

**MINUTES
THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
MONDAY, AUGUST 24, 2020**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING ON MONDAY, AUGUST 24, 2020 AT 6:30 P.M. AT CITY HALL, 7676 WOODWAY DR., SUITE 300 HOUSTON, TEXAS 77063 TO DISCUSS THE AGENDA ITEMS LISTED BELOW

THIS MEETING WILL BE HELD VIRTUALLY THROUGH THE USE OF ZOOM. THE DIAL IN NUMBER: 884-841-6839

COUNCIL MEMBERS PRESENT: Mayor Mark Kobelan, Joel Bender, Dale Dodds, Michael Herminghaus, Henry Kollenberg, Brian Thompson

CITY STAFF: Roger Nelson, City Administrator; Karen Farris, City Secretary; Annette Arriaga, Director of Planning & Development; David Olson, City Attorney; Joe Moore, City Engineer

DECLARATION OF QUORUM AND CALL TO ORDER

Mayor Kobelan 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 inquiries 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 matter*

Scott Poerschke, Civil Rights Attorney, was present and informed Council that he was retained by 2 police officers of Memorial Village Police Department. Mr. Poerschke explained that both police officers filed a series of complaints against a Commander within the Memorial Village Police Department regarding racially profiling and claims the investigation process of the complaints were not properly performed. Mr. Poerschke added that his clients are asking for equitable relief and no monetary damages to resolve this matter. Mayor and Council thanked Mr. Poerschke for the information and informed him they were unaware of this matter.

1. Discuss and take possible action on the MVPD monthly report

Chief Schultz presented the report for the month of July

- Budget is on track
- The police department continues to work with FEMA for COVID-19 reimbursement
- There are 2 employees testing positive for COVID-19 and 2 members of the household

- There was a Memorial Village Police Officer involved in a shooting incident; investigation is on-going
- Solved burglary at Hunterwood
- Detectives have identified suspects who illegally entered Chapelwood; the investigation is on-going
- Received and investigated a complaint on a Memorial Village Police Officer by a Piney Point resident on behalf of his nephew. The body worn camera the police officer was wearing exonerated him.
- ALPR System proves to be valuable
- Piney Point had 3,500 calls for service; 3,300 house watches; 1 accident; issued 12 citations; and there were 5 emergency responses

Commissioner Huguenard had no additional comments. Council had no questions for Chief Schultz.

2. Discuss and take possible action on the VFD monthly report

Commissioner Nash presented the monthly report:

- Staffing: 1 firefighter/paramedic vacancy; 4 candidates have tested
- Trucks: The new engine is due to arrive at the end of October
- Budget: At the end of July the Village Fire Department was 2.4% under budget
- Coronavirus: Continue to work with FEMA for reimbursement; the Village Fire Department has had no COVID-19 calls in the last 3 weeks; and no personnel with the Coronavirus since March.
- Other activities are normal
- The Fire Station construction continues to make progress

Mayor Kobelan moved Agenda Item #10 City Administrator's monthly report, specific to the AV Equipment Discussion.

10. Discuss and take possible action on the City Administrator's monthly report, including but not limited to:

- **AV Equipment Discussion**

Representatives from Data Projections were present to discuss options to support audio, video, using Zoom platform. Data Projections loaned a mobile unit to the City for this Council meeting. There was good connectivity while using wireless. Data Projections will submit a proposal.

3. Discuss and take possible action on Ecclesia Special Use Permit

Peter Muessig was present via Zoom on behalf of Ecclesia. He presented an update on the status of the project previously approved under a Special Use Permit in November 2018. He informed Council that Ecclesia was asking permission from the City, through the application process for a Special Use Permit applying for a building permit which would allow Ecclesia to complete the renovation of the Fellowship Hall. The scope of the work is limited to the interior except for the replacement of the roof, replacement of exterior lighting, and A/C units. Annette Arriaga, the Director of Planning Development reported that the application is still under review and would treat as the original SUP.

