

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 Meeting

July 8, 2021

1. CALL MEETING TO ORDER

Mayor Dee Grimm called the meeting to order at 7:30 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 Councilwoman Deborah McInerney. Councilman John Hafner was absent. A quorum was established. Janice Staudt presided as City Secretary.

Also present at the meeting was City Attorney Cynthia Trevino.

3. READING AND APPROVAL OF MINUTES

The minutes to approve were from the June 3, 2021 City Council Meeting. Councilwoman Deborah McInerney moved to approve the minutes as written. Councilwoman Susann Baker seconded the motion. All were in favor. The June 3, 2021 City Council Meeting minutes were approved.

4. READING AND APPROVAL OF FINANCIAL SUMMARY

The financial summary to approve was for May, 2021. Councilwoman Susan Baker moved to approve the April, 2021 financial summary. Councilman Caid Franckowiak seconded the motion. Councilwoman Deborah McInerney asked whether the services of Texas Road Repair, listed on the financial summary, was an ongoing service for there is need for spot road repairs on Miller Road near the new bridge. Councilman Caid Franckowiak confirmed they provide city road repairs such as pot hole and crack fill. Mayor Dee Grimm suggested that Councilwoman McInerney discuss her concerns with Councilman Franckowiak after the meeting. Mayor Grimm then asked for Council's vote on approving the financial summary. All were in favor. The May, 2021 financial summary was approved.

5. REPORT FROM CODE COMPLIANCE

Code Compliance Officer Kim Fornof presented the June report.

Ms. Fornof said the City may want to consider a fireworks ordinance for she received a lot of calls concerning fireworks, primarily though, from people outside the city limits in Saint Hedwig's extraterritorial jurisdiction (ETJ), who believe they are part of the City. Councilwoman Deborah McInerney asked how the City could inform them they are not part of the City. Councilwoman Susann Baker replied that it is not the City's responsible to inform them. Mayor Dee Grimm said it might be good to add something to the City's website explaining it. Councilwoman McInerney said she thought that was a good idea especially to inform new residents, who's realtor may have told them their home was in the City, but it's actually in the ETJ, and they don't understand why they don't have the same rights as a citizen of Saint Hedwig. Mayor Grimm said she could write something up on that.

Ms. Fornof said things are slowing down and she issued permits for two new residents, and has several others wanting to downsize their original plans, requiring a re-permit. Mayor Grimm asked about several items on Ms. Fornof's report which mention flood plains. Ms. Fornof replied that she believes it's something new from Bexar County involving a flood plain administrator, which Mayor Grimm added was herself. Ms. Fornof said she would then just refer all flood plain inquiries to Mayor Grimm. Councilwoman Susann Baker said a double wide mobile home was moved onto a property on E Lupon Rd and asked Ms. Fornof if it had been permitted, for she doesn't believe they'll be able to install a septic there. Ms. Fornof asked Councilman Baker to send her the address or approximate location and she will research it, and added that the flood plain person from Bexar County now keeps her informed of activity on their end so she can verify that a permit from Saint Hedwig has been issued. Councilwoman Deborah McInerney asked if item #18 on Ms. Fornof's report was just another query trying to get smaller lots. Ms. Fornof replied that if a caller doesn't reveal right away that their intent is to build on property smaller than the minimum requirements, then a lot of correspondence occurs before those requirements are conveyed, as documented in item #18.

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

6. REPORT FROM PLANNING AND ZONING

Planning and Zoning (P&Z) Commission Chairman Mr. Charles Mais reported that the P&Z Commission has been working diligently on the zoning ordinance review and have reduced the ordinance down from 63 pages to 30 pages, making it more user friendly by moving a lot of the information from the ordinance and putting it into appendixes. He asked City Council to select the date for the workshop to review the changes. He added that P&Z wanted to inform the public of the new proposed Clearwater Creek wastewater treatment plant, but noticed that item was already on this agenda.

7. 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.

Lori Fuller, 14637 E Lupon Rd, expressed her dismay about the recent road project, regarding the length of time it took to complete and the condition that the road is still in. She said machinery sat on the side of the road for long periods of time with no work being performed, and the oil on the road was an issue, getting on vehicles and tires, and having to walk through it to get to the mailbox across the street. She feels the sand that was put down was only a band aide, the road seems worse than before, and pot holes and cracks are returning. Ms. Fuller said she pays a significant amount of taxes and is concerned on how the city is vetting the companies who perform the work.

Whitney Lawrence, 12415 Bret Springs, San Antonio, said he was here on behalf of the internet providers and would answer any questions from Council under Item 8.D on this agenda.

