

**Mayor**  
Dee Grimm

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

**City Secretary**  
Janice Staudt

**CITY OF ST. HEDWIG**  
P.O. Box 40  
St. Hedwig, Texas 78152  
(210) 667-9568 Office  
(210) 667-1448 Fax

**APPROVED MINUTES**  
of the Regular City Council Teleconference Meeting

April 1, 2021

**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, Councilwoman Deborah McInerney and Councilman John Hafner. A quorum was established. Janice Staudt presided as City Secretary.

**3. REPORT BY GREEN VALLEY SPECIAL UTILITY DISTRICT ABOUT THE RECENT WINTER STORM**

Ms. Jill Bennett, Board President of Green Valley Special Utility District (GVSUD) and Mr. Jim Poage, Board Vice President of GVSUD reported on the February 13 through February 20 winter storm. Ms. Bennett noted the record temperatures that lasted longer than anticipated, causing operational issues, power outages, unavailability of fuel & transport, and a reduction in staff availability. She said although the system is configured to provide reliability with many sources to pull water from, intermittent power prevented this. Electrical blackouts resulted in cascading disaster, causing pumps to stop running, heat systems to stop heating, sensor & control systems to fail due to freezing, and water storage tanks to not refill. Mr. Poage said the requests for services were astronomical, but personnel were limited. Emergency alerts were sent to customers via phone calls, text messages, emails, and website, and their crisis communications plan since then has undergone major additions. He said the GVSUD operational impact was substantial, the immediate impact appears to be minimal, but the longer-term financial impact is yet to be determined. Customers will have no penalty for freeze-related water usage. Mr. Poage thanked the efforts of their partners, Canyon Regional Water Authority, GVEC and CPS Energy. He also thanked the GVSUD staff for their commitment, the GVSUD customers for their patience, understanding and assistance, and noted that the presentation will be on the GVSUD website for those who want to view it.

#### **4. READING AND APPROVAL OF MINUTES**

The minutes to approve were from the March 4, 2021 City Council Teleconference Meeting. Councilman Dwayne Padalecki requested that Item 10.A.2 on page 3 of the minutes be amended from "...Councilman Padalecki and Councilman Franckowiak will be asked to review the bids and make a recommendation to Council" to "...Councilman Padalecki and Councilman Franckowiak will be asked to review the bids before he makes a recommendation to Council" ("he" being City Engineer Jess Swaim). Councilman John Hafner moved to approve the minutes as amended. Councilwoman Susann Baker seconded the motion. All were in favor. The March 4, 2021 City Council Teleconference Meeting minutes were approved as amended.

#### **5. READING AND APPROVAL OF FINANCIAL SUMMARY**

The first financial summary to approve was for February, 2021. Councilwoman Deborah McInerney moved to approve the February, 2021 financial summary. Councilwoman Susann Baker seconded the motion. All were in favor. The February, 2021 financial summary was approved.

#### **6. REPORT FROM CODE COMPLIANCE**

Code Compliance Officer Kim Fornof presented the March report.

Ms. Fornof reported she had a busy month, but no new compliance issues, just some follow-up. She said she receives a lot of inquiries from people in the Saint Hedwig Extraterritorial Jurisdiction (ETJ).

For a complete report, see it on our website at [sainthedwigcity.com](http://sainthedwigcity.com) under "Building & Development", "Code Compliance".

#### **7. REPORT FROM PLANNING AND ZONING**

There was no Planning and Zoning Commission meeting since the last City Council meeting, therefore there is no report.

#### **8. CITIZENS TO BE HEARD**

Mayor Dee Grimm reminded everyone that 5 minutes is allocated for each citizen to be heard and that City Council is not allowed to engage in discussion with citizens to be heard, but they are allowed to provide factual answers to questions citizens may have.

