

MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING ON MONDAY, DECEMBER 16, 2024, AT 6:00 P.M. AT 7660 WOODWAY DR. SUITE 593, HOUSTON, TEXAS.

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

City Representatives Present: Bobby Pennington, City Administrator; David Olson, City Attorney; Jim Huguenard, Police Commissioner; Gigi Joyner, Alternate Police Commissioner; Ray Schultz, Police Chief; Henry Kollenberg, Fire Commissioner; Dan Ramey, Alternate 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

- Julie Goodall discussed several topics, including school signage, city communications, pine beetles, and the holiday park lights.
- Jonathan Curth discussed two topics: the height of the school zone beacons and an event concerning a home on Memorial, which was later identified as a realtor open house rather than a short-term rental. Staff is to codify recently adopted ordinances or provide a system for viewing ordinances awaiting final codification.
- John Lisenby endorsed Dan Ramey for the position of Alternate Commissioner for the Village Fire Department.
- There were no further public requests to speak before the Council.

Agenda Items

- 1. Consideration and possible action on approval of the Council Meeting Minutes held on November 18, 2024.**
 - Councilmember Herminghaus moved to approve the Council Meeting Minutes held on November 18, 2024. Dodds seconded the motion.
AYES: Herminghaus, Dodds, Bender, 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 November, the MVPD responded to and handled 1,607 calls and incidents for Piney Point Village alone. Additionally, 1,161 house watch checks were conducted, and 345 citations, with 181 as warnings, were issued during this period.
 - Councilmember Bender moved to approve the MVPD Budget Amendments. Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.

- The City Administrator provided an update to the Council about the HOA installing the Memorial Point ALPR camera.
- No further formal actions were taken into consideration.

3. Consideration and possible action on the Village Fire Department, including (a) Updates on activities.

- In November, the VFD responded to and handled a total of 132 calls and incidents across all cities. Piney Point Village accounted for 24 of those calls.
- No formal actions were taken into consideration.

4. Consideration and possible action on City Engineering, including (a) 2023 Paving Improvements Change Order, (b) Blalock Point Repairs Quotes, (c) Chapelwood Court Drainage Improvements, (d) Memorial Point and Memorial Drive Intersection, and (e) Engineering Report.

- **Recommendation (1)**: Councilmember Dodds moved to approve a change order for the 2023 Paving Improvements, totaling \$10,325.00, which includes the installation of an additional 18-inch RCP pipe and a new inlet at Grecian Way. Bender seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- **Recommendation (2)**: Councilmember Dodds moved to approve the Chapelwood Court Drainage Improvements for \$82,134 to ensure proper drainage capacity. Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- **Recommendation (3)**: Councilmember Bender moved to approve the Blalock Point Repairs Project awarded to Experts Underground Solutions in the amount of \$49,998.00. Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- **Recommendation (4)**: As part of the Engineering Report, HDR presented the progress and changes regarding the proposed Chuckanut Drainage and Paving Improvements project following neighborhood meetings held on November 19 and December 12, 2024. During these discussions, Councilmember Dodds moved to approve Option 1.5 of the proposed improvements, contingent upon receiving a mutually agreed-upon document of understanding from all participants involved in the project. Bender seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- In the Engineering Report, the council thoroughly reviewed the school zone sign project. HDR will explore additional signage options that comply with MUTCD standards. Furthermore, there was a discussion about a request to install a sign in the esplanade that reads, "Do Not Block Intersection(s)." A resident reported experiencing daily difficulties with traffic at the Memorial and Memorial Point intersection. The council instructed staff and the engineering team to find the least intrusive solution, potentially a sign that would enhance traffic flow at the intersection.
- No further formal action was taken into consideration.



The council agreed to change the order of discussion items and addressed Item #11 at approximately 7:16 PM.

5. **Consideration and possible action on an ordinance (ORD. 2024.12) 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. [NOTE: The order of discussion resumed as scheduled after addressing Item #11 at approximately 7:26 PM.]**
 - HDR will explore additional signage options that comply with MUTCD standards. Therefore, Councilmember Rohde moved to table the ordinance amending Chapter 58, Article I, Section 58-2, Street Regulations of the code of ordinances regarding the establishment of school zones and school crosswalks. Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
 - The motion carried.

6. **Consideration and possible action on an ordinance (ORD. 2024.12-A) of the City of Piney Point Village, Texas, amending 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 suggested enhanced outreach to inform local residents and MDE school leadership about our prohibited parking proposal.
 - Councilmember Rohde moved to table the ordinance amending 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. Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
 - The motion carried.

7. **Consideration and possible action on an ordinance (ORD. 2024.12-B) of the City of Piney Point Village, Texas, amending Chapter 10, Article I., Sections 10-1 and 10-2 and adding Section 10-9 of the code of ordinances regarding emergency construction work hours, construction-related parking, and construction site regulations; amending Chapter 26, Article I., Section 26-3 of the code of ordinances regarding restrictions for certain noise-producing activities; and amending chapter 56, Article I., Section 56-3 of the code of ordinances regarding construction activities in the city right-of-way.**
 - Councilmember Rohde moved to approve the ordinance (ORD. 2024.12-B) amending Chapter 10, Article I., Sections 10-1 and 10-2 and adding Section 10-9 of the code of ordinances regarding emergency construction work hours, construction-related parking, and construction site regulations; amending Chapter 26, Article I., Section 26-3 of the code of ordinances regarding restrictions for certain noise-producing activities; and amending

chapter 56, Article I., Section 56-3 of the code of ordinances regarding construction activities in the city right-of-way. Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, and Rohde.

