

**MINUTES
THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
MONDAY, JANUARY 25, 2021**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A REGULAR MEETING ON MONDAY, JANUARY 25, 2021 AT 6:30 P.M. IN PERSON AT PINEY POINT CITY HALL AND VIA ZOOM TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

**Zoom Meeting ID: 884 841 6839
Passcode: 3786960901**

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

CITY STAFF: Roger Nelson, City Administrator; Karen Farris, City Secretary; Annette Arriaga, Director of Planning & Development; David Olson, City Attorney; Joe Moore, City Engineer

DECLARATION OF QUORUM AND CALL TO ORDER

Mayor Kobelan called the meeting to order at 6:31 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.

1. Discuss and take possible action on the MVPD monthly report.

Chief Schultz provided the report for the month of December.

- Calls and incident statistics.
- Significant number of workers comp fraud cases. The police department is working with the Texas Workforce Commission.
- The police department closed 2020 under budget.
- 2021 RFP for employee Health Care insurance was initiated. Bid accepted with an 11 % decrease.
- Personnel updates
- Significant events
- Major Projects
- Questions:
 - Are ALPR's at each school? ALPR's are not at each school. ALPR's are near schools.

- What is the status of vaccinations? Unknown but considering a mass vaccination for staff.
- Who was the low bidder on the employee health insurance? United Health Care was the low bidder. The health will be bundled with dental and vision. They are still analyzing the benefits and coverage but have noticed the only significant change was the maximum out-of-pocket responsibility of the employee. The Chief added there would be a significant decrease in premiums to balance out.

Commissioner Huguenard was present via Zoom and explained and requested City Council approve Amendment No. 2020-02 to the Amended Budget of the Memorial Villages Police Department for Fiscal Year 2020 General Fund. The purpose is to reclassify budget line items – Operating Expenses. The net effect on the Budget would be \$0. Council Member Bender made a motion to accept Amendment No. 2020.02 to the Amended Budget of the Memorial Villages Police Department for Fiscal Year 2020 General Fund. Council Member Kollenberg seconded the motion and it passed unanimously.

2. Discuss and take possible action on the VFD monthly report.

Chief Foster and Commissioner Nash were present via Zoom. The Fire Department monthly report included:

- The Fire Department is fully staffed.
- 5 Firefighter Paramedics were hired from City of Houston.
- All trucks are operational.
- New engine is in service. The cost was approximately \$650,000. The reserve Engine was sold to a Volunteer Fire Department for \$65,000
- Virus calls increase first half of the month.
- Calls for service in Piney Point.
- Construction
- All Firefighters are working, there are no firefighters out due to COVID-19.
- Under budget for 2020
- Vaccines are needed for first responders.

Agenda Items 3-7 are informational only. The City Attorney explained the Planning and Zoning Commission had their first meeting to issue their initial report. The Planning & Zoning Commission have not had their Public Hearing or issued their final report for Council Consideration. It would not be appropriate to take any action. The copies of the Ordinances were provided with edit mark-ups for informational purposes only. The City Attorney suggested the more appropriate direction would be to allow the Commission to finish their process. Council will have the opportunity to discuss and act at the meeting after.

Agenda Item #10 was discussed. See Agenda Item #10 below.

Agenda Item #11 was discussed. See Agenda Item #11 below.

3. Discuss and take possible action on Ordinance amending Article 4 of Chapter 74 of the Code of Ordinances establishing regulations for fences.

For informational purposes only. There was no discussion.

- 4. Discuss and take possible action on Ordinance amending Article 3 of Chapter 74 of the Code of Ordinances regarding regulations for continuance of nonconforming buildings and structures.**

For informational purposes only. There was no discussion.

- 5. Discuss and take possible action on Ordinance amending Article 3 of Chapter 74 of the Code of Ordinances regarding the continuance of nonconforming buildings.**

This item is an old version of agenda item #4 and be discarded. There was no discussion.

- 6. Discuss and take possible action on Ordinance amending Division 6 of Article 2 of Chapter 74 of the Code of Ordinances regarding certificates of Occupancy.**

This agenda item is not the latest version. There was no discussion.

- 7. Discuss and take possible action on Ordinance amending Article 4 of Chapter 74 of the Code of Ordinances regarding regulations for the front and side yards.**

This agenda item was for informational purposes only. There was no discussion.

- 8. Discuss and take possible action on Resolution 21.01.25.B, designating the City's official newspaper.**

Council Member Kollenberg made a motion to approve Resolution 21.01.25B, designating the Memorial Examiner as the City's official newspaper. Council Member Dodds seconded the motion and it passed unanimously.

