

**MINUTES OF A CITY OF PINEY POINT VILLAGE SPECIAL COUNCIL MEETING ON MONDAY, JULY 29, 2024, AT 6:00 P.M. LOCATED AT 325 PINEY POINT RD., PINEY POINT VILLAGE, TEXAS.**

**Councilmembers Present:** Aliza Dutt, Margaret Rohde, Dale Dodds, Joel Bender, and Jonathan Curth.

**Councilmembers Absent:** Michael Herminghaus.

**City Representatives Present:** Bobby Pennington, City Administrator; Loren Smith, Acting City Attorney; Jim Huguenard, Police Commissioner; Ray Schultz, Police Chief; Henry Kollenberg, Fire Commissioner; Howard Miller, Fire Chief; Joe Moore, City Engineer. Michelle Yi, Finance Director; Annette Arriaga, Building Services Director.

**Call To Order**

- At 6:00 p.m., Mayor 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**

- Mr. Beebe's legal representative addressed the council, requesting that the city consider options for improving utility lines to handle periodic storms.
- Mrs. Freeman spoke about unpermitted construction activity.
- There were no other requests.

**Budget Workshop**

➔ *Item #1 was moved to the end of the agenda.*

**New Business**

- 2. Consideration and possible action on approval of the Council Meeting Minutes held on June 24, 2024.**
  - Minor corrections and adjustments were made to the draft minutes, plus further clarification on Item 10, that only engineering services for the Chuckanut project were approved.
  - Councilmember Dodds moved to approve the Council Meeting Minutes for the meeting held on June 24, 2024, as presented with the inclusion of the date correction. Bender seconded the motion.  
AYES: Dodds, Bender, Rohde and Curth.  
NAYS: None.
  - The motion carried.
- 3. Consideration and possible action on the Memorial Villages Police Department, including the update on activities and E-Bicycles (ORD 2024.07).**
  - In June, the MVPD responded to and handled 2,028 calls and incidents for Piney Point Village alone. Additionally, 1,650 house watch checks were conducted, and 391 citations, with 166 as warnings, were issued during this period.
  - The council discussed the E-Bike Ordinance, focusing on the use of e-bikes on sidewalks versus on the roadway. One option discussed was sending a mailer and notification to the schools regarding the proposed ordinance, including key points to reach a wide audience. However, Police Chief Shultz and Police Commissioner Huguenard explained that ample warnings and educational notices would be provided at the time of an offense.
  - Councilmember Dodds moved to approve the E-Bicycle Ordinance as presented. Councilmember Rohde seconded the motion.  
AYES: Dodds, Bender, and Rohde.  
NAYS: Curth.
  - The motion passes, 3-1.
  - The council clarified that the city would notify residents, schools, and churches about the new ordinance.

- No further action was taken.
- 4. Consideration and possible action on the Village Fire Department, including an update on activities, financials, and agendas/minutes.**
- For the month, the VFD responded to 166 calls, 29 of which were in Piney Point Village, with an average response time of 4:42.
  - Commissioner Kollenberg updated the council on a change in the administrative staff and drafted financial policies.
  - No further action was taken.
- 5. Consideration and possible action on a scheduled update from SBISD regarding the Specific Use Permit Request for extended hours at Memorial Drive Elementary School, as required by Ordinance 05.2024-D.**
- Travis Stanford addressed the council regarding construction activity and the necessity of extended hours. He explained that the rains had caused a delay but provided details on the scheduled completion of inspections to ensure that the school opens on time as expected. They are requesting the full time be provided in the amended SUP and asked for additional time, including Sundays. School starts on August 15; teachers arrive on August 1.
  - The council, staff, and MDE representatives discussed key items that need to be finalized for a Temporary Certificate of Occupancy.
  - Councilmember Curth moved to extend the hours for interior and exterior work at Memorial Drive Elementary School from 8 a.m. to 10 p.m. on Sunday, August 4<sup>th</sup> and 11<sup>th</sup>. Councilmember Dodds seconded the motion.  
AYES: Dodds and Curth  
NAYS: Bender, Rohde, and Dutt.
  - The motion fails 2-3, and Ordinance 05.2024-D stands unamended.
  - MDE plans to present a final report to the Council at the regular September meeting. The council has delegated the TCO requirements to the city administration by consensus. No further action was taken.
- 6. Consideration and possible action regarding the Mayor's Monthly Report, including Hurricane Beryl, the Generator Permit Process, and the Tree Trimming and Outreach Program.**
- The mayor provided information and a summary on Hurricane Beryl, the Generator Permit Process, and the Tree Trimming and Outreach Program.
  - The council members discussed storm preparedness and the equipment available to manage future storms.
  - No action was taken.
- 7. Consideration and possible action regarding the City Administrator's Monthly Report, including Financial Related Items.**
- Councilmember Bender moved to approve the Quarterly Investment Report for the period ending June 2024. Councilmember Dodds seconded the motion.  
AYES: Dodds, Bender, Rohde and Curth.  
NAYS: None.
  - The motion carried.
  - Councilmember Bender moved to approve the disbursements of On Par Civil Services LLC at \$55,246.50, Tyler Technologies at \$15,674.88, and Tree Service Design at \$15,090. Councilmember Dodds seconded the motion.  
AYES: Dodds, Bender, Rohde and Curth.  
NAYS: None.
  - The motion carried.
- 8. Consideration and possible action on waiving specific permit fees related to storm damage occurring on May 16, 2024, and July 8, 2024.**