NAYS: None.

ABSTAIN: Curth.

- The motion carried.



The council agreed to change the order of discussion items and addressed Workshop Items at approximately 7:44 PM.

8. Consideration and possible action on a Resolution of Order (RES. 2024.12-C) to establish a joint election with Spring Branch Independent School District for the General Municipal Election on May 3, 2025. [NOTE: The discussion resumed its scheduled order after addressing Workshop Item #A and Item #B at approximately 8:20 PM.]

- Councilmember Dodds proposed approving the Resolution of Order (RES. 2024.12-C) to establish a joint election with Spring Branch Independent School District for the General Municipal Election on May 3, 2025. Bender seconded the motion.

AYES: Herminghaus, Dodds, Bender, Rohde and Curth.

NAYS: None.

- The motion carried.

9. Consideration and possible action on the schedule of Observed Holidays for 2025 (RES. 2024.12-D).

- It was noted that an additional holiday was added to the proposed schedule, observing Martin Luther King Jr. Day, increasing the total number of holidays to twelve.
- Councilmember Bender proposed approving the schedule of Observed Holidays for 2025 (RES. 2024.12-D). Rohde seconded the motion.

AYES: Dodds, Bender, Rohde and Curth.

NAYS: Herminghaus.

- The motion carried.

10. Consideration and possible action on an Ordinance (ORD. 2024.12-E) that establishes the schedule for City Council Regular Meetings in 2025.

- It was noted that two regular meetings are scheduled as needed for 2025, as in the past, the city incorporated two regular meetings each month. It is expected that only the fourth Monday of each month will be used as the primary regular meeting date.
- Due to a scheduling conflict from a holiday, the regular meeting originally set for the fourth week of September has been adjusted to Wednesday, September 24, 2025.
- Councilmember Rohde proposed approving the Ordinance (ORD. 2024.12-E) that establishes the schedule for City Council Regular Meetings in 2025 with the adjustments discussed. Herminghaus seconded the motion.

AYES: Herminghaus, Dodds, Bender, Rohde and Curth.

NAYS: None.

- The motion carried.

11. Consideration and possible action regarding various City Boards and Commissions, including (a) Nomination and Council approval to the Memorial Villages Police Department Commission

(RES. 2024.12-F), (b) Nomination and Council approval to the Village Fire Department Commission (RES. 2024.12-G), (c) Nomination and Council approval to the Board of Adjustments Commission (RES. 2024.12-H). [*NOTE: This item was discussed after Item #4, engineering, and before Item #5, School Zone Ordinance at approximately 7:16 PM.*]

- **Recommendation (1)**: Mayor Dutt has nominated Gigi G. Joyner to serve as the Alternate Commissioner on the Memorial Villages Police Department Board of Commissioners. Councilmember Rohde moved to approve her nomination, and Herminghaus seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- **Recommendation (2)**: Mayor Dutt has nominated Dan Ramey to serve as the Alternate Commissioner on the Villages Fire Department Board of Commissioners. Councilmember Herminghaus moved to approve his nomination, and Bender seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- **Recommendation (3)**: Councilmember Bender moved to table the Board of Adjustment (BOA) nominations, and Dodds seconded the motion. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.

12. Consideration and possible action regarding the Mayor's Monthly Report, including (a) Chinese New Year Proclamation (RES. 2024.12-I).

- It was recommended by the majority of the council that the proposed resolution should be an acknowledgment from the mayor rather than a formal resolution.
- No formal action was taken.

13. Consideration and possible action regarding the City Administrator's Monthly Report, including (a) Financial Related Items, (b) Shred Services Contract, (c) Garbage Pickup for Holidays, and (d) Public Works Vehicle.

- Staff relayed the change in GFL recycling schedule due to the holidays.
- The financial-related items were provided to the council. After further council discussion, staff will review the Kinkaid payment and the tax adjustment in November. In addition, the staff and legal will compose a formal letter to Ecclesia Church requesting remediation for the identified SUP violations. The mayor will subsequently arrange a potential in-person meeting with the Church to discuss the violations, aiming to address the matter while preserving our amicable relationship.
- Staff has withdrawn the request for a new server costing \$18,699.38 as it was not urgent. After additional review, staff will resubmit this request.
- **Recommendation (1 & 2)**: Councilmember Rohde moved to approve the following recommendations: (1) disbursements limited to a \$25,000 TCO reimbursement to 11303 Somerland and \$108,750 to Uretek for improvements on North Piney Point Road; and (2) the Iron Mountain Shred Service Agreement. The motion passed with the following results:
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- No further action was taken.