Dr. Michael Swetman, Pastor of The Rock United Methodist Church, said they purchased 22 acres of property in Saint Hedwig, along Loop 1604, a little over five years ago. He said their church is about to celebrate its 6th anniversary, which began in a garage but's been currently worshipping at the Double Back Ranch in Saint Hedwig for almost three years. Pastor Swetman said the property they purchased is fairly isolated, with only one home in the area, which they own, and that home is about a quarter mile from the church's proposed sign. He added that for any other homes in the area, light (from the sign) would

be obscured by trees or the new proposed community worship center. Pastor Swetman said he's asking for two sign variances, not only so the sign can be seen from Loop 1604, but predominately for safety, for they have an entrance off Loop 1604. He said he's asking for a variance to construct a 14-foot high sign, opposed to 8-foot high (per City Ordinance), so that once erected, the sign would be approximately two to 6 feet above Loop 1604. Pastor Swetman said he's also requesting a variance allowing the sign to be illuminated until 10:00 p.m., opposed to 8:00 p.m. (per City Ordinance), making entry/egress easier to and from the busy highway. He noted that the sign to be purchased is an engineered sign with the latest technology for both messaging and illumination, with an automatic on and off. Pastor Swetman said he presented Council with a letter of support from the police chief of China Grove. He also informed Council of the many activities of the church, which often occur at night, and asked that they grant his sign variance requests and a sign permit be issued.

## **9. OLD BUSINESS**

### **A. Roads – Receive Road Maintenance Report, and Take Action on Related Items**

#### **1. Road Report**

Councilman Caid Franckowiak said besides the current road rehabilitation project, which will be discussed later on the agenda, he has nothing to report. Councilman Dwayne Padalecki informed Council that upon consulting the City Engineer, it's time to start the next phase of the Road Rehabilitation Project before it gets too cold, encompassing about 4-5 miles of road, to include the Quail Run neighborhood (Oz Way and Kajec Roads), Kusmierz Road (both sides of FM 1518), and Saint Hedwig Road East. Councilwoman Deborah McInerney informed City Engineer Jess Swaim of a big gap in the asphalt on Miller Road near the entrance to the bridge. Mr. Swaim said he was aware of that and the Contractor will be filling those cracks. Councilman Dwayne Padalecki questioned if that gap was at the transition to the bridge and whether TxDOT is responsible for that since they installed the bridge. Mr. Swaim said there could be numerous reasons for the crack, but will contact TxDOT maintenance department to see if they can repair it.

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

Project/City Engineer Jess Swaim reported that the project was put out for bids and 10 bids were received. He said the project estimate was \$294,725.00, the highest bid was \$439,782.55, and the lowest bid was \$288,974.73 from Mo-Con Services. Mr. Swaim said upon speaking with the owner of Mo-Con Services and contacting their references, he sees no reason to exclude them because they were low bidder. Mayor Dee Grimm asked Mr. Swaim for his recommendation, if he could provide it at this time. Mr. Swaim said

he has no reason to discount Mo-Con Services based on the conversations he had with the owner, but he cannot verify their work, nor the work of others. He said although he has previously worked with or is knowledgeable of some of the other bidders, he does not recommend them for this job. Mr. Swaim said he recommends going with the low bidder, Mo-Com Services, based on the mathematical correctness of the bid and the documentation they provided for review, but he personally does not know them. Mayor Dee Grimm then asked the Council if they had any questions, which they did not. Councilman Dwayne Padalecki moved to accept the bid from Mo-Con Services for the Matching Funds Gable Road Project. Councilman John Hafner seconded the motion. All were in favor. Mo-Con Services was awarded the Contract for the Matching Funds Gable Road Project. Mr. Swaim said he will have Mo-Con Services sign the contract and get it, and the bonding information, to the City for their signature, then hold a preconstruction meeting, followed by the start of construction. Mayor Grimm and Councilman Padalecki thanked Mr. Swaim for his excellent work in getting the job expedited.

### **3. Silesia Drive – Update on Silesia Drive Deficiency Issues**

Mayor Dee Grimm said the City Council held a closed session meeting on Tuesday, May 20, to discuss updates on the potential litigation with the developer of the Silesia Subdivision.

### **4. Status of 2020 Roadway Rehabilitation Project**

Mr. Jess Swaim reported the Contractor has a few more touch-ups that need to be done.

## **B. City Park**

Councilman Dwayne Padalecki had nothing to report on the City Park.

## **C. Workshop for the City Council and the Planning & Zoning Commission to Review Revisions to the Zoning Ordinance**

Mayor Dee Grimm said she appreciates the Planning and Zoning Commission's continuous effort to arrange a mutual meeting date with Council. She said she believes it is necessary to have the meeting in person, but the mandates on social distancing for public entities are still in effect, thus preventing it. She said she believes the ability to have in-person meetings again is soon, if the Council wishes to hold off on this for another month. Councilman John Hafner, Councilwoman Susann Baker and Councilwoman Deborah McInerney all agreed to wait another month.

