

Mayor
Dee Grimm

Council Members
Dwayne Padalecki
Susann Baker
Caid Franckowiak
Deborah McInerney
John Hafner

City Secretary
Janice Staudt

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APPROVED MINUTES
of the Regular City Council Teleconference Meeting

September 3, 2020

1. CALL MEETING TO ORDER

Mayor Dee Grimm called the teleconference meeting to order at 7:10 pm.

2. ROLL CALL AND ESTABLISH A QUORUM

Roll call was taken. Members present were Councilman Dwayne Padalecki, Councilwoman Susann Baker, Councilman Caid Franckowiak, and Councilman John Hafner. Councilwoman Deborah McInerney was present but had technical difficulties and was unable to respond (see approval of minutes for confirmation of her presence). A quorum was established. Janice Staudt presided as City Secretary.

3. READING AND APPROVAL OF MINUTES

The first set of minutes to approve were from the August 6, 2020 City Council Teleconference Meeting. Councilman Dwayne Padalecki pointed out that on page 5, Section 9.D. Proposed Tax Rate for 2020-2021, that he stated it would be nice to keep the tax rate the same for the citizens during this pandemic year, and asked that his statement be added to the August 6 minutes. Councilman John Hafner moved to approve the minutes as amended. Councilwoman Susann Baker seconded the motion. Mayor Grimm proceeded with a roll call vote. Councilwoman Deborah McInerney responded to the roll call vote, confirming her presence. All were in favor of passing the minutes. The August 6, 2020 City Council Teleconference Meeting minutes were approved as amended.

The second set of minutes to approve were from the August 18, 2020 Closed Session City Council Meeting. Councilwoman Susann Baker moved to approve the minutes as written. Councilman John Hafner seconded the motion. All were in favor. The August 18, 2020 Closed Session City Council Meeting minutes were approved.

4. READING AND APPROVAL OF FINANCIAL SUMMARY

The financial summary to approve was for July, 2020. Councilman Dwayne Padalecki moved to approve the July, 2020 financial summary. Councilwoman Susann Baker seconded the motion. All were in favor. The July, 2020 financial summary was approved.

5. REPORT FROM CODE COMPLIANCE

Code Compliance Officer Kim Fornof presented the August report.

Ms. Fornof reported an increase in building permit inquiries and also received some rezoning inquiries, mostly to rezone to commercial. Councilman John Hafner noted that the property in Item 2 on the report is not within the city limits. Councilman Dwayne Padalecki suggested that Bexar County be contacted about a residence near the property listed in Item 2 on the report, who's entry gate is outside the property line, almost in the middle of the bar ditch, which poses a safety hazard. Mayor Dee Grimm inquired about Item 5, referencing a 2-acre parcel for sale in the Silesia Subdivision. Ms. Fornof responded that this is the same parcel she has received numerous calls about, and informs the potential buyers that permitting will not be allowed unless the 2-acre parcel was created prior to the enactment of the City's 2004 Ordinance.

For a complete report, see it on our website at sainthedwigcity.com under Code Compliance.

6. REPORT FROM PLANNING AND ZONING

Planning and Zoning (P&Z) Commission Chairman, Mr. Charles Mais, was not present so Kim Fornof presented the report. She said the Commissioners still have questions on the Zoning Ordinance review, and another meeting will be required before they will be ready to meet with the Council on the Ordinance changes.

7. CITIZENS TO BE HEARD

There were no citizens to be heard.

8. OLD BUSINESS

Mayor Dee Grimm noted that a change in the agenda order was required, for the Budget must be approved before the Tax Rate.

A. Adoption of Fiscal Year 2020-2021 City Budget

Mayor Grimm asked the Council if they had any questions on the budget. There were no questions on the budget so Councilwoman Susann Baker moved to accept the Fiscal Year 2020-2021 City Budget. Councilman John Hafner seconded the motion. All were in favor, but since it was pointed out that the budget coversheet requires a recorded vote of the governing body that adopts the budget, Mayor Dee Grimm then proceed with a roll-call vote. Councilman Dwayne Padalecki voted aye, Councilwoman Susann Baker voted aye, Councilman Caid Franckowiak voted aye, Councilwoman Deborah McInerney voted aye, and Councilman John Hafner voted aye. The Fiscal Year 2020-2021 City Budget was adopted.

