

MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING ON MONDAY, NOVEMBER 18, 2024, AT 6:00 P.M. AT 7660 WOODWAY DR. SUITE 593, HOUSTON, TEXAS.

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

Councilmembers Absent: Joel Bender and Jonathan Curth.

City Representatives Present: Bobby Pennington, City Administrator; David Olson, City Attorney; Jim Huguenard, Police Commissioner; Ray Schultz, Police Chief; Henry Kollenberg, Fire Commissioner; Howard Miller, Fire Chief; John Peterson, City Engineering; Gracie Moylan, City Engineering; Annette Arriaga, Building Services Director; and Frederick Johnson, Public Works Manager.

Call To Order

At 6:00 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

- There were no public requests to speak before the Council, aside from those scheduled for specific hearings.

Public Hearings

- A. Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 74, Article V. Section 74-281, Permitted signs of the code of ordinances regarding signs on permitted temporary construction fences.**
 - Rohde summarized the changes, stating that a "For Sale" sign can be placed on a temporary construction fence that has the proper permits. This rule applies no matter how far the fence is from a public or private street.
 - Mayor Dutt opened the public hearing at 6:02 PM to allow the public to provide comments, testimony, or opinion on a proposed plan for an ordinance amending Chapter 74, Article V. Section 74-281, Permitted signs of the code of ordinances regarding signs on permitted temporary construction fences.
 - No one requested to address the council after the call.
 - Mayor Dutt closed the hearing at 6:03 PM.

- B. Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 74, Article IV, of the code of ordinances by creating a new subsection under section 74-245 Supplementary district regulations regarding the orientation of a building.**
 - Rohde summarized the changes, which regulate the building front home to be oriented toward the street adjacent to the front yard.
 - Mayor Dutt opened the public hearing at 6:04 PM to allow the public to provide comments, testimony, or opinion on a proposed plan for an ordinance amending Chapter 74, Article IV, of the code of ordinances by creating a new subsection under section 74-245 Supplementary district regulations regarding the orientation of a building.
 - No one requested to address the council after the call.
 - Mayor Dutt closed the hearing at 6:04 PM.

C. Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 74, Article I. Section 74.1 Definitions, and Chapter 74, Article IV., Sections 74-244 (b) Height Regulations, and 74-245 (d) Outdoor lighting.

- Rohde summarized the proposed amendment changes.
- Mayor Dutt opened the public hearing at 6:05 PM to allow the public to provide comments, testimony, or opinion on a proposed plan for an ordinance amending Chapter 74, Article I. Section 74.1 Definitions, and Chapter 74, Article IV., Sections 74-244 (b) Height Regulations, and 74-245 (d) Outdoor lighting.
- No one requested to address the council after the call.
- Mayor Dutt closed the hearing at 6:06 PM.

D. Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 74, Article IV. Section 74-244 Regulations of the code of ordinances, regarding generator and building area calculations, and creating a new section 74-247 Standby Electric Generators, regarding the permitting, location, installation, and operation of residential standby electric generators.

- Rohde summarized the proposed amendments, specifically addressing changes in location and proximity to the residential structure.
- Mayor Dutt opened the public hearing at 6:10 PM to allow the public to provide comments, testimony, or opinions on a proposed plan for an ordinance amending Chapter 74, Article IV. Section 74-244 Regulations of the code of ordinances, regarding generator and building area calculations, and creating a new section 74-247 Standby Electric Generators, regarding the permitting, location, installation, and operation of residential standby electric generators.
- Dan Mark (Gingham) addressed the council to seek clarification on the specifics of the draft ordinance, mainly concerning the five-foot setback and other regulations regarding the proximity to vegetation, structures, and/or buildings.
- Mayor Dutt closed the hearing at 6:13 PM.

E. Public Hearing for an ordinance of the City of Piney Point Village, Texas, amending Chapter 2, Article 11, 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. To also consider and take action if this should be considered in Chapter 74 as part of the Zoning Ordinance.

- Pennington summarized the proposed amendments, stating that they aim to clarify the membership requirements, and the quorum needed for meetings.
- Mayor Dutt opened the public hearing at 6:14 PM to allow the public to provide comments, testimony, or opinion on a proposed plan for an ordinance amending Chapter 2, Article 11, 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; To also consider and take action if this should be considered in Chapter 74 as part of the Zoning Ordinance.
- No one requested to address the council after the call.
- Mayor Dutt closed the hearing at 6:14 PM.

Agenda Items

- 1. Consideration and possible action on approval of the Council Meeting Minutes held on October 28, 2024.**
 - Councilmember Herminghaus moved to approve the Council Meeting Minutes held on October 28, 2024. Dodds seconded the motion.
AYES: Herminghaus, Dodds, and Rohde.
NAYS: None.
 - The motion carried.