- 4. Discuss and take possible action on 2021 Budget and Tax Rate**
Council discussed the proposed dates, publication dates, and location for the Budget and Tax Rate hearings. The City Attorney explained since the proposed tax rate is lower than the no-new revenue tax rate and the voter approval rate there is no legal requirement to have a tax rate hearing; however, the City can include the tax rate with the budget hearing. The hearing must be held at a public facility within Piney Point city limits. Council decided on September 14, 2020 for the Public Hearing.
- 5. Discuss and take possible action on Temporary Certificates of Occupancy**
This item was approved by Council during the July meeting but not forwarded to the Planning & Zoning Commission because of a typographical error. The error has been corrected. The City Attorney explained that the ordinance change will not need to be published in the newspaper. There will be a Public Hearing and an Agenda posting. It is required by law to publish the Public Hearing forecast 15 days prior to consideration. A mailer via V-link will be sent to residents providing general notification of the Planning & Zoning Commission Hearing. Council discussed submitting all 4 ordinances to Planning & Zoning for review on the September 14, 2020 Special Meeting, if completed.
- 6. Discuss and take possible action on establishing regulations for the size of front yards in general and on specific streets**
Council discussed and identified specific streets and regulations for front yards. Council identified Calico Lane, Gingham Dr., and Jan Kelly Lane for 40 ft. setbacks. Council identified Dana Lane, Surrey Oaks, and some of Lanecrest Lane for 25 ft. setbacks. Council identified Dana Lane, Surrey Oaks, and some of Lanecrest Lane for 10 ft. side yards. This item will be added to the September 14th meeting.
- 7. Discuss and take possible action on establishing regulations for non-conforming buildings and structures**
There was discussion regarding the regulations for enlarging or extending in a required yard for nonconforming buildings and structures. Discussion included if providing notice to neighbors was necessary; the role of the Board of Adjustments; and adding, at the beginning, "the first floor of a nonconforming main building". This item will be added to the September 14th meeting.
- 8. Discuss and take possible action on Supplementary District Regulations**
This agenda item was to consider establishing regulations for fences, side, and rear yards adjacent to a street. Council Member Bender reported that he will be discussing with the Beautification Committee specifics concerning landscaping such as what is allowed, enforcement of maintenance, and replacement of fences with regards to wooden versus solid. No further action taken.
- 9. Discuss and take possible action on the Mayor's monthly report**

 - Mayor Kobelan provided an update on the COVID-19 daily confirmed cases, hospital cases, and ICU cases, versus previous statistics. The statistics are encouraging.
 - Mayor Kobelan reported the Beautification Committee discussed suggestions of replacing signs in Piney Point. Mayor Kobelan presented those ideas and suggestions for new signs that indicate Entering and Leaving Piney Point Village

City Limits, and a larger sign, in the median, on Memorial Drive. Care would be taken in placement of the sign in order not to block traffic view. A quote will be requested.

10. Discuss and take possible action on the City Administrator's monthly report, including but not limited to:

- **Pet Waste Station – Piney Point between Memorial and Taylorcrest** – There was discussion that a pet waste station is needed on Piney Point Rd. between Memorial and Taylorcrest. Council Member Thompson made a motion to authorize the Mayor to approve the Pet Waste Station and location. Council Member Bender seconded the motion and it passed unanimously.
- **Monthly Tax Office Report** – There was discussion regarding the Delinquent 2018 & Prior Tax Years adjustments and collections on the Monthly Tax Office Report.
- **Crosswalk at Memorial and North Piney Point Rd** – Council Member Herminghaus inquired about the quotes for the crosswalk that was discussed last month. The quotes for the crosswalk were not on this agenda and Council Member Herminghaus requested the quotes be included next month.
- **AV Equipment Discussion (moved to after Agenda Item No. 2) July 2020 Financials** – Council Member Bender will circulate the updated proposal for review before the September 14, 2020 meeting.
- **Revised Ordinances** – Mayor Kobelan requested the revised ordinances be circulated for review before the September 14, 2020 meeting.
- **Tax Roll or Certified Estimate from HCAD** - Council Member Kollenberg requested a copy of the Certified Tax Roll or Certified Estimate

11. Discuss and take possible action on Authorization of Bid Phase Services for the Wilding Lane Project – only authorized through design phase

Council previously approved a portion of HDR's proposal for Professional Engineering Services for the Wilding Lane Drainage and Paving Improvements Project to provide final design phase, traffic control, and SWPPP. Council requested that HDR present the proposal for the same project for the Professional Engineering Services to provide bid phase services associated with the advertisement, bidding, bid evaluation and letter of recommendation tasks for the project. HDR is seeking approval of the bid phase services. Council Member Kollenberg made a motion to approve Bid Phase Services for \$5,900 for the Wilding Lane Project. Council Member Thompson seconded the motion and it passed unanimously.

