

**MINUTES
THE CITY OF PINEY POINT VILLAGE
SPECIAL COUNCIL MEETING
MONDAY, SEPTEMBER 14, 2020**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A SPECIAL MEETING ON MONDAY, SEPTEMBER 14, 2020 AT 6:00 P.M. IN PERSON AT ECCLESIA CHURCH, 325 PINEY POINT ROAD TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

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

CITY STAFF: Karen Farris, City Secretary; David Olson, City Attorney; Joe Moore, City Engineer

DECLARATION OF QUORUM AND CALL TO ORDER
Mayor Kobelan called the meeting to order at 6:01 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*

There were no citizens wishing to address Council.

Opened Public Hearing to discuss the 2020 Tax Rate and the 2021 Budget
There were no questions, or comments.

Closed the Public Hearing

1. Discuss and take possible action on the adoption of Ordinance 2020.09.14A approving the 2021 Budget

Council Member Bender made a motion to approve Ordinance 2020.09.14A approving the 2021 Budget. Council Member Herminghaus seconded the motion. The vote follows:

Council Member Bender:	Aye
Council Member Herminghaus:	Aye
Council Member Thompson:	Aye
Council Member Kollenberg:	Aye
Council Member Dodds:	Aye

The motion passed.

2. Discuss and take possible action on the adoption of Ordinance 2020.09.14B approving the 2020 Tax Rate

Council Member Kollenberg made a motion to approve the Maintenance and Operation portion of the 2020 tax rate at .20616. Council Member Bender seconded the motion and it passed unanimously.

Council Member Herminghaus made a motion to approve the Debt Service portion of the 2020 tax rate at .04898. Council Member Bender seconded the motion and it passed unanimously.

Council Member Bender made a motion to approve Ordinance 2020.09.14B approving the 2020 tax rate. Council Member Dodds seconded the motion. The vote follows:

Council Member Bender:	Aye
Council Member Herminghaus:	Aye
Council Member Thompson:	Aye
Council Member Kollenberg:	Aye
Council Member Dodds:	Aye

The motion passed.

3. Discuss and take possible action on the purchase of Design Projections AV system for Piney Point City Hall

There was discussion. Council Member Bender made a recommendation to approve the proposal from Data Projections for the purchase of an AV System for City Hall. Council Member Thompson seconded the motion and it passed unanimously.

4. Discuss and take possible action on requesting the Planning Commission to review Certificates of Occupancy, non-conforming buildings and structures, landscaping plans, fences and walls in required yards and rear yards, streets with setbacks of less than 50'

Council will discuss sending the Ordinances included in this agenda item to the Planning and Zoning Commission for their review. The Planning and Zoning Commission will make a preliminary report, hold a hearing, make a final report, and make a recommendation to Council. Council will then hold a Public Hearing.

Temporary Certificates of Occupancy Ordinance

Council Member Thompson made a motion to send the Ordinance for Temporary Certificates of Occupancy to the Planning and Zoning Commission for review. Council Member Herminghaus seconded the motion and it passed unanimously.

Front Yard Setback Ordinance

There are 2 versions of the Front Yard Setback Ordinance. One of the versions includes Calico Ln. and side yard setbacks. Council discussed which ordinance to send to the Planning and Zoning Commission for review. Council Member Bender made a motion to send the Front Yard Setback Ordinance that includes side yard setbacks to the Planning and Zoning Commission subject to the removal of Calico Ln. from the front yard setbacks and the inclusion on the side

yard setback with the statement that says not withstanding Surrey Oaks Ln., Dana Ln., and 501, 502, 505, 510, 517, 518, 525, 526, 533, 534, 541, 542 Lanecrest Ln. shall have a side yard setback of 10 feet. Council Member Dodds seconded the motion and it passed unanimously.

Nonconforming Buildings and Structures

The City Attorney suggested revising Section 1; subsection (1) to eliminate any misinterpretation of a lesser set back. The revision should read; The first floor of a nonconforming main building excluding any portion of any accessory building or structure, may be enlarged or extended into a yard and manner that does not exceed encroachment created by the nonconforming main building. Council Member Thompson made a motion to send the Nonconforming Buildings and Structures Ordinance to the Planning and Zoning Commission with the revision recommended by the City Attorney to Section 1; subsection (1) for review. Council Member Herminghaus seconded the motion and it passed unanimously.

Fence Ordinance

The City Attorney discussed incorporating the landscaping plan by reference in the ordinance. Specifics and requirements of the landscaping plan will not be identified in the ordinance. The actual landscaping plan should be adopted at the final meeting for Council to address as a Resolution, so in the future, if changes are needed, it will not be necessary to return to the Planning and Zoning Commission. When this item is sent to the Planning and Zoning Commission for review an explanation as to why the landscaping plan is not incorporated will be included along with the bullet points developed by the Beautification Committee.

The City Attorney recommended the following changes to Subsection 3:

- Insert lowercase i, before 80 percent fence, and insert lowercase ii, before wooden fence. This would eliminate any confusion of landscaping being applicable to the 80 percent fence.
- Change next sentence to read "The property owner is responsible for maintaining the landscaping, and removing and replacing the landscaping from the street".

Council Member Herminghaus made a motion to send the Fence Ordinance with the revisions stated by the City Attorney to the Planning and Zoning Commission for review. Council Member Thompson seconded the motion and it passed unanimously.

Council Member Bender thanked Margaret, Cary, and Michael for their help with the landscaping plan.

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

- Proposal for cabling and hardware upgrade
- Update on St. Francis school traffic

6. Adjourn


Council Member Bender made a motion to adjourn. Council Member Herminghaus seconded the motion and it passed unanimously. The meeting adjourned at 6:31 p.m.

PASSED AND APPROVED this 28th day of September 2020



Mark Kobelan
Mayor





Karen Farris
City Secretary