8. OLD BUSINESS

A. Roads

1. Road Report

Councilman Caid Franckowiak reported that due to all the recent rain, shredding will be performed as the weather permits. Councilman Dwayne Padalecki reminded Council that the City's tractor is very old and non-operable and that Ronnie Mills, who does the shredding for the city, has had to use his own tractor to perform that service. He provided Council with estimates from John Deere and Ewald Kubota to purchase a new cab-less tractor, along with a shredder and front-end loader. Councilman Padalecki said he spoke with TxDOT, and they recommended the John Deere tractor. He added that the City already has a good relationship with John Deere since they already own a smaller John Deere tractor that they use for the park, so that is the one he recommends too. Mayor Dee Grimm asked for a motion to approve this expenditure and noted that there is money in the current budget to purchase it. Councilman Padalecki added that due to inflation, the cost is expected to go up if they wait on the purchase. Councilwoman Susann Baker moved to approve the purchase of the John Deere cab-less tractor for \$63,536.79 plus the shredder and front end loader attachments for \$30,699.99. Councilman Dwayne Padalecki seconded the motion. All were in favor. The purchase of a new cab-less John Deere tractor, shredder and front end loader was approved.

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

City Engineer, Mr. Jess Swaim with 6S Engineering, reported that work by the Contractor, Mo-Con Services, has been on hold due to all the rain. He said a fence on the south side of the project had to be removed and a temporary fence has been constructed for the landowner, who he spoke to personally about. Mayor Dee Grimm reminded Mr. Swaim that the completion date for the project was extended by TxDOT to September 30, and will reach out to them again for another extension if needed, but hopes that won't be necessary.

3. Silesia Drive – Update on Silesia Drive Deficiency Issues

Mayor Dee Grimm said there are no new updates at this time, but litigation is still ongoing.

4. Status of 2020 Roadway Rehabilitation Project

Mayor Dee Grimm said the City is aware of the problems with this road project and asked City Engineer, Mr. Jess Swaim with 6S Engineering, to give an update. Mr. Swaim reported that Mayor Grimm and the City Attorney are aware of the situation and that he emailed a "Request for Information" (RFI) to the Contractor, informing the Contractor that the road was not what was expected and gave him some options. Mr. Swaim said he informed the Contractor that he believes the final course of aggregate did not stick to the surface and most of it was swept off the road, which resulted in the additional bleeding. He added that the sand the Contractor applied, as a result of the additional bleeding, was an option in the RFI, but only a temporary solution. Mr. Swaim said because the standards expected for the roadway were not met, the contract has not been finalized or approved by him. He said that the Contractor presented some options for the RFI, which included applying the sand, but before he could review the RFI, the Contractor had already applied the sand to the road, but didn't brush it out to uniformly cover the road. He also noted that because of the quality, pay application #3 has not yet been paid, as the City Attorney and Mayor are aware, and a five percent retainage has been withheld throughout the pay applications. Mr. Swaim said that since he says the final course of aggregate is not on the road, but the Contractor says it is, the Contractor was requested to get core samples of the road to prove that the material is there, and he is currently waiting on a response from the Contractor on if he is going to provide those core samples. He said if the Contractor does not provide the core samples, then it is up to himself and the City to conduct their own core samples to determine if the material is there. Mr. Swaim added that the cracks Councilwoman McInerney mentioned under Agenda Item #4, have been brought to the Contractor's attention. He said there's still a lot of money open within the project that has not been paid out and noted that even if the

Contractor had finished out the project and performed a good job, the project would still have been under budget by approximately \$72,000. Councilwoman Deborah McInerney asked in moving forward, if they should consider using a different Contractor. City Attorney Cynthia Trevino responded that a demand letter was issued to the Contractor, pursuant to the terms of the contract, with a deadline to respond to Mayor Grimm by July 9, 2021, giving notice of their proposed course of action. She said depending on their response, the City will proceed with their options per the Contract, to continue to withhold payment, making claim for liquidated damages, and if necessary, make a claim against the performance bond to secure performance of the Contractor through that bond. Ms. Trevino said it may be necessary to come back to Council to get additional directives moving forward. Mayor Grimm added, that no matter what, the City needs to get the roads fixed, and will hire another company if necessary. She said the City should have enough funds to do that, especially being that the project was under budget. Councilwoman McInerney asked how another Contractor would be acquired. Mr. Swaim said first the City must deal with the problem at hand. He then said when choosing a Contractor to recommend to the City, he calls references the Contractor provides, will consult other cities/engineers about the performance of the Contractor, and will check the bid tabulations for mathematical correctness.

