

CITY OF SAINT HEDWIG

APPROVED MINUTES

P&Z Meeting August 18, 2020:

Meeting called to order @ 7:06pm

Roll Call:

Commissioner Jones – Absent
Commissioner Polasek – Present via teleconference
Commissioner Robinette – Present via teleconference
Commissioner Maddox – Present via teleconference
Code Compliance Officer Fornof – Present via teleconference
Secretary Schaefer – Present via teleconference
Quorum established

Reading and approval of minutes:

Commissioner Polasek motioned to accept the July 28th, 2020 minutes as written. Commissioner Robinette second motion. July 28th, 2020 minutes approved, all in favor.

Update of Code Compliance Old/New Business:

Code Compliance Officer Fornof relayed that request and inquiries are starting to level off. She had a lot of runs on permits and a lot of business inquires (especially off Hwy 87 and Loop 1604) which is a good thing so she is working through some of that right now. There have been a lot of ‘pulses’ from the subdivisions, and CCO Fornof wanted to remind everyone that they use our Post Office and that zip code but they are not in the city, so of course no permits were issued. CCO Fornof stated there really isn’t much they can do if they are having warranty issues because it isn’t within our jurisdiction. Code Compliance Officer Fornof stated a lot of people interested/inquiring about new homes, properties and people just wanting to move to Saint Hedwig – lot of recent inquiries. Commissioner Mais asked if there are any remedies to get inquires in line with our ordinances? CCO Fornof stated that within the city we do, we can do an administrative order and send a letter for “Stop Work” for folks in the city and follow up on/with those. CCO Fornof has issued two of those which have worked. CCO Fornof does some research to see what is going on and clearly if they are not following our ordinance then we can enforce things as long as we have our ordinance in line and ready which has been successful. We do have authority in our ordinance for us to start fining, which would have to go in front of our municipal court and the Mayor would have to make her ruling on that, but she would not really want to do that until we have clearly exhausted all other options first without any luck. We haven’t had to do this yet but of course if needed we can start doing this, so far letters and “Stop Work” orders have worked and has gotten their attention. CCO Fornof wanted to thank everyone out there serving as her eyes and ears. Commissioner Polasek inquired about an update on property on La Vernia Rd. CCO Fornof stated they have stopped that according to what she has heard from City Council. From what CCO Fornof has heard, they are watching that, they haven’t seen any truck traffic, but if anyone has seen some she asks that we please email her so she can follow up on that. There were a couple of things going on there but has since stopped that twice. Bexar County has also been monitoring it because there have been a lot of overweight trucks, dirt hauling trucks going in and out of there so Bexar County has assisted in that. CCO Fornof had asked for Storm Water and prevention permit but has not gotten that and that is what we will need to issue that “Stop Work” order. This is just to protect the neighboring land owners, there was a lot of sand that was exposed at one time. CCO Fornof stated that with all this rain she is concerned that there may be some runoff so if anyone hears of any issues there please let her know.

Citizens to be Heard:

None to be heard.

Old Business:

1. **Zoning Ordinance Review –Discuss and take action.** CCO Fornof sent the update with revisions, the city attorney did take a look at the Zoning Review. Listed below is a general rundown of the revisions:
 - A. Revised Alternate Commission Member to serve as secretary and fill seat when required
 - B. Revised the definition of accessory use and inserted section regarding accessory use and noted in relevant appendix. (Side note, there are a lot of rather large accessory building request coming in that we really need to review and define these)
 - C. H.B. 2439 no longer allows cities to regulate construction materials. There is an exception for historic districts so long as the district was designated prior to 2019.
 - D. Fee Schedule is approved.
 - E. Definitions are approved however, CCO Fornof did revise the definition of accessory use.
 - F. There is a problematic provision in the Appendix E. It may be how it is written but please review.
 - G. Signage Requirements for Rezoning request. This has been approved and added as item 3 in the section of Rezoning.