B. Adoption of 2020 Tax Rate, Ordinance 2011

Mayor Dee Grimm stated that the 2020 Proposed Tax Rate is \$0.463578 per \$100 valuation, which is equal to the No-New-Revenue Tax Rate, and will raise the same amount of property tax revenue for the City from the same properties in both the 2019 and 2020 tax year. She also noted that \$0.463578 per \$100 valuation is for Maintenance and Operation and \$0.00 is for Interest and Sinking. Councilman Dwayne Padalecki informed everyone that per the tax rate notices in the Wilson County News, Saint Hedwig was only one of two cities that did not propose a tax rate higher than the No-New-Revenue tax rate, where all the other cities did, and he hopes the citizens of Saint Hedwig appreciate that. Councilwoman Deborah McInerney asked Councilman Padalecki if he thinks the City will then need to raise the tax rate next year. He responded that it depends on circumstances like what the appraisals will be and how many new tax payers come into the city, but he thinks it should at least stay the same and not go backwards. Councilwoman Susann Baker moved to approve a 2020 Tax Rate of \$0.463578 per \$100 valuation, comprised of \$0.463578 per \$100 valuation for the purpose of Maintenance and Operation and \$0.00 for Interest and Sinking. Councilwoman Deborah McInerney seconded the motion. Mayor Grimm proceeded with a roll-call vote. Councilman Dwayne Padalecki voted aye, Councilwoman Susann Baker voted aye, Councilman Caid Franckowiak voted aye, Councilwoman Deborah McInerney voted aye, and Councilman John Hafner voted aye. All were in favor. A 2020 Tax Rate of \$0.463578 was approved. Councilwoman Susann Baker moved to adopt Ordinance No. 2011, adopting the 2020 Tax Rate of \$0.463578. Councilman John Hafner seconded the motion. All were in favor. Ordinance No. 2011 was adopted.

C. Roads – Receive Road Maintenance Report, and Take Action on Related Items

1. Road Report

Councilman Caid Franckowiak reported general road maintenance such as repairing shoulders and crack fill has been performed. He also said he and Councilman Dwayne Padalecki drove the roads with the road engineer to verify that the plans for the Road Rehabilitation Project were complete.

2. Matching Fund Project – Gable Road - Discuss and take action

Councilman Dwayne Padalecki said the Engineer has the easement agreement and is waiting on them for the next move, but should be going out for bid shortly. Mayor Dee Grimm asked Councilman Padalecki if he thought the project would be complete by the required TxDOT deadline of January 2021, or if an extension would be needed. Councilman Padalecki said he'd

like to obtain a six-month extension due to the pandemic pushback.

3. Silesia Drive – Update on Silesia Drive Deficiency Issues

City Attorney Cynthia Trevino stated she will be having the first negotiation meeting with the developer's attorney tomorrow and will inform the City of the outcome, determining whether another closed session meeting will be in order.

4. Status of 2020 Roadway Rehabilitation Project

Councilman Dwayne Padalecki confirmed with Mayor Grimm that all Council members received the cost estimates from the road engineer, 6S Engineering, for each of the three roads in this project. He complimented 6S Engineering, on their excellent work, stating they developed approximately 35 pages of road maps with satellite images of each segment of road, indicating what repairs are needed. Councilman Padalecki explained the cost estimates provided by the engineer, comprised of mandatory base costs and alternate costs for either regular two-course treatment or slurry seal, and provided maximum scenario costs based on these estimates. He also said he believes the City should do at least one of the roads with the slurry seal to see how it compares to the two-course treatment. Mayor Dee Grimm asked City Attorney Cynthia Trevino if Texas law requires the City to accept the lowest bid if the project is over \$1.5 million dollars. Ms. Trevino said it depends on who's and what type of funding is used. Councilman Dwayne Padalecki reminded Ms. Trevino that the City has a "Best Value" Ordinance, allowing the City to accept the "best value" bid opposed to the lowest bid. Ms. Trevino stated that with some public works projects however, the government code will prevail over local code, so she will have to review case by case. Councilman John Hafner asked how long do the roads last. Councilman Padalecki said the approximate 30 miles of roads were divided into 6-mile segments and recommends road repairs of a segment every 5-6 years. He added, that in the past, because of limited funds, only a single-course treatment was laid, so using a two-course treatment in this project should help extend the life of the road.

D. City Park

Councilman Dwayne Padalecki reported that the East Park light conversion to LED's has begun, and when complete, all the park lights will be LED. He also said 20-25 people walk the park every morning and he is looking into getting distance signs made for the walking paths.

