCO for \$9,695. Council Member Herminghaus seconded the motion and it passed unanimously.

12. Discussed and considered action on the Wilding Lane Parking Pads. Council had requested that HDR present one alternative option, to asphalt parking pads between driveways on Wilding Lane, for the lots that had gravel prior to construction. The alternative would allow installation of 2-feet of gravel in-lieu of the 2-foot-wide asphalt to serve as a parking pad. Council Member Herminghaus made a motion to change the contract with the contractor to allow the 5 lots identified by the City Engineer to install gravel at the resident's expense, and the resident, in writing, promises to maintain the gravel parking pad. Council Member Kollenberg seconded the motion and it passed unanimously.

Agenda Item #15 was moved up.

15. Discussion regarding replacing existing fences. Council Member Thompson made a motion to send Ordinance No. 2021.04.13.A establishing regulations for fences, back to the Planning & Zoning Commission for replacement of fences, moving height from 6 feet to a maximum of 8 feet. Council Member Bender seconded the motion and it passed by a vote of 3 in favor of, and 2 against.
13. Discussed and considered a change order for the 2021 Maintenance Project to include Wickwood and Memorial point repairs. Council had previously requested HDR investigate and obtain costs for adding two additional full depth concrete point repairs on Wickwood and on Memorial Drive. Council Member Dodds made a motion to approve the change order for the 2021 Maintenance Project to include Wickwood and Memorial point repairs at a cost of \$12,500. Council Member Herminghaus seconded the motion and it passed unanimously.
14. Discussion and considered action on the Engineer's Report. The City of Houston contacted HDR about the status of the Windermere Project. The City of Houston anticipates rebidding the project in the spring. The City of Houston also noted that the Interlocal Agreement has expired, and a new agreement will need to be processed. City Council requested the City Engineer and the City Attorney request money paid by the City of Piney Point Village to the City of Houston for the Windermere Project be returned to the City of Piney Point Village.
16. Discussed and considered approval of the Minutes for the November 15, 2021, November 22, 2021, and December 6, 2022, Special Council Meetings. Council Member Herminghaus made a motion to approve the Minutes for the November 15, 2021 Special Council Meeting, the November 22, 2021, Special Council Meeting, and the December 6, 2021, Special Council Meeting. Council Member Dodds seconded the motion and it passed unanimously.
17. Discuss and consider possible action on any future agenda items, meeting dates, etc.
 - Public Management Proposal associated with the American Rescue Plan Act, Coronavirus Local Fiscal Recovery Fund

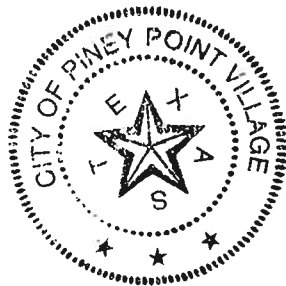
- City of Houston – Windermere Project

18. **Executive Session:** The City Council adjourned into closed executive session pursuant to Section 551.071 of the Texas Government Code (Consultation with Attorney), and pursuant to Section 551.074 of the Texas Government Code (Personnel), specifically to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of the City Administrator.
Council adjourned into a closed session at 7:43 p.m.
Council reconvened into an open session at 7:52 p.m.
19. Discussed and considered action on the City Administrator Employment Agreement. Council Member Bender made a motion to approve the City Administrator Employment Agreement. Council Member Dodds seconded the motion and it passed unanimously. Mayor Pro Tem Bender was authorized to execute the City Administrator Employment Agreement in the absence of Mayor Kobelan.
20. Discussed and considered action on other items discussed in Executive Session. There was nothing else discussed.
21. **Adjourn**
Council Member Dodds made a motion to adjourn. Council Member Herminghaus seconded the motion and it passed unanimously. The meeting adjourned at 7:55 p.m.

PASSED AND APPROVED this 24th day of January 2022.



Mark Kobelan
Mayor



Karen Farris
City Secretary