- 9. Discuss and take possible action on Resolution 21.01.25.A Calling a General Municipal Election on May 1st, 2021.**

Council requested the council positions that are currently up for re-election be listed on the resolution. Position 1, 2, and 5 will be added to the resolution. Council Member Bender made a motion to approve Resolution 21.02.25.A Calling a General Municipal Election on May 1st, 2021 with the appropriate positions that are up for re-election to be added to the resolution. Council Member Herminghaus seconded the motion and it passed unanimously.

- 10. Discuss and take possible action on allowing the City Council and the Planning and Zoning Commission to Call a Joint Public Hearing**

There was discussion. Council Member Bender reported the earliest date for a Public Hearing would be February 25, 2021. For a Joint Public Hearing, a Special Meeting would be needed to approve an Ordinance establishing a date and time for the Public Hearing. After further discussion and pending approval from the Planning & Zoning Commission Chairman, Council elected not to conduct a joint public hearing and, alternatively, set a public hearing date of February 25, 2021 for the Planning & Zoning Commission and a public hearing date of March 8, 2021 for the City Council.

- 11. Discuss and take possible action regarding a joint public hearing between the City Council and the Planning and Zoning Commission to consider proposed Zoning Ordinance changes.**

There was discussion regarding sending and posting notices of the public hearings. Council authorized publication in the official newspaper, as required by law, and additional notice provided through V-Link, a newsletter, and posting information on the City's website.

12. Discuss and take possible action on landscaping for two esplanades on Piney Point.

There was discussion regarding costs to maintain esplanades throughout the City of Piney Point Village. Council Member Kollenberg suggested that in the future the City obtain an estimate of the cost to maintain before installing esplanades. Council Member Herminghaus made a motion to accept the quotes from Bright Landscape Designs, Inc. for the 2nd Esplanade for \$21,518.67, and for the 3rd Esplanade for \$24,360.94. Council Member Thompson seconded the motion and it passed unanimously.

13. Discuss and take possible action on landscape sprinklers on two esplanades on Piney Point Road.

There was discussion regarding 2 proposals submitted by Blue Water Irrigation Systems. Council Member Bender made a motion to approve Blue Water Irrigation Systems proposal for \$17,311. Council Member Herminghaus seconded the motion and it passed unanimously.

14. Discuss and take possible action on entrance and exit signs.

There was discussion regarding the cost of replacing the entrance and exit signs throughout the City of Piney Point Village. Council Member Herminghaus will obtain another quote for entrance and exit signs. This item is tabled until next month.

15. Discuss and take possible action on Kinkaid presentation.

Kinkaid School Representatives shared their plans for a new Upper School and address issues regarding the status, process, timing, a plan for engagement with the community, and details of the project and structure. Kinkaid intends to submit their detailed plans to the City tomorrow and submit to Planning & Zoning in March. Council had concerns regarding drainage, traffic, parking, and expense to the city. Kinkaid Representatives recognize that Kinkaid should mitigate the impact to the city. Council and Kinkaid Representatives discussed having follow-up meetings and or sub-committees to address issues. The City Engineer can set up different accounts to track the Kinkaid project separately from City Engineer projects and Drainage Engineer Projects. There was discussion to investigate the concerns, set up a future meeting to discuss issues and vote on a plan to track the project. The City Attorney suggested that Council could delegate the authority to the Mayor to enter third party relationships to evaluate Council concerns. Council was interested in the number of students that attend Kinkaid that live in the 3 villages.

16. Discuss and take possible action on replacing Banners and Brackets.

There was discussion regarding the location of these banners. Council requested a map of the location for the placement of these banners. This item was tabled to the next month Council Meeting.

17. Discuss and take possible action on the Mayor's monthly report, including but not limited to:

- The City paid off 2011 Bond.
- 2020 Property Tax Spreadsheet, the combined tax revenue received was \$7,049,229.73. Budgeted was \$7,141,171.00.
- COVID-19 update

18. Discuss and take possible action on the City Administrator's monthly report, including but not limited to:

- December 2020 Financials. There was discussion regarding considering property revenue according to the calendar year, instead of deducting Oct., Nov., & Dec. and then adding Oct., Nov., and Dec. from the last year.
- Water Leak at Piney Point Rd and Greenbay. The City Administrator Informed Council that staff is discussing with Memorial Villages Water Authority. There was discussion. The City of Houston owns the water line which is in the City of Piney Point right-of-way. There could be an Interlocal Agreement. Council Member Dodds will contact Mike Montgomery, the previous General Manager of Memorial Villages Water Authority.
- Bond payment made in 2020, possibly posted December 2019.
- Street signs have not been installed. A lift truck is needed. Staff will contact the vendor who assists with Christmas decorations.
- Swimming Pool at vacant house, 17 Farnham Park. The City Attorney informed Council that the City could mitigate and install a temporary fence and invoice the resident. The Building Official stated she has received emails from the Consulate. She will forward their contact information to the City Attorney. The City Attorney suggested allowing 30 days for the owner to resolve the issue and then the City should send a letter.

