

**THE CITY OF PINEY POINT VILLAGE
REGULAR COUNCIL MEETING
MONDAY JUNE 24, 2013**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE HELD A REGULAR MEETING ON MONDAY, JUNE 24 2013 AT 6:30 P.M. AT 7676 WOODWAY, SUITE 300 HOUSTON, TEXAS TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

DECLARATION OF QUORUM AND CALL TO ORDER: Mayor Butler called the meeting to order at 6:30 p.m. Those present were: Mayor Butler, Henry Kollenberg, Dale Dodds, Ron Goodwine, City Administrator Ben Griffin, City Secretary Amanda Davenport, City Attorney David Olson and the City Engineers, Joe Moore and John Peterson. Joel Bender and Mayor Pro Tem Ebeling were absent.

Mr. Rodney Black addressed Council regarding calculation of lot area vs. permeable pavers.

1. Discuss and take possible action on the monthly Memorial Villages Police Department report.

Police Commissioner Chris Alexander reported to Council on the monthly PD activities. Mr. Alexander stated that the search for a new police chief has ended and they expect the new chief Mr. J.D. Sanders to take his position on July 1, 2013.

2. Discuss and take possible action on budget amendment #1 – 2013 Fiscal Year.

This item was passed.

3. Discuss and take possible action on proposed amendment to the Interlocal Agreement relating to the number of commissioners on the MVPD Commission.

Motion was made by Councilman Kollenberg to approve and authorize Mayor Butler to sign the proposed amendment. The motion was seconded by Councilman Goodwine and passed unanimously.

4. Discuss and take possible action on the monthly Village Fire Department report.

Commissioner Zeb Nash reported to Council regarding the Village Fire Department monthly activity.

5. Discuss and take possible action on 2012 Intra-Budgetary transfers for the Village Fire Department.

Motion was made by Councilman Kollenberg to approve the 2012 Intra-Budgetary transfers. The motion was seconded by Councilman Goodwine and passed unanimously.

6. Discuss and take possible action on the monthly report from the City Administrator including, but not limited to:

- May 2013 finance reports**
- June Builder Award – Worth Witmer**
- Update on Website**
- Update on Audit**
- Monthly update on mosquito spraying**
- Budget Workshop Dates**

City Administrator Ben Griffin presented the May 2013 finance reports to Council and reported on the website, audit, mosquito spraying, announced Worth Witmer as the June Home Builder award winner and suggested budget workshop dates to Council.

7. Discuss and take possible action on a cost-sharing road project on Maggie Lane proposed by Mr. Amad Al-Banna with Riverway Development.

Mr. Amad Al-Banna presented this item to Council and no action was taken at this time.

8. Discuss and take possible action on approval of Ordinance 2012-06-24 creating an exception to the required aerial easement dedication language within the owner's acknowledgment block on a subdivision plat, if a dedicated and recorded aerial easement that satisfies the intent and purpose of the City's Code of Ordinances is already identified on the face of the plat.

Motion was made by Councilman Dodds to adopt Ordinance 2012-06-24 regarding aerial easement dedication language on a subdivision plat. The motion was seconded by Councilman Kollenberg and passed unanimously.

ORDINANCE 2012-06-24

AN ORDINANCE AMENDING SECTION 50-161 OF THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, BY ADDING A FOOTNOTE TO THE SECOND PARAGRAPH OF SUCH SECTION, EXCEPTING THE DEDICATION OF AERIAL EASEMENTS IF SUCH EASEMENTS ARE DEDICATED AND RECORDED ON THE PLAT, PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PINEY POINT VILLAGE, STATE OF TEXAS:

*Section 1. The Code of Ordinances of the City of Piney Point Village, Texas is hereby amended by adding a footnote to the second paragraph of Section 50-161, to read as follows:
"Section 50-161. Owner's acknowledgment.*

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*FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon. **

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** This paragraph of the owner's acknowledgment concerning the dedication of an aerial easement is not required if the plat identifies a dedicated and recorded aerial easement that otherwise satisfies the intent and purpose of this paragraph, as per the City's Code of Ordinances."*

Section 2. Any person who shall violate any provision of this Section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. All ordinances and parts of ordinance in conflict herewith are, to the extent of such conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED on first and final reading this 24th day of June, 2013.

9. Discuss and take possible action on a proposal for 2013 Concrete Paving Improvements.

City Engineer, John Peterson, presented this item to Council and after discussion there was no action taken on this item at this time.

10. Discuss and take possible action on an update regarding the Batch 1 projects.

John Peterson presented this item to Council and stated that the project has gotten underway and is progressing smoothly.

11. Discuss and take possible action on an amendment to the Batch #1 Professional Engineering Services contract for additional drainage on Jan Kelly and Green Oaks Drives.

John Peterson presented this item to Council and stated for the record that by doing the West side that there will be several big trees removed.

Motion was made by Councilman Dodds to approve the amendment to the Batch #1 Professional Engineering Services contract with HDR in the amount of \$7000.00. The motion was seconded by Councilman Goodwine and passed unanimously.

14. Discuss and take possible action on a report from Mayor Butler regarding his meeting with Harris County Flood Control.

John Peterson presented this item to Council and stated that the meeting went really well and he expects a quick decision within about two weeks.

12. Discuss and take possible action on an Interlocal Agreement with Harris County for food service inspection.

David Olson presented this item.

Motion was made by Councilman Kollenberg to approve the ILA with Harris County regarding food service inspection. Motion was seconded by Councilman Dodds and approved unanimously.

13. Discuss and take possible action to approve the accounts payable policy.

City Administrator, Ben Griffin, presented this item to Council and Councilman Kollenberg gave his comments. This policy will be re-visited in December 2013.

Motion was made by Councilman Kollenberg to approve the presented accounts payable policy with the deletion of paragraph 2 and adding modification 4c: the electronic signatures should be those of the approver. The motion was seconded by Councilman Dodds and passed unanimously.

15. Discuss and take possible action on a report from Mayor Butler on the meeting with TxDOT regarding the noise abatement project for Katy Freeway.

Mayor Butler reported to Council on this meeting with TxDOT that he attended with the other Village Mayors. No action was taken.

16. Discuss and take possible action on City Council Minutes for the May 28, 2013 meeting.

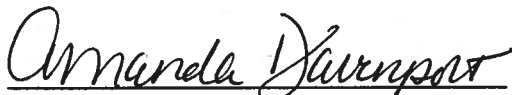
Motion was made by Councilman Kollenberg to approve the May 28, 2013 minutes with the date correction. The motion was seconded by Councilman Goodwine and passed unanimously.

16. With nothing else to discuss the meeting was adjourned with a motion by Councilman Kollenberg and a second by Councilman Goodwine at 8:35 p.m.

PASSED AND APPROVED this 22nd day of July, 2013.



F. Lee Butler
Mayor



Amanda Davenport
City Secretary

