

**MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING ON MONDAY, JANUARY 27, 2025, AT 6:00 P.M. AT 7660 WOODWAY DR. SUITE 593, HOUSTON, TEXAS.**

**Councilmembers Present:** Aliza Dutt, Michael Herminghaus, Dale Dodds, Margaret Rohde and Jonathan Curth.

**Councilmembers Absent:** Joel Bender.

**City Representatives Present:** Bobby Pennington, City Administrator; David Olson, City Attorney; Jim Huguenard, Police Commissioner; Eric Jones, Police Commander; Henry Kollenberg, Fire Commissioner; Howard Miller, Fire Chief; John Peterson, City Engineering; Gracie Moylan, City Engineering; and Frederick Johnson, Public Works Manager.

**Call To Order**

At 6:02 p.m., Mayor Aliza Dutt declared a quorum and called the meeting to order.

**Pledge of Allegiance**

The Council led the Pledge of Allegiance to the United States of America Flag.

**Citizens Wishing to Address Council**

- Jonathan Curth requested that we cover plantings from likely freezing conditions in the future.

**Agenda Items**

1. **Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 6, Article III. Division 2, Section 6-99, Failure to Control Dogs of the code of ordinances regarding controlling a dog under leash.**
  - The public hearing was opened at 6:02 PM for comment regarding an ordinance amending Chapter 6, Article III. Division 2, Section 6-99, Failure to Control Dogs of the code of ordinances regarding controlling a dog under leash.
  - Councilmember Herminghaus presented the background and various incidents that led to the dog leash issue becoming a public hearing request.
  - Betsy McKean (Lanecrest) requested additional information on the statistical data and supports using an e-collar. Furthermore, leash use will deter community interactions, such as animal playdates.
  - Steve Oldham (Jan Kelly) requested additional statistical data information, mainly comparing Piney Point and Bunker Hill. He does not favor changing the current ordinance, primarily if the data does not support it.
  - Amy and Tod Greenwood request that the council consider an ordinance allowing the use of an e-collar to control a dog in public.
  - Chris and Feona Chandler (Flint Point) provided personal testimony to advocate for a leash law.
  - Grant Johnson (Tokeneke) provided personal testimony related to his trained dogs and is not in favor of a more restrictive ordinance and believes the ordinance in place is sufficient.
  - Clint Rancher (Smithdale Estates) requests that the council consider a proposed ordinance that includes using an e-collar to control a dog in public.

- Shelley Barineau (Radney) stated that the city needs effective governance instead of excessive governance; therefore, the proposed ordinance is very restrictive and is against the proposed leash law.
- Councilmember Curth believes the current ordinance should remain unchanged. It already mandates the owner's responsibility for control, allowing them to decide the level of risk. This ordinance effectively balances community liability and responsibility.
- Written responses from the public regarding this matter were cataloged for the council's review and consideration.
- No further comments were provided during the public hearing.
- The public hearing concluded at 6:26 PM.



**The council agreed to change the order of discussion items and addressed Item #10 at approximately 6:26 PM.**

**10. Consideration and possible action on an ordinance (ORD. 2025.01-E) of the City of Piney Point Village, Texas, amending Chapter 6, Article III. Division 2, Section 6-99, Failure to Control Dogs of the code of ordinances regarding controlling a dog under leash.**

- Councilmember Herminghaus highlighted the police chief's earlier testimony and the robust support for the leash law expressed in past discussions. He encouraged MVPD Commander Jones to provide insights from the police department regarding community safety. Commander Jones affirmed their support for the leash law, underlining its critical role in enhancing the community's safety. The police will thoroughly analyze the data to categorize various types of dog-related incidents.
- Councilmember Dodds believes the proposed ordinance for a dog leash is not onerous and that if it can reduce the number of incidents, then it is a good thing.
- Councilmember Rohde initiated a discussion seeking input from the police and public about using e-collars for control, similar to a leash. Councilmember Rohde would like the council to consider the e-collar.
- The council engaged in a thorough discussion regarding concerns and possible implications before ultimately deciding to table the issue for future consideration.
- Councilmember Curth moved to Table the consideration and possible action on amending Chapter 6, Article III. Division 2, Section 6-99, Failure to Control Dogs. Dodds seconded the motion.  
AYES: Herminghaus, Dodds, Rohde and Curth.  
NAYS: None.
- The motion carried.