- The building official clarified the types of permits and stated that no permits will be issued. Residents may replace existing fences or materials with similar materials and to existing standards. Any non-conforming work outside of the replacement will be enforced. A member of the council requested that we put this information on the website.
  - Councilmember Bender moved to authorize the City Administrator to take all actions necessary to approve and ratify waivers related to storm damage from May 16, 2024, Derecho and July 8, 2024, Hurricane until December 31, 2024. Councilmember Rohde seconded the motion.
    - AYES: Dodds, Bender, Rohde and Curth.
    - NAYS: None.
  - The motion carried.
- 9. Consideration and possible action on the date, time, and location for the budget hearing on the fiscal year 2025 budget.**
- Councilmember Bender moved to authorize action on the date, time, and location for the budget hearing on the fiscal year 2025 budget, as presented. Councilmember Rohde seconded the motion.
    - AYES: Dodds, Bender, Rohde and Curth.
    - NAYS: None.
  - The motion carried.
- 10. Consideration and possible action as a record vote of the Council on the date, time, and location for the tax hearing on the 2024 tax rate.**
- The council reached a consensus and requested the publication of the tax rate and tax hearing for financial transparency, even though it is not required according to the TNT calculation. No formal action was required to proceed.
- 11. Discuss an ordinance proposal updating construction fence screening under Chapter 10, Buildings and Building Regulations.**
- The council requested that the city administration have Planning and Zoning review this proposed requirement.
  - No further action was taken.
- 12. Consideration and possible action on a resolution (RES 2024.07-B) to define decorum guidelines for election-related activities within Piney Point Village.**
- The council discussed the proposed guidelines, freedom of speech, what is prohibited, and the level of limitations.
  - The item is to be included in a future agenda, considering the discussed elements for potential action.
- 13. Consideration and possible action on a Certificate of Acceptance 96-inch CMP Replacement Project by AR Turnke Construction Company, Inc.**
- Councilmember Bender moved to approve and issue the Certificate of Acceptance for the 96-inch CMP Replacement Project by AR Turnke Construction Company, Inc. Councilmember Dodds seconded the motion.
    - AYES: Dodds, Bender, Rohde and Curth.
    - NAYS: None.
  - The motion carried.
- 14. Consideration and possible action on quotes received for North Country Squire concrete point repairs.**
- HDR has identified panels that are good candidates for replacement and quotes received for the replacements.
  - Councilmember Dodds moved to approve the quote from On Par at \$55,150 related to North Country Squire concrete point repairs. Councilmember Bender seconded the motion.
    - AYES: Dodds, Bender, Rohde and Curth.
    - NAYS: None.
  - The motion carried.

**15. Consideration and possible action on quotes received for signage and bollard installations at five T-Intersections in the City.**

- HDR provided quotes and exhibits of the proposed intersections chosen for improvement: Hedwig at Greenbay, Hedwig at Beinhorn, Echo at Taylorcrest, Blalock at Taylorcrest, and Taylorcrest at Piney Point.
- Councilmember Dodds moved to approve the quote of \$10,865.57 from A-1 Construction Services for T-intersection improvements, and Councilmember Bender seconded the motion.

AYES: Dodds, Bender, Rohde and Curth.

NAYS: None.

- The motion carried.

**16. Consideration and possible action on the Engineer's Report.**

- The report incorporates the rainfall data acquired from the gauge located at Buffalo Bayou & San Felipe to evaluate the recent improvements in drainage systems. There were no reports of flooding in homes.
- HDR is ready to advertise the project for bidding and has coordinated advertising and bidding for the 2023 Paving Improvement Project.
- HDR has proposed enhancements between 14 and 15 Windermere that are independent of the Houston easement and outfall work, all at a more favorable cost.

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

- The council is requesting the inclusion of the following topics for an upcoming meeting or workshop: light ordinance, park ordinance, cell nodes, utility line improvements, election signs, and disaster recovery.
- Additionally, upcoming meetings are as follows: Engineering Meeting - Wednesday, August 14, 2024; Regular Council Meeting - Monday, August 26, 2024; City Holiday – Monday, September 2, 2024.

**Executive Session**

**18. Section 551.071- Consultation with City Attorney.**

- A closed executive meeting was held at 8:45 pm in accordance with Chapter 551, Texas Government Code, under the authority of Section 551.071 for consultation with the City Attorney.
- The council reconvened into an open meeting at 8:52 pm.

**19. Consideration and possible action on items discussed in the Executive Session.**

- No action was taken on the item(s) discussed in the executive session.

**Budget Workshop**

**1. FY25 Budget Workshop #1.**

- A budget presentation was provided on the proposed fiscal year budget. The staff is to incorporate options and recommendations provided by the council.

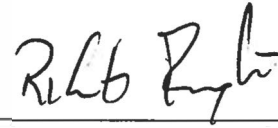
**Adjournment**

- Councilmember Bender made a motion for adjournment, seconded by Councilmember Dodds.
- Mayor Dutt adjourned the meeting at 9:28 p.m.

PASSED AND APPROVED this 26th day of August 2024.



Aliza Davis  
Mayor



Robert Pennington  
City Administrator / City Secretary