- 2. Consideration and possible action on the Memorial Villages Police Department, including (a) an Update on activities and (b) the HGAC/MVPD Interlocal Purchase Agreement.**
 - In October, the MVPD responded to and handled 1580 calls and incidents for Piney Point Village alone. Additionally, 1051 house watch checks were conducted, and 476 citations, with 225 as warnings, were issued during this period.
 - Councilmember Rohde moved to approve the MVPD Interlocal Purchase Agreement. Dodds seconded the motion.
AYES: Herminghaus, Dodds, and Rohde.
NAYS: None.
 - The motion carried.

- 3. Consideration and possible action on the Village Fire Department, including (a) Updates on activities, (b) VFD Financials, and (c) VFD Agendas & Minutes.**
 - Chief Miller and Commissioner Kollenberg provided reports and highlights for the month, including the vehicle accident involving the ladder truck.
 - The council requested a copy of the recent VFD financials.

- 4. Consideration and possible action on City Engineering, including (a) Blalock Storm Sewer Point Repairs, (b) South Piney Point Road Traffic Improvements, and (c) Engineering Report.**
 - **Recommendation (a):** Councilmember Dodds moved to approve HDR to seek proposals for Blalock Storm Sewer Point Repairs under \$50,000. Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, and Rohde.
NAYS: None.
 - **Recommendation (b):** Councilmember Dodds moved to approve South Piney Point Road Traffic Improvements with On Par at \$36,356.65. Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, and Rohde.
NAYS: None.
 - The Engineering Report was presented, accompanied by additional discussions. It was highlighted that the 2023 Paving Improvements are scheduled for December 2. Additionally, the improvements on Piney Point Road at Smithdale are anticipated to commence as early as November 21. The Chuckanut Project has reached 90% design completion and will be communicated to local residents. The replacement of School Zone signage is currently in progress, and the notice to proceed for the Windermere Outfall survey was issued on October 31.
 - No further formal action was taken.

- 5. Consideration and possible action on an ordinance (ORD. 2024.11) of the City of Piney Point Village, Texas, amending Chapter 74, Article V. Section 74-281, Permitted signs of the code of ordinances regarding signs on permitted temporary construction fences.**

- Councilmember Rohde moved to approve the ordinance (ORD. 2024.11) of the City of Piney Point Village, Texas, amending Chapter 74, Article V. Section 74-281, Permitted signs of the code of ordinances regarding signs on permitted temporary construction fences. Dodds seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

6. Consideration and possible action on an ordinance (ORD. 2024.11-A) of the City of Piney Point Village, Texas, amending Chapter 74, Article IV, of the code of ordinances by creating a new subsection under section 74-245 Supplementary district regulations regarding the orientation of a building.

- Councilmember Rohde moved to approve the ordinance (ORD. 2024.11-A) of the City of Piney Point Village, Texas, amending Chapter 74, Article IV, of the code of ordinances by creating a new subsection under section 74-245 Supplementary district regulations regarding the orientation of a building. Dodds seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

7. Consideration and possible action on an ordinance (ORD. 2024.11-B) of the City of Piney Point Village, Texas, amending Chapter 74, Article I. Section 74.1 Definitions, and Chapter 74, Article IV., Sections 74-244 (b) Height Regulations, and 74-245 (d) Outdoor lighting.

- Councilmember Rohde moved to approve the ordinance (ORD. 2024.11-B) of the City of Piney Point Village, Texas, amending Chapter 74, Article I. Section 74.1 Definitions, and Chapter 74, Article IV., Sections 74-244 (b) Height Regulations, and 74-245 (d) Outdoor lighting. Dodds seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

8. Consideration and possible action on an ordinance (ORD. 2024.11-C) of the City of Piney Point Village, Texas, amending Chapter 74, Article IV. Section 74-244 Regulations of the code of ordinances, regarding generator and building area calculations, and creating a new section 74-247 Standby Electric Generators, regarding the permitting, location, installation, and operation of residential standby electric generators [*NOTE: Change in agenda order. This item was discussed after Item #4, engineering, and before Item #5, Permitted signs Ordinance.*]

- The council reviewed final clarification changes to the ordinance. Two of the five members of the Planning and Zoning Commission expressed their opposition to the proposed changes that would allow the generator to be installed less than five feet from residential structures. Their dissenting opinion stated that maintaining a minimum distance of five feet would make it easier for the city to manage and navigate the permitting process. This action was the only decision made by the Commission that did not receive unanimous approval.
- Dan Mark requested clarification on the definition of "structure" within the ordinance. City Attorney Olson and Councilmember Rohde suggested additional language specifically addressing how "structure" applies to both the five-foot and three-foot exclusions.