E. St. Hedwig’s Contract with MD Systems for Exclusive Waste Management Services within the City Limits

Mayor Dee Grimm said looking back at all the previous contracts, the City does not have a contract with MD Systems for them to provide Commercial and Industrial waste management service, only residential, even though the Ordinances accepting the contracts states they will provide all three. She said it is up to Council to decide if they want to amend the contract with MD Systems to include commercial and industrial service. MD Systems representative, Derrick, confirmed that they are willing to take on the additional service. Councilman Dwayne Padalecki said he wants to confirm MD Systems will only provide dumpsters for commercial and industrial customers, and not allow dumpsters for residential. Mayor Grimm said she will have the City Attorney draft an amendment to the contract for Council to review at the next meeting. Councilwoman Susann Baker said she is in favor of continuing the contract with MD Systems but has heard concerns from citizens about MD’s customer service. Derrick said they are taking steps to assure good customer service. Councilwoman Susann Baker then moved to amend the MD Systems Waste Management Contract to include commercial and industrial service. Councilwoman Deborah McInerney seconded the motion. All were in favor. The MD Systems Waste Management Contract will be amended for approval by Council.

F. Determine Workshop Date for the City Council and the Planning & Zoning Commission to Review Revisions to the Zoning Ordinance

Mayor Dee Grimm asked Kim Fornof to coordinate a date with the Planning and Zoning Commission for Council to have a workshop with them to review the Zoning Ordinance revisions. Ms. Fornof confirmed.

G. Update on Green Valley SUD proposed project to service wastewater system to the Clearwater Creek residential District

There are no updates

H. Update on Internet Services for the City

Councilman John Hafner said he made a list of all the service providers in Bexar County and reached out to Connect USA, a non-profit organization, that gives advice on how to get internet to rural areas, to set up a meeting with them.

I. COVID-19 Coronavirus Update

Mayor Dee Grimm said San Antonio is finally starting to see the numbers level out and encourages everyone to continue to wear your masks and social distance through the holiday weekend, to avoid a spike.

9. NEW BUSINESS

Mayor Grimm made an agenda order change to allow Mr. Leon Nickles with Emergency Services District (ESD) 12 to speak first under new business.

A. Receive Fire Department Update on New Location and Training Center

Mr. Leon Nickles notified Council of ESD-12's purchase of a 17-acre tract of land on FM 1518 just south of Kusmierz Road for a new fire station and training ground. He said they are working with East Central ISD to teach basic fire training through their fire academy, which hopefully will lead to new local recruitments. He added that this new location will allow them to grow and expand. Mayor Dee Grimm thanked Mr. Nickles for the update.

B. TML Board of Trustees Election

Councilman John Hafner moved to vote for all the incumbents on the ballot. Councilman Dwayne Padalecki seconded the motion. All were in favor. The City Council voted for all the incumbents on the TML Board of Trustees Election ballot.

C. Discuss Potential Property Tax Freeze for Saint Hedwig Senior Citizens

Mayor Grimm said a citizen has asked why Saint Hedwig is not freezing property taxes for senior citizens. Councilman Dwayne Padalecki said he wants to find out how this would affect the City's tax levy, which of the surrounding municipalities have a tax freeze, and ask Bexar County or the attorney what this entails. City Attorney Cynthia Trevino said first the City needs to clarify if it is a tax freeze or a tax exemption for anyone over the age of 65, that they are seeking, because there's a very big difference legally between the two. Very few cities, she said, are doing a tax freeze, for if you follow the procedural mechanism for a tax freeze, that decision is irreversible unless the Texas Constitution changes. Mayor Dee Grimm suggested holding off on voting on this issue until more information is acquired. The Council agreed.

10. ANNOUNCEMENTS

Councilwoman Susann Baker said Saint Hedwig is at about 68% counted for the 2020 census, although she would have liked it to be around 75%, and thanked everyone for their participation.

Councilman Dwayne Padalecki thanked citizen Mr. Mark Fanick with Fanick's Garden Center for assisting him with tree care and advise for all the trees in the park at no charge to the City.

11. DETERMINE DATE FOR NEXT MEETING

The next City Council meeting will be held October 1, 2020.

12. ADJOURNMENT

Mayor Dee Grimm adjourned the teleconference meeting at 8:21 pm