**1. Consideration and possible action on approval of the Council Meeting Minutes held on December 16, 2024.**

- Councilmember Herminghaus moved to approve the Council Meeting Minutes held on December 16, 2024. Dodds seconded the motion.  
AYES: Herminghaus, Dodds, Rohde and Curth.  
NAYS: None.
- The motion carried.

2. **Consideration and possible action on the Memorial Villages Police Department, including (a) an Update on activities, (b) Budget Amendments, and (c) Memorial Point ALPR Request.**
  - In December, the MVPD responded to and handled 1,808 calls and incidents for Piney Point Village alone. Additionally, 1,437 house watch checks were conducted, and 304 citations, with 166 as warnings, were issued during this period.
  - No formal actions were taken into consideration.
  
3. **Consideration and possible action on the Village Fire Department, including (a) Updates on activities.**
  - In December, the VFD responded to and handled 167 calls and incidents across all cities. Piney Point Village accounted for 27 of those calls.
  - Chief Miller and Commissioner Kollenberg presented a comprehensive report on VFD activity, budget updates, and capital replacement.
  - Councilmember Dodds moved to approve the VFD Budget Amendment 2025-1. Herminghaus seconded the motion. The motion passed with the following results:
    - AYES: Herminghaus, Dodds, Rohde and Curth.
    - NAYS: None.
  - No further actions were taken into consideration.



**The council agreed to change the order of discussion items and addressed Item #7 at approximately 7:21 PM.**

7. **Consideration and possible action regarding various City Boards and Commissions, including (a) Nomination and Council approval to the Board of Adjustments Commission (RES. 2025.01-B1), (b) Nomination and Council approval to the Planning & Zoning Commission (RES. 2025.01-B2).**
  - Mayor Dutt has nominated Richard Hodge to the Board of Adjustments Commission, and the council discussed the positions and alternates to the BOA.
  - **Recommendation (1)**: Councilmember Curth made a motion to appoint Lawrence Chapman (1) as the Chair of the Board of Adjustments, which consists of the following members: Vickie Driscoll (2), Richard Hodge (3), Kevin F. Risley (4), and Michael Cooper (5); additionally, the alternate members will include Zeb Nash (6), Britton Holland (7), and John Brennan (8), with one unfilled position (9) in the alternates. Rohde seconded the motion. The motion passed with the following results:
    - AYES: Herminghaus, Dodds, Rohde and Curth.
    - NAYS: None.
  - Mayor Dutt has nominated Tim Jones for the Planning and Zoning, and the council discussed the position nomination.
  - **Recommendation (2)**: Councilmember Curth motioned to appoint Tim Jones (Position 8) to Planning and Zoning. The motion passed with the following results:
    - AYES: Herminghaus, Dodds, Rohde and Curth.
    - NAYS: None.
  - The council plans to revisit the Planning & Zoning Commission nomination to fill any remaining vacancy and define alternate members. No further action was taken.

➔ **The council agreed to change the order of discussion items and addressed Item #11 at approximately 7:44 PM.**

**11. Consideration and possible action regarding the Mayor’s Report, including (a) CenterPoint Presentation and (b) Beautification – Best Practices.**

- Jason Fabre and Cole Stevenson provided a CenterPoint presentation on power resilience after Hurricane Beryl. Herminghaus requested details on the feasibility of plans for underground line replacement. Curth expressed his disappointment with CenterPoint's management of response efforts following the storm.
- Mayor Dutt requested an outline of proposed improvements and details on the estimated costs, including the requested underground lines and a plan of action.
- Mayor Dutt updated the Beautification Committee's project regarding the Best Practices guide.