- Councilmember Dodds proposed approving the ordinance with the agreed-upon revisions (ORD. 2024.11-C) of the City of Piney Point Village, Texas, amending Chapter 74, Article IV. Section 74-244 Regulations of the code of ordinances, regarding generator and building area calculations, and creating a new section 74-247 Standby Electric Generators, regarding the permitting, location, installation, and operation of residential standby electric generators. Rohde seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

9. Consideration and possible action on an ordinance (ORD. 2024.11-D) of the City of Piney Point Village, Texas, amending 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.

- Councilmember Rohde moved to approve the ordinance (ORD. 2024.11-D) of the City of Piney Point Village, Texas, amending 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. Dodds seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

10. Consideration and possible action on an ordinance (ORD. 2024.11-E) 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.

- The item was tabled by Mayor Dutt as additional details on the signage, as distance markers are needed to finalize the proposed ordinance.

11. Consideration and possible action on the Interlocal Agreement with SBISD for 2025 Joint Elections.

- Councilmember Herminghaus moved to approve the Interlocal Agreement with SBISD for the 2025 Joint Elections. Dodds seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

12. Consideration and possible action on renewing the Interlocal Agreement with Harris County to house, support, maintain, and confine or detain city prisoners in Harris County Jails.

- Councilmember Dodds moved to approve renewing the Interlocal Agreement with Harris County to house, support, maintain, and confine or detain city prisoners in Harris County Jails. Rohde seconded the motion.

AYES: Herminghaus, Dodds, and Rohde.

NAYS: None.

- The motion carried.

- 13. Consideration and possible action to ban the use of certain social media applications, including TikTok, on government-issued devices.**
- Councilmember Rohde moved to approve a ban on using certain social media applications, including TikTok, on government-issued devices. Dodds seconded the motion.
AYES: Herminghaus, Dodds, and Rohde.
NAYS: None.
 - The motion carried.
- 14. Consideration and possible action regarding the Mayor's Monthly Report, including (a) Arbor Day Proclamation and (b) CenterPoint Update on Utility Improvements.**
- Mayor Dutt issued a Proclamation for Arbor Day.
 - Mayor Dutt provided an update on CenterPoint's planned utility improvements. The council also requested a workshop or meeting to establish procedures for emergency operations and events that may lead to power outages. Additionally, members emphasized the need to continue pursuing the probable costs associated with underground power infrastructure.
- 15. Consideration and possible action regarding the City Administrator's Monthly Report, including but not limited to (a) Financial Related Items and (b) Residential Use of Recreational Golf Carts.**
- The financial-related items were provided to the council.
 - The council held a discussion about creating an ordinance for golf cart usage, focusing on safety concerns. There was a consensus that staff should draft an ordinance for the council to review. [*NOTE: Change in agenda order. This item was discussed after Item #3, the fire report, and before Item #4, engineering.*]
- 16. Consideration and possible action regarding current allowances for the Special Use Permit pertaining to Ecclesia Church**
- The Mayor, staff, and legal team will handle violations or request that Ecclesia submit a new Special Use Permit to the council for official approval.
- 17. Consideration and possible action regarding traffic enhancements for vehicles exiting Saint Francis Episcopal Church and School onto Piney Point Road** [*NOTE: Change in agenda order. This item was discussed after Item #3, the fire report as well as the golf cart discussion, and before Item #4, engineering.*]
- Feedback was received from the Council, PPV Staff, SFEC Staff, and MVPD Police concerning vehicle queuing and the various aspects of traffic management associated with SFEC.
 - The Council agreed that staff monitor the issue going forward, and no formal action was taken.
- 18. Discuss proposed pet restraint regulations or measures to mitigate animal attacks** [*NOTE: Change in agenda order. This item was discussed after Item #3, the fire report, golf cart discussion, SFEC traffic, and before Item #4, engineering.*]
- Feedback was received from the Council, PPV Staff, and MVPD Police concerning a leash law.
 - The Council has asked the legal team to draft an ordinance for future review.

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

- The Beautification Meeting is scheduled for December 9, the Engineering Meeting for December 11, and the Regular Council Meeting for November 16.

Executive Session

20. 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.

- No executive meeting was called.

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

- No action required.

Adjournment

- Councilmember Herminghaus made a motion for adjournment, seconded by Councilmember Rohde.
- Mayor Dutt adjourned the meeting at 8:20 p.m.