5. 2021 Roadway Rehabilitation Project

City Engineer, Mr. Jess Swaim with 6S Engineering said the bid tab is in, bids were opened June 29, and there were four bidders; Austin Bridge and Road LP, Clark Construction, J&P, and Alamo City, with Austin Bridge and Road LP being the lowest bidder. He said roads included in this project are Saint Hedwig Road (by ball field and east of FM 1346), Ozway, Kajec, and Kusmierz Road (east & west of FM 1518). He said an alternate bid was included for the roads in the worst condition, using the reclamation process. Mr. Swaim said the first type of maintenance repair is a base repair and a two-course surface treatment, which is standard and was utilized in the previous road rehabilitation project. The reclamation process he said, would consist of an asphalt reclamation machine reclaiming (milling up) four inches of the existing road material, adding an emulsion to it, in place, to help the aggregate bind, then placing it back down on the road and compacting it with a roller, after which two-courses of asphalt type D would be placed over the top. This process he said is different than the mill and overlay process, where the existing material is milled up, hauled away (noting hauling costs can be expensive), and replaced with the same amount of asphalt that was milled out. Mr. Swaim said the engineering base bid estimate for base repair and two-course treatment was \$870,356.00, with the engineering alternate bid estimate being \$882,721.00. Austin Bridge and Road LP's bid, he said, was \$577,734.20 for the base bid and \$702,958.40 for the alternate bid. Mr. Swaim said he recommends going with Austin Bridge and Road LP's alternate bid. Councilman Dwayne Padalecki asked if Mr. Swaim verified where Kusmierz Road, east of FM 1518 officially ends. Mr. Swaim said that location

was determined from Bexar County Appraisal District maps, which indicate where the private property begins, which is near where the current maintenance appears to stop now. Mayor Dee Grimm asked Mr. Swaim what other factors were considered when choosing Austin Bridge & Road LP as his recommendation, besides being the lowest bid. Mr. Swaim replied that he checks the unit prices on the bid tab, to verify the bidder's prices are compatible with the current industry standards, reviews their financial statement to see if they are having any financial difficulties, and calls their references. Councilman Dwayne Padalecki pointed out that on Saint Hedwig Road at FM 1346 (both sides), a lot of water accumulates there after it rains, and asked if the Contractor could coordinate with TxDOT to have a drainage pipe put in, simultaneously while the City's roadwork is being performed. Mr. Swaim noted it would probably be a change order since this road project is a maintenance project and not a drainage project. Councilman Padalecki clarified that it's on TxDOT property, wants TxDOT to fix it, and just wants the Contractor to coordinate it. Mr. Swaim said he, as an engineer, could draft a letter to TxDOT stating that it's a concern, so it will go on record. Councilwoman Deborah McInerney moved to accept Austin Bridge & Road LP's alternate bid for the City's 2021 Roadway Rehabilitation Project. Councilman Dwayne Padalecki seconded the motion. All were in favor. Austin Bridge & Road LP's alternate bid was accepted.

B. City Park

Councilman Dwayne Padalecki reported that either additional concrete bench pads will be installed or a new park information board will be installed this fiscal year. Councilwoman Deborah McInerney added that the 4th of July concert in the park was very successful and hopes to have more events like that in the future.

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 efforts of the Planning and Zoning Commission and will definitively determine a date for the workshop.

D. Update on Internet Services for the City

Mr. Whitney Lawrence introduced himself as a representative for Celltex Services, whom he said has submitted a Special Use Permit (SUP) application so that they may expand their internet services in Saint Hedwig. He said they are currently operating off one of the light stands in the ball park by the American Legion Hall, and the SUP application requests a tower on that same property to broadcast line of site, direct line to line, internet services to the citizens of Saint Hedwig. He said he knows John Hafner is involved with the request, and although he is not present, has spoken with him, but he's mainly here to answer any questions the City may have. Mr. Lawrence said he's not an engineer, nor an attorney, but has worked with many cities in South Texas, Oklahoma and New Mexico, and hopes he

can help push this resolution for internet service that the City is looking for. He clarified however that he may not have all the answers regarding internet service, for the company he owns, only configures the towers. Councilwoman Susann Baker asked if that one tower would service line of sight for the entire city. Mr. Lawrence replied that he would have to look at the exact distances required, but believes it would. Councilman Dwayne Padalecki asked if the City has received written specifications for the tower, specifying its height, base, and location on the property next to a major State road. Mr. Lawrence replied only its proposed location has been submitted, which is out of the flood plain, for if it was built in a flood plain, it could cause all types of issues and increase construction costs significantly. Councilman Padalecki asked if the proposed location of the tower was written to the City with the SUP application. Mayor Grimm asked Mr. Lawrence if he was working with Ms. Fornof (the City's Code Compliance Officer) on that, and he replied he was mostly working with Councilman Hafner, whom he submitted the proposed location to, and only submitted the SUP application to Ms. Fornof. Mr