➔ **The council agreed to change the order of discussion items and addressed Item #4 at approximately 8:28 PM.**

**4. Consideration and possible action on City Engineering, including (a) Chapelwood Court Drainage Project, (b) Street Assessment Plan, (c) Blalock Point Repairs - Change Order, (d) Chuckanut Drainage and Paving Improvements, (e) Shadow Way Court Drainage Improvements (f) Engineers Report.**

- HDR’s proposed improvements to Chapelwood Court Drainage after CCTV footage along Chapelwood revealed significant root intrusion and blockages. HDR provided the proposal for engineering services design, bid, and construction phase services.
- **Recommendation (1)**: Councilmember Dodds motioned to approve \$220,170 as the total project cost to approve Chapelwood Court Drainage. Herminghaus seconded. The motion passed with the following results:
  - AYES: Herminghaus, Dodds, Rohde and Curth.
  - NAYS: None.
- HDR is requesting approval to proceed with installing a junction box as a Change Order for the Blalock Point Repairs, totaling \$24,980.00. Given the situation's urgency, HDR considers this work to be an emergency repair.
- **Recommendation (2)**: Councilmember Dodds made a motion to approve the installation of a junction box as a Change Order for the Blalock Point Repairs, totaling \$24,980.00. Herminghaus seconded. The motion passed with the following results:
  - AYES: Herminghaus, Dodds, Rohde and Curth.
  - NAYS: None.
- HDR is seeking approval for professional services during the Bid and Construction phases of the Chuckanut Drainage and Paving Improvements project. Based on the proposal dated June 18, 2024, the amount requested is \$117,250.00. The estimated Total Project Cost (OPCC) is \$1,482,910.00, with the City's portion amounting to \$1,223,942.50. Council member Dodds asked for clarification on the timeline for delivering information to the stakeholders.
- **Recommendation (3)**: Councilmember Dodds motioned to approve \$117,250.00 and granted permission to work with the city administrator to proceed to the bid phase for the

Chuckanut Drainage and Paving Improvements project. Herminghaus seconded. The motion passed with the following results:

AYES: Herminghaus, Dodds, Rohde and Curth.

NAYS: None.

- HDR is seeking approval for engineering services for the Street Assessment Planning Document for \$29,900. This assessment will evaluate the city's street conditions and help identify upgrades to enhance street quality and functionality.
- **Recommendation (4)**: Councilmember Dodds motioned to approve the Street Assessment Planning Document for \$29,900. Herminghaus seconded. The motion passed with the following results:
  - AYES: Herminghaus, Dodds, Rohde and Curth.
  - NAYS: None.
- The Council has shown interest in improving the drainage on Shadow Way, specifically leading to Shadow Way Court and extending through the cul-de-sac, in response to concerns raised by residents in recent months. HDR has identified several options for installing a drainage system connecting to the North Piney Point Greenbay System. HDR is now seeking direction on these options. Additionally, the Council has asked the urban forester to assess the number of trees that may need removal based on the proposed options. Further information will be provided for discussion at the next meeting.
- January Engineering report was provided by HDR, including a discussion on clearing debris from several identified bayou ravines near Wickwood. HDR has received information regarding the channels that are HCFCD's responsibility. A site visit is scheduled for January 29, 2025, to document the conditions and removal methods. Tynwood Ditch and Kinkaid Ditch are both maintained by HCFCD, which reportedly performed maintenance on these ditches in October 2024.
- An update on the Williamsburg project was provided, confirming that the asphalt work was completed shortly before the meeting. Herminghaus requested that the laydown area be cleaned up.
- An update was provided on the Windermere Project, estimating 80 truckloads of fill.
- It has been confirmed that the current school zone signs and beacons will remain the standards after analyzing the limited options.