12. Discuss and take possible action on Ditch Regrading Quotes – Lacewood, Jamestown, Summerhill

The City has previously discussed the drainage issues on Lacewood, Jamestown, and Summerhill. The City requested that HDR obtain quotes for ditch regrading and culvert cleaning along Jamestown Road from 11311 to 11301, a drainage easement at 11510 Summerhill Lane, and at 16 and 8 Lacewood Lane. The quotes include the regrading of existing ditches, hydromulching the ditch, regrading areas, and culvert cleaning. Council Member Thompson made a motion to approve the regrade quote for Lacewood, Jamestown, and Summerhill, but do not hydromulch Summerhill. Council Member Dodds seconded the motion and it passed unanimously.

13. Discuss and take possible action on authorization to advertise the 2020 Paving Improvements Projects

HDR has completed the design of the 2020 Paving Improvements Project and is requesting permission to publicly advertise and bid the Contract Documents (plans and specifications). Once bid, HDR will evaluate the bids, research references obtained from the low bidder, and present a recommendation to Council based on the bids received. Council Member Dodds made a motion to approve HDR to publicly advertise and bid the 2020 Paving Improvements Projects. Council Member Bender seconded the motion and it passed unanimously.

14. Discuss and take possible action on Authorization of Engineering Bid Phase Services for the 2020 Paving Improvements Project

Council Member Bender made a motion to approve the HDR proposal for the Professional Engineering Services to provide Traffic Control, Stormwater Pollution Prevention Plan, and bid phase services associated with the advertisement, bidding, bid evaluation and letter of recommendation tasks for the project. Council Member Herminghaus seconded the motion and it passed unanimously.

15. Discuss and take possible action on the City Engineer's monthly report

The Engineer's Report for this month includes updates to Surrey Oaks Paving & Drainage Improvements, Beinhorn Drainage & Sidewalk Improvements Project, City-wide Sidewalk Repairs/Replacement, Wilding Lane Drainage & Paving Improvements Project, Williamsburg Culvert Replacement and Ditch Regrading.

There was discussion regarding Chuckanut Lane. Council Member Thompson made a motion to regrade the North ditch for \$10,000 with no Hydromulch. Council Member Bender seconded the motion and it passed unanimously.

The Engineer's Report included 2020 Paving Improvements, and Future Projects included Quail Hollow Sidewalk.

There was discussion regarding the Texas General Land Office (TGLO) – Community Development Block Grant Mitigation Action Plan (CDBG-MIT). The CDBG-MIT is due October 28, 2020. The Request for Qualifications for an Engineer and the Request for Proposals for a Grant Administrator have been posted. They are due September 2, 2020. The Selection Committee will include Council Member Herminghaus and Council Member Thompson. They will review the packets and choose. A Special Council Meeting was set for September 8, 2020 to formally accept the proposals for Engineer and Grant Administrator. Council Member Herminghaus and Council Member Thompson will send their recommendations to Council prior to the meeting. A public hearing must also be held to inform the public that the City is applying for the CDBG-MIT funding. This hearing allows the public to comment what projects should be included in the grant application. The City Engineer will work with the City Administrator on the Public Hearing.

There was discussion regarding City-wide striping. This will be discussed further at the next Council Meeting.

16. Discuss and take possible action the Minutes of the July 27, 2020 Council Meeting and the August 3, 2020 Special Council Meeting.

Council Member Bender made a motion to approve the Minutes of the July 27, 2020 Council Meeting and the August 3, 2020 Special Council Meeting subject to update of item #13 on the July 27, 2020 Minutes to include Council Member's last name. Council Member Dodds seconded the motion and it passed unanimously.

17. Discuss and take possible action on any future agenda items, meeting dates, etc.

Meeting dates: Special Council Meeting on September 8, 2020, and September 14, 2020. Council Member Kollenberg requested the website be a future agenda item. Council Member Thompson requested the Mayor to send updates on city landscaping improvements.


18. Adjourn

Council Member Bender made a motion to adjourn. Council Member Herminghaus seconded the motion and it passed unanimously. The meeting adjourned at 9:30 p.m.

PASSED AND APPROVED this 28th day of September 2020


Mark Kobelan
Mayor




Karen Farris
City Secretary