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

There were no updates. Councilman John Hafner moved to take this item off the agenda until there is something to report on. Councilwoman Susann Baker seconded the motion. All were in favor. This agenda item will be removed.

#### **E. Update on Internet Services for the City**

Councilman John Hafner said he and Mayor Dee Grimm met with GVEC, who is looking forward to working with the City. He said GVEC believes it could be a 3 to 4 million dollar project to bring internet service to every resident in the city. He said GVEC asked if the City could conduct a survey to see how many people actually want the service. Councilman Hafner said he believes that could be accomplished on the City's website and offered to contact the website designer. He said that he and the Mayor are also working with Congressman Cuellar to acquire funds for internet infrastructure for rural cities from the COVID Relief Bill to help offset the cost. Councilman Hafner said he spoke with CPS Energy and it will cost GVEC approximately \$15 per pole to hang their fiber optic lines on the CPS poles. He suggested, to alleviate the cost of bringing internet to the City, it could be done in phases. Another way to bring internet into the City he said, is from GVEC's nearest "internet pop" (internet connection location), currently near the intersection of FM 1346 and La Vernia Rd, but it would cost the City \$16,000 per mile to do that. Councilman Hafner said he is trying to negotiate a more favorable way for GVEC to bring in internet service, where the City does not have to put up any money, and GVEC can get a return on their investment within 3-4 years. He said he hopes funds from the COVID Relief Bill will help to achieve that. Mayor Grimm added that these funds, if used for acquiring internet service, will ultimately help people in need of internet health services who don't have it now, along with educational needs such as on-line learning. Councilman Hafner added that the new Infrastructure Bill, if and when passed, may also include provisions for internet services.

#### **F. Update on COVID-19 Coronavirus**

Mayor Dee Grimm reported the number of COVID cases seems to be going down, but the desired herd immunity level has not been reached yet. She said opening up more will most likely create a small surge of cases, but not like it was before, and hopefully by June things will be somewhat back to normal.

#### **G. Consider Issuance of Special use Permits**

1. Mr. Cody Scott requests a Special Use Permit to establish a farm stand to sell local produce at 14997 FM 1346. Property is BCAD Property ID: 1063513 and is located in the A-1R (Agricultural/Residential) zoned area of the city of Saint Hedwig.

Councilman Hafner asked Mr. Scott what days of the week will the farm stand be open and what are the plans for parking for he has concerns with people parking along the road. Mr. Scott said they plan to be open about five days a week and they have a small parking lot on the property, beside the 32'x32' building/store. He clarified that there was a one-time cooperative event held there that lacked organized parking, but he has a parking lot. Councilman Caid Franckowiak raised questions about needing to change the entire 10-acre property's zoning to commercial if the farm stand is actually a store, or 32'x32' building, as Mr. Scott previously stated. Mr. Scott responded that two deeds comprise the 10-acres and it's the 1-acre parcel that he is requesting to change to commercial. He said it is a farm stand in the fact that they will be selling produce, but more like a grocery store since they will be buying produce from other farms to sell, and they need the building to help keep the produce fresh. Code Compliance Officer Kim Fornof clarified that this Special Use Permit would only be for the 1-acre, would not change the zoning, would stay with the owner, and allow the commercial entity to operate. Councilwoman Deborah McInerney thought it would be good for the community. Councilman Hafner asked Mr. Scott to confirm he was aware of all the zoning laws. Mr. Scott confirmed. Councilwoman Baker asked Mr. Scott to confirm that he will be only selling produce, and not, other grocery store items. Mr. Scott confirmed he will be only selling 100% locally grown products and not dry box goods. Councilwoman Susann Baker asked Mr. Scott to confirm he knows that the property will not be rezoned, that the property can be used for the purpose described on the Special Use Permit, and that the permit becomes void if the business shuts down. Mr. Scott confirmed. Councilwoman Susann Baker asked if he could put "no parking" signs on his fence along the road. Mr. Scott said he would. Councilman Dwayne Padalecki asked for confirmation that this is just a Special Use Permit and would not change the zoning map. Mayor Dee Grimm confirmed. Councilwoman Deborah McInerney moved to grant Mr. Cody Scott the Special Use Permit. Councilman John Hafner seconded the motion. All were in favor. A Special Use Permit was granted to Cody Scott for a produce farm stand at 14997 FM 1346.