Accessory Building request for 5,000 sq. ft. came in which CCO Fornof stated normally she wouldn't have an issue with that but right now she is getting a lot of folks turning these buildings into commercial businesses and they are not in the right zoning. Some are also trying to start living out of these buildings as well so she is hesitant right now and is looking for a solution due to the size being so large. CCO Fornof asked that everyone read this section and see what they think – we can come back and discuss this in further detail. Commissioner Mais asked that we go through the revisions/side notes that the city attorney had made, however, since everyone was not able to locate and see all the revisions/side notes Commissioner Polasek motioned that we table this for now and add to our next meeting agenda so that everyone has time to review these. Commissioner Robinette second this motion. Commissioner Maddox mentioned that he was not able to see any notes/revisions in the electronic format, CCO Fornof stated she wasn't able to see them as well but suggested we share the screen on our next meeting so everyone can see the attorney's notes/revisions and all follow along together. CCO Fornof stated in order to do the share screen she would have to be added to the GoToMeeting as a presenter. Commissioner Mais stated he would get with CCO Fornof prior to next meeting and add her as a presenter so we can all follow along on the revisions through a share screen. Commissioner Robinette asked CCO Fornof if we needed to discuss the subject of accessory buildings/use now or wait until next meeting. CCO Fornof stated she thought we would be fine if we wait until next meeting to discuss this topic and the definitions we want to make/use regarding this topic. CCO Fornof suggested we review the definition/use that the city attorney is using – this definition is from another city that the city attorney is working with right now and it is one way to work the overuse/oversize of building based upon lot size. But one thing CCO Fornof see's is that a lot of people are coming in and putting the metal building up before the house is built so we need to look at that language and see if that is something we want. Need to discuss if we want them to build a home prior to having

the metal building built and we may want to consider having two categories such as an agricultural building which would have no electric, no water or if we want to have an accessory building. The way we would define accessory building is what we need to look at and decide on – what we are trying to do is get a handle on these huge metal buildings that are going in and is a constant challenge based upon what they say the use of the metal building is and what it is actually being used as/for. If we add/have another category that we could use that would be great – CCO Fornof hates to penalize the farmers and the agricultural users for the people that are trying to use the buildings to run a business out of. Commissioner Robinette stated that people could actually use the metal buildings to run their business out of on their property as long as it doesn't impede on their neighbors, he asked if that was correct. CCO Fornof stated yes he was correct. Commissioner Robinette stated that there are pages/documents that people have to sign to say what the use of the metal building/structure is being used for and if we find out that they are indeed not using it for what they had originally stated it would be used for then we could take the appropriate steps and actions. Commissioner Robinette stated he would hate to say they couldn't use "this" structure because he thinks it would be used for "this" instead. Commissioner Robinette will follow up with his comments to CCO Fornof in an email. CCO Fornof stated she has started putting "no commercial use" and "no residential use" on an accessory building so that they are on record. Bottom line, CCO Fornof will issue a permit if that is what they want but we have to be aware and make sure that it is safe.

2. **Subdivision Ordinance Review – Update from Ed McNew, Commissioner Polasek and Code Compliance Officer Fornof. Discuss and take action.** CCO Fornof stated the last word she got is that they had not finished the contract so Ed McNew must have started without having a contract in place. This is being worked out by the Mayor and we don't have any update on any progress with this yet. CCO Fornof stated Commissioner Mais will most likely want to follow up with the Mayor and see how/what she wants us to do, whether we go ahead and work without a contract or wait until this issue is resolved. Commissioner Mais will follow up and have a discussion with the Mayor regarding this issue and for the time being will table this topic and will discuss at next meeting.
3. **Signage on Rezoning Ordinance – Get with City Attorney for guidance and take action.** CCO Fornof stated the City Attorney has reviewed this and has been added to the new revision of the Rezoning Ordinance which everyone can/will review. Commissioner Polasek thanked CCO Fornof for following through and getting this done. Commissioner Mais second and thanked CCO Fornof on behalf of everyone.

New Business:

None

Agenda for next meeting:

Old Business:

1. Zoning Ordinance Revision – Discuss and take action.
2. Subdivision Ordinance Revision – Discuss and take action.

New Business:

Nothing to add at this time

Next Meeting: Tuesday, September 1st, 2020 @ 7:00pm via teleconference/GoToMeeting.

Announcements: No Announcements

Adjourn Meeting:

Commissioner Mais adjourned meeting @ 7:43pm