

MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING ON MONDAY, AUGUST 26, 2024, AT 5:30 P.M. LOCATED AT 325 PINEY POINT RD., PINEY POINT VILLAGE, TEXAS.

Councilmembers Present: Aliza Dutt, Margaret Rohde, Dale Dodds, Joel Bender, and Michael Herminghaus

Councilmembers Absent: Jonathan Curth.

City Representatives Present: Bobby Pennington, City Administrator; David Olson, City Attorney; Ray Schultz, Police Chief; Henry Kollenberg, Fire Commissioner; Howard Miller, Fire Chief; Gracie Moylan, Representing City Engineer. Michelle Yi, Finance Director; Annette Arriaga, Building Services Director.

Call To Order

At 5:33 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

- Dan Mark (Gingham) voiced his support for allowances concerning the setbacks for generator permits.
- Henry Kollenberg (S. Cheska) has concerns about the costs of the proposed Chuckanut drainage and overlay improvements project and suggested a comprehensive improvement plan for all streets.
- The Freemans (Piney Point Rd.) provided an undated photograph of a retail appliance truck and voiced their concerns regarding unpermitted work at a neighboring residence near their home.
- There were no other requests.

➔ ***In order to optimize time management for the presenters, several agenda items were reorganized. The initial adjustment involved elevating Item #G within the agenda's sequence.***

G. Generator Permit Process & Ordinance.

- Following a lengthy discussion, the Council has asked the Planning and Zoning Commission to review the matter and provide a recommendation.

A. Budget Workshop #2 for Fiscal Year 2025.

- A presentation was delivered to outline the proposed budgetary changes. The council engaged in discussions pertaining to funding for capital improvements and deliberated on the procedural aspects of project approval, prioritization, and public transparency.

➔ ***Item #2 was moved up on the agenda.***

2. Consideration and possible action on the Memorial Villages Police Department, including update on activities and Hurricane Beryl review.

- In July, the MVPD responded to and handled 3,725 calls and incidents for Piney Point Village alone. Additionally, 2,623 house watch checks were conducted, and 321 citations, with 139 as warnings, were issued during this period.

- Chief Schultz provided a briefing about the emergency response to Hurricane Beryl.
- No further action was taken.

3. 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 267 calls, 50 of which were in Piney Point Village, with an average response time of 5:37.
- Commissioner Kollenberg answered questions about the timing of the budget and the expectation of any savings. The Commissioner also provided the council with an update on the progress of the fire administrator position.
- No further action was taken.

➔ *The council returned to the remaining order of workshop items.*

B. Light Ordinance.

- Following a general discussion on lighting and enforcement of the current ordinance, the council has asked the Planning and Zoning Commission to review the matter and provide a recommendation.
- The council requested that draft versions be shared with the council while under review by the commission.

C. Park Ordinance.

- The council supported the proposed park ordinance but suggested that the park closure time be set at 11 PM. Members also recommended implementing park signage, enforcing firearms regulations, addressing vandalism, clarifying the definition of camping, and establishing a fine of up to \$2,000 for each offense.
- Although not required, there was a consensus for the Planning and Zoning Commission to review the matter and provide a recommendation.

D. Utility Line Improvements.

- The mayor discussed the possibility of speaking with CenterPoint about burying the main electrical lines.
- Herminghaus requested that we not rely solely on CenterPoint and that we contact the Power Delivery Intelligence Initiative (PDII) for potential solutions.

E. Construction Fence Ordinance.

- The Planning and Zoning Commission is underway in reviewing the proposed construction fence ordinance. P&Z would like some consideration on the placement of real estate signage in conjunction with the proposed construction fencing.

F. Disaster Recovery/Storm Preparedness.

- The council discussed a framework of ideas for policies, procedures, and operational resources to streamline our emergency response.
- Staff are to respond to the PUC's Request for Information.
- The Council is willing to postpone the storm preparedness plan until after the formal implementation of the EOC plan, which will include recommendations for participating cities.

H. Campaign Signs.

- The council discussed the enforcement of our current sign ordinance and the guidelines for campaign signage as an action item on the agenda.

I. Work Hours Ordinance.

- The council discussed reviewing a proposed change in the work hours ordinance.
- The council has asked that the Planning and Zoning Commission review the matter and provide a recommendation.

➔ ***The council moved to Item #4, Engineering Report, then proceeded down the remaining new business agenda items in order.***

4. Consideration and possible action on the Engineer's Report.

- Gracie Moylan presented the engineer's report.

1. Consideration and possible action on approval of the Council Meeting Minutes held on July 29, 2024.

- Councilmember Bender moved to approve the Council Meeting Minutes for the meeting held on July 29, 2024, with the inclusion of a minor correction. Dodds seconded the motion.
AYES: Herminghaus, Dodds, Bender, and Rohde.
NAYS: None.
- The motion carried.