**5. Consideration and possible action on an ordinance (ORD. 2025.01) of the City of Piney Point Village, Texas, amending Chapter 58, Article I, Section 58-2, Street Regulations of the code of ordinances regarding the establishment of school zones and school crosswalks; repealing all ordinances and part of ordinances in conflict herewith; providing for a penalty in an amount not to exceed \$200 for each day of violation; and providing for severability.**

- This item was initially scheduled for council action last month but was postponed because HDR was tasked with exploring additional signage options that comply with MUTCD standards. After their examination, it was determined that the school zone signs and beacons that were recently procured and installed represent the best option.
- Councilmember Rohde motioned to approve Ordinance 2025.01 of the City of Piney Point Village, Texas, amending Chapter 58, Article I, Section 58-2, Street Regulations of the code of ordinances regarding the establishment of school zones and school crosswalks; repealing all ordinances and part of ordinances in conflict herewith; providing for a penalty in an amount

not to exceed \$200 for each day of violation; and providing for severability. Dodds seconded. The motion passed with the following results:

AYES: Herminghaus, Dodds, Rohde and Curth.

NAYS: None.

- Rohde recommended that the mayor provide a public update on the schedule for when the beacon will flash for each school.

**4. Consideration and possible action on an ordinance (ORD. 2025.01-A) of the City of Piney Point Village, Texas, Chapter 46, Article II. section 46-33 Prohibited Parking of the code of ordinances regarding prohibited parking in the area of Memorial Drive Elementary School; repealing all ordinances and part of ordinances in conflict herewith; providing for a penalty in an amount not to exceed \$500 for each day of violation; and providing for severability.**

- The council postponed this action at the last meeting to allow for an improved outreach effort to inform residents and MDE school leadership about our proposed parking restrictions.
- A letter is drafted for circulation. The Council recommended that the letter be sent as a PDF to the school for distribution by SBISD.
- The council recommends the ordinance reflect a change to state: *"It shall be unlawful for any person, having registered in his name or owning or operating or having charge of any vehicle, to allow or permit the same to be parked or be unattended upon the north side of Smithdale Road from the East driveway of Memorial Drive Elementary School to the intersection at Hedwig Road during the hours of 7:00 a.m. through 8:30 a.m., and 2:00 p.m. through 3:30 p.m., Monday through Friday, except on school holidays and when school is not in session when signs are in place giving notice of such prohibition (No Parking Zones)."*
- Councilmember Rohde motioned to approve the Ordinance (ORD. 2025.01-A) of the City of Piney Point Village, Texas, Chapter 46, Article II. section 46-33 Prohibited Parking of the code of ordinances regarding prohibited parking in the area of Memorial Drive Elementary School; repealing all ordinances and part of ordinances in conflict herewith; providing for a penalty in an amount not to exceed \$500 for each day of violation; and providing for severability; with the change of striking "stop" and replacing "unattended;" and direct the Mayor and City Administrator to revise a letter and send it to MDE for circulation. Dodds seconded. The motion passed with the following results:

AYES: Herminghaus, Dodds, Rohde and Curth.

NAYS: None.

**8. Consideration and possible action on a resolution (RES. 2025.01-C) designating the city's official newspaper for 2025.**

- Councilmember Herminghaus motioned to approve the Resolution (RES. 2025.01-C) designating the city's official newspaper for 2025. Councilmember Rohde seconded. The motion passed with the following results:

AYES: Herminghaus, Rohde, Dodds, and Curth.

NAYS: None.

**9. Consideration and possible action on annual financial-related policies, including (a) Resolution (RES. 2025.01-D1) adopting the 2025 Financial Investment Policy and Investment Strategy, (b) Resolution (RES. 2025.01-D2) adopting the 2025 City Accounts Payable Policy, (c) Resolution**

(RES. 2025.01-D3) adopting a City Credit Card Policy, and (d) Resolution (RES. 2025.01-D4) adopting a City Financial Fraud Policy.