14. Consideration and possible action regarding a Resolution (RES. 2024.12-J) to execute settlement release documents with retail pharmacy Kroger as an additional settling party within the national opioid settlement participation previously authorized.

- Councilmember Bender moved to approve Resolution (RES. 2024.12-J) to execute settlement release documents with retail pharmacy Kroger as an additional settling party within the national opioid settlement participation previously authorized. Rohde seconded the motion.
AYES: Herminghaus, Dodds, Bender, Rohde and Curth.
NAYS: None.
- The motion carried.

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

- The Regular Council Meeting is scheduled for January 27.
- No formal action was taken.

WORKSHOP

A. Discussion and consideration regarding an ordinance of the City of Piney Point Village, Texas, amending Chapter 6, Article III., Section 6-99; Failure to control dogs amending the code of ordinances regarding the control of a dog. [NOTE: The discussion regarding this item took place following Item #7, approximately at 7:44 PM.]

- Herminghaus indicated that at the previous meeting, a draft of the proposed ordinance would be presented to the council. The mayor emphasized the importance of collecting additional data prior to making a decision.
- Staff requested that Chief Schultz provide statistics on calls related to dogs. He noted that the police are experiencing an increase in confrontations between dogs that are controlled by their owners and those that are not. In 2022, there were 72 calls regarding various animal issues; in 2023, that number rose to 83, and so far in 2024, there have been 77 calls. These calls cover a range of incidents, from dogs running down the street to a dog on a leash being attacked. This year, there have been two reported incidents of bites to individuals. However, many cases are resolved directly between dog owners without police intervention. The chief has acknowledged that residents from neighboring villages often walk their dogs in Piney Point, and likewise, Piney Point residents do the same in those areas. As a result, many residents return to their respective villages to file a report, so the data regarding these calls will need to be thoroughly reviewed for exact numbers.
- Councilmember Rohde noted that significant police time and resources are being tied up due to a dog's lack of control. The MVPD would prefer some consideration of a unified leash law that would ensure consistency among all participating villages, similar to the rule adopted by Bunker Hill: If you walk your dog off your property, you must have a leash.
- The council is requesting that an ordinance be drafted for their review. The next step is to inform the community about an upcoming open meeting where the proposal will be discussed. This information should be included in the communication regarding the proposed public hearing. The council would like to have this added to the agenda for the next council meeting, and it should be communicated through mailings or via VLINC. Additionally, discussions included finding a venue that can accommodate the public. Staff will review the completion timeline for the new office to ensure it meets the meeting deadline or to find a space that can accommodate the possibility of additional residents.

B. Discussion and consideration regarding an ordinance to regulate the operation of golf carts within the city limits; providing for definitions, registration requirements, operational restrictions, and penalties; and providing for an effective date. [NOTE: The discussion regarding this item took place following Item #7, and Item #A approximately at 8:05 PM.]

- Staff requested that Chief Schultz provide information and his opinion on the use of golf carts. Council Member Dodds raised a question regarding their safety. Schultz responded that golf carts are not safe in a major metropolitan environment, as they can create confusion for drivers when a car approaches a cart.
- The council initially requested the preparation of an ordinance akin to the Dog Leash Ordinance. They will notify the community regarding the upcoming meeting dedicated to discussing this proposal. Council Member Curth proposed that the council consider the number of ordinances currently being enacted and suggested postponing future items due to the significant changes that have already been implemented. The council generally concurred with this approach, recognizing that the issue of the carts is not a pressing concern at this time. It was agreed that this matter should be revisited in six months.

Executive Session

16. 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; Section 551.072- Lease Property, 7660 Woodway; Section 551.074- Personnel Matters -Specifically to deliberate the duties and appointment of the City's Commissioner and Alternate Commissioner to the Village Fire Commission; Section 551.074- Personnel Matters - Annual Evaluation of City Employees.

- The council convened into executive session at 8:55 PM in accordance with the authority contained in Section 551.071- Consultation with City Attorney; Section 551.072- Lease Property, 7660 Woodway; Section 551.074- Personnel Matters -Specifically to deliberate the duties and appointment of the City's Commissioner and Alternate Commissioner to the Village Fire Commission; Section 551.074- Personnel Matters -Annual Evaluation of City Employees.
- The Council reconvenes into an open session at 10:07 PM.

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

- Councilmember Bender motioned to approve budgeted salary increases: The salary adjustments for various positions are as follows: City Administrator: 4%; Finance Director: 6%; Building Director: 6%; Court Administrator: 3%; Laborer: 3%; New hires less than 90 days are to remain at 0%; Two part-time positions: 10% and employed more than 90 days; Additionally, there will be a year-end salary adjustment similar to last year, in the same denomination. Legal has been instructed to extend the contract for the City Administrator, which will be further reviewed by the Council. Council Member Herminghaus seconded the motion.

AYES: Herminghaus, Dodds, Bender, Rohde and Curth.

NAYS: None.

- The motion carried.

Adjournment

- Councilmember Bender made a motion for adjournment, seconded by Councilmember Dodds.
- Mayor Dutt adjourned the meeting at 10:10 p.m.