2. Mr. Diego Campos & HOA requests a Special Use Permit to establish soccer fields at 2415 FM 1518. Property is BCAD Property ID: 328965 and is located in the A-1R (Agricultural/Residential) zoned area of the city of Saint Hedwig.

Mayor Grimm said there was a request to hold this item until the next City Council meeting. Code Compliance Officer Kim Fornof confirmed. She said they are still working on site details. Councilman John Hafner requested that the owner attend the meeting for he has a lot of questions.

## **10. NEW BUSINESS**

### **A. San Antonio River Authority Flood Risk Map Update**

Mayor Dee Grimm explained that periodically the San Antonio River Authority, along with FEMA will update their flood plain map based on changes that occurred over the years, and one of the things they're working on is the Lower Cibolo Water Shed Risk Mapping. She said there's nothing to take action on, it's provided to the City for their information.

### **B. Public Utility Commission of Texas 2021 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates**

Mayor Dee Grimm explained to Council that the Public Utility Commission sends the City a notice of the telecommunications right-of-way access line rates, which the City has the option to change. She said last time Council voted to keep the rate the same. Councilman John Hafner moved to keep the default rate the same for 2021. Councilwoman Deborah McInerney seconded the motion. All were in favor. There will be no change in the default rate.

### **C. Recycling Program for Frontier Waste Solutions Customers**

Mayor Dee Grimm said there has been several requests from citizens to have a recycling program. She said she has contacted Frontier Waste Solutions but has not had enough time to prepare a report on it, but should have something by the next meeting.

### **D. Consider Variances to Sign Ordinance for The Rock Methodist Church Sign at New Loop 1604 Location**

Mayor Dee Grimm said Pastor Michael Swetman of The Rock United Methodist Church has requested two sign variances; one for a 14-foot height sign opposed to a maximum 8-foot height sign, and one for the sign to be illuminated until 10:00 p.m. opposed to 8:00 p.m.

Councilwoman Deborah McInerney said she thought it would be important for safety reasons for the sign to be seen from Loop 1604 so people would know where to turn to go to the church. Councilman John Hafner said since the proposed church is in a light industrial zone, there shouldn't be a problem with the variance requests. Councilwoman Susann Baker said the sign ordinance was implemented for the benefit of the citizens, especially those in more densely populated areas. However due to the existing slope at the proposed site, this sign would only be 6 feet above Loop 1604, at its proposed 14 ft height. She also added that she's not concerned with the sign being illuminated until 10:00 p.m. Councilwoman Baker thanked Pastor Swetman for all the information he provided with the variance requests, but noted that all the photos he had of other signs throughout the city, were of signs already in place before the City passed the sign

ordinance. Councilman John Hafner moved to grant The Rock Methodist Church a sign variance, allowing a 14-foot high sign at their new location on Loop 1604. Councilwoman Deborah McInerney seconded the motion. All were in favor. The sign height variance was granted. Councilwoman Susann Baker moved to grant The Rock Methodist Church a sign variance, allowing their sign at their new location on Loop 1604 to be illuminated until 10:00 p.m. Councilwoman Deborah McInerney seconded the motion. All were in favor. The sign illumination variance was granted. Mayor Dee Grimm noted that the Planning and Zoning Commission had previously denied these sign variance requests.

## **11. ANNOUNCEMENTS**

Happy Easter!

Saint Hedwig General Election is May 1, 2021

## **12. DETERMINE DATE FOR NEXT MEETING**

The next City Council meeting will be held virtually, May 6, 2021.

Councilman Dwayne Padalecki reminded the Mayor that the appointment of Mayor Pro Tem for 2021-2022 needs to be on the next agenda, and that he will not be forwarding his nomination, for he has served for a couple of decades and believes it's time for someone else to take that position.

## **13. ADJOURNMENT**

Mayor Dee Grimm adjourned the teleconference meeting at 7:25 pm