19. Discuss and take possible action on South Piney Point Guardrail.

The guardrail previously installed has been damaged and repaired so the City requested that the City Engineer find options to improve the guardrail to help avoid more collisions. The work will include removal and replacement of the damaged 19-foot section of guardrail, and two types of traffic reflectors to increase visual awareness. There was discussion regarding insurance coverage for this repair. The City Engineer informed Council that he has previously provided a breakdown of the portion of damage that should be covered by insurance and the portion that covers enhancements to the City Administrator. Council would like insurance to pay for the damage. The City Administrator will follow-up with the insurance claim. Council decided to move forward with repairs to the guardrail since it is a public safety issue. Council Member Bender made a motion to approve the quote from ISI for \$3,850 for the repairs to the guardrail on South Piney Point Road. Council Member Dodds seconded the motion and it passed unanimously.

20. Discuss and take possible action on Kensington Clean and TV

The resident at 217 Kensington Court had recently purchased the adjacent property at 221 Kensington and requested that the City consider relocating the drainage easement and storm sewer pipe between the two lots. The resident was also concerned about debris build-up during heavy rain events. HDR has obtained quotes for cleaning and televising approximately 850 linear feet of the storm sewer pipe that

drains the Kensington Court cul-de-sac to help clear debris and identify any deficiencies in the pipe. Council Member Thompson made a motion to approve the quote from Aims for \$2,762.50 for cleaning and televising 850 linear feet of the storm pipe. Council Member Dodds seconded the motion and it passed unanimously.

21. Discuss and take possible action on survey of the Farnham Park washout

It was previously reported by a resident that a storm sewer washout had formed in the backyard of 16 Farnham Park Drive. HDR and City Staff investigated the report and found that an 18-inch corrugated metal storm sewer pipe within the City drainage easement had separated from a manhole, causing a large portion of the natural ground within the easement and adjacent property to erode. HDR asked MBCO to provide a proposal for a topographic survey for an area around the washout and the City's easement between 15 and 16 Farnham Park. The survey will be used to determine the limits of the eroded area, the limits of necessary storm sewer repair, and elevations that the natural ground will need to be restored to. Council Member Dodds made a motion to approve the proposal from MBCO for \$5,372.50 for Topography of broken storm sewer and washout area including drainage easement in Piney Point. Council Member Thompson seconded the motion and it passed unanimously.

22. Discuss and take possible action on the City Engineer's monthly report.

- Wilding Lane Drainage & Pavement Improvement Project: the contractor returned contract documents. HDR is reviewing. If all items are correct HDR will deliver the contracts to the City. HDR will then schedule a pre-construction meeting with the contractor and then a townhall meeting.
- Chuckanut: Finished regrading the ditches. There was standing water in the ditch located in the drainage easement at #2 Chuckanut. The contractor stated that there was very little fall available for creating a positive slope on the ditch. The report did not match the plan provided to the Contractor. HDR surveyed the ditch and found that the contractor that regraded the ditch at 239 N. Piney Point did not meet the specified elevations. HDR provided the survey data to the Contractor and the Contractor has agreed to go back and regrade the ditch again to achieve the specified elevations.
- 96-inch CMP on S. Piney Point Road: HDR will schedule the inspection of the pipe condition and dye-test to identify the point of failure causing the washout as soon as dry weather and low bayou levels make entry into the pipe possible.
- Surrey Oaks Paving & Drainage Improvements: The contractor has agreed to excavate the area to check the water line main and service for leaks and make repairs, as necessary.

23. Discuss and take possible action on the Minutes of the December 14th, 2020 Council Meeting.

Council Member Bender made a motion to approve the Minutes of the December 14, 2020 Council Meeting. Council Member Herminghaus seconded the motion and it passed unanimously.

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


- Entry and exit signs.
- Banners

25. **EXECUTIVE SESSION:** The City Council will adjourn into closed executive session pursuant to 551.071 Consultation with Attorney.
Council adjourned into a closed session at 8:47 p.m.
Council reconvened into an open session at 9:16 p.m.
26. **Action outside of Executive Session if any**
No action taken.
27. **Adjourn**
Council Member Bender made a motion to adjourn. Council Member Herminghaus seconded the motion and it passed unanimously. The meeting adjourned at 9:17 p.m.

PASSED AND APPROVED this 1st day of March 2021.



Mark Kobelan
Mayor



Karen Farris
City Secretary