5. Discuss and take possible action as a record vote on the proposed 2024 tax rate.

- The proposed 2024 tax rate is \$0.255140 per \$100 of taxable value. The City of Piney Point Village does not plan to increase property taxes for the 2024 tax year, as the proposed tax rate does not surpass the no-new-revenue tax rate.
- Although a public hearing is not required for Tax Year 2024, one is scheduled for transparency before adoption.
- Councilmember Bender made a motion to authorize staff to proceed with a proposed tax rate of \$0.255140 scheduled for proposed action to be adopted on September 23, 2024, at 6:00 p.m., at Ecclesia, seconded by Councilmember Dodds.
- The record vote secured as follows:
FOR the proposal = Michael Herminghaus, Dale Dodds, Joel Bender, and Margaret Rohde.
AGAINST the proposal = None.
PRESENT and not voting = Aliza Dutt.
ABSENT = Jonathan Curth.
- The motion carried; 4-0.

6. Consideration and possible action regarding an ordinance amending the City Code Chapter 2, Article II, Division 2, modifying the number of members to the Planning and Zoning Commission under Section 2-57, modifying the number of members for a quorum to the Planning and Zoning Commission under Section 2-58, and declaring an emergency.

- The Council discussed having the Planning and Zoning Commission review this consideration as a proposed amendment to the Zoning Ordinance.
- Councilmember Bender moved to authorize the Planning and Zoning Commission to conduct a public hearing and making a formal recommendation on an ordinance amending the City Code

Chapter 2, Article II, Division 2, modifying Section 2-57, modifying Section 2-58. Councilmember Herminghaus seconded the motion.

AYES: Herminghaus, Dodds, Bender, and Rohde.

NAYS: None.

- The motion carried.

7. Consideration and possible action regarding a resolution (RES 2024.08-A), the appointment to the Planning and Zoning Commission.

- The council discussed the current membership, open positions, and active members.
- Councilmember Rohde moved to authorize Chris deZevallos as Position #6 and Jay Cohen as Position #7. Councilmember Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, and Rohde.

NAYS: None.

- The motion carried.

8. Consideration and possible action regarding a resolution (RES 2024.08-B) approving and establishing a municipal court warrant policy and making other provisions related to the subject.

- The inclusion of the item on the agenda has been retracted as a demonstration of adherence to the principle of the separation of court powers. No further action has been pursued in this regard.

9. Consideration and possible action on a resolution (RES 2024.08-C) to define decorum guidelines for election-related activities within Piney Point Village.

- The council discussed the guidelines on campaign signs no earlier than 60 days prior to election days.
- Mayor Dutt emphasized the importance of protecting freedom of speech, as reiterated by the council members and legal counsel regarding the proposed resolution.
- Members recommended that the proposed information be provided to the public and to election candidates.
- It was recommended that the proposed resolution change the word "guidelines" to "standards" for better clarity and uniformity with the resolution's exhibit.
- Councilmember Dodds moved to approve Resolution 2024.08-C, with the inclusion of campaign signs no earlier than 60 days prior to election days and change the words "guidelines" to "standards." Councilmember Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, and Rohde.

NAYS: None.

- The motion carried.

10. Consideration and possible action on the monthly report presented by the Mayor, including (a) Tree Trimming and Outreach Program.

- Mayor Dutt briefed the Council on the Beautification Committee's Tree Trimming and Outreach Program and the actions taken by CenterPoint.
- No further action taken.

11. Consideration and possible action regarding the City Administrator's Monthly Report, including but not limited to (a) Financial Related Items, (b) Annual Recycle Event, (c) Arbor Day Event, and (d) Update on Current Specific Use Permits and Permit Activity.

- The financials were presented for August.

- The presented TCO reimbursement does not adhere to the specified timing requirements for reimbursement.
- The Memorial Villages annual recycling event will be held on Saturday, October 26, 2024, from 8:00 a.m. to 12:00 noon. The event location is 955 Piney Point Rd.
- The annual Piney Point Arbor Day event is scheduled for Saturday, November 2, 2024. The event location is Ecclesia.
- No further action was taken.

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

- The council has requested that the enforcement of SUPs be included as a future topic.
- Additionally, upcoming meetings and future dates were stated as follows: City Holiday on Monday, September 2, Engineering Meeting on Wednesday, September 11; Regular Council Meeting on Monday, September 23.

Executive Session

13. Section 551.071- Consultation with City Attorney.

- There was no call for an executive session.

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

- There was no executive session.

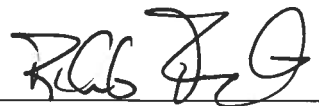
Adjournment

- Councilmember Herminghaus made a motion for adjournment, seconded by Councilmember Dodds.
- Mayor Dutt adjourned the meeting at 8:45 p.m.

PASSED AND APPROVED this 23rd day of September 2024.



Aliza Dutt
Mayor

Robert Pennington
City Administrator / City Secretary