- The council requested that auditors examine our policies during the audit process, have the finance director approve the reconciliation and analysis of the financial report, and amend the financial policy to read, “sent to the mayor and one designated Councilman as required” instead of “as needed.”
- Councilmember Herminghaus motioned to approve Resolution (RES. 2025.01-D1), which adopts the 2025 Financial Investment Policy and Investment Strategy; Resolution (RES. 2025.01-D2), which adopts the 2025 City Accounts Payable Policy; Resolution (RES. 2025.01-D3), which adopts a City Credit Card Policy; and Resolution (RES. 2025.01-D4), which adopts a City Financial Fraud Policy, including the changes discussed above. Councilmember Rohde seconded. The motion passed with the following results:

AYES: Herminghaus, Rohde, Dodds, and Curth.

NAYS: None.

**12. Consideration and possible action regarding the City Administrator's Monthly Report, including but not limited to: (a) Financial Related Items: Financial Report – December 2024, Property Tax Report, Investment Report (12/2024), Disbursements (greater than \$10,000); (b) Update on Current Specific Use Permits, Permit Activities, and Contributions.**

- The city will draft a letter regarding SUP violations at Ecclesia. We are to invite them to the next meeting to clarify concerns and provide an action item related to these SUP issues.
- **Recommendation (1 & 2)**: Councilmember Rohde proposed approving the following recommendations: (1) disbursements to Highway 1 for the Decorative Pole Refurbishment Project totaling \$15,554.40, Infrastructure Construction Services for the removal of school zone signage in the City for \$10,500.00, Consolidated Traffic Controls, Inc. for installing school zone signage at \$122,990.00, and Westco Grounds for Greenbay Street Retainage (10%) amounting to \$10,725.63; and (2) approving the Quarterly Investment Report for the quarter ending December 2024. Councilmember Herminghaus seconded.

- The motion passed with the following results:

AYES: Herminghaus, Rohde, Dodds, and Curth.

NAYS: None.

**13. Consideration and possible action regarding the purchase of a Public Works Truck.**

- No action was taken

**14. Consideration and possible action on the Revised Resolution of Order (2024.12R-C) to establish a joint election with the Spring Branch Independent School District for the General Municipal Election on May 3, 2025, while recognizing San Jacinto Day as an election holiday.**

- Councilmember Rohde proposed approving the Revised Resolution of Order (2024.12R-C) to establish a joint election with the Spring Branch Independent School District for the General Municipal Election on May 3, 2025, while recognizing San Jacinto Day as an election holiday. Councilmember Herminghaus seconded. The motion passed with the following results:

AYES: Herminghaus, Rohde, Dodds, and Curth.

NAYS: None.

**15. Discuss and consider possible action on future agenda items, meeting dates, and similar matters.**

- The schedule includes the Beautification Meeting on February 10, the Engineering Meeting on February 12, Presidents Day on February 17, and the Regular Council Meeting on February 24.
- Councilmember Herminghaus requested that the Ecclesia action item be included on the agenda.

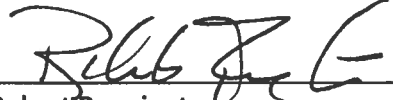
#### Executive Session


16. The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Texas Government Code, in accordance with the authority contained in **Section 551.071- Consultation with City Attorney and Section 551.072- Lease Property – 7660 Woodway.**
  - No executive session was called or conducted.
17. Consideration and possible action on items discussed in the Executive Session.
  - No executive session was called or conducted.

#### Adjournment

- Councilmember Herminghaus made a motion for adjournment, seconded by Councilmember Rohde.
- Mayor Dutt adjourned the meeting at 9:47 p.m.

**PASSED AND APPROVED on this 24th day of February 2025.**

  
Robert Pennington  
City Administrator / City Secretary

  
Aliza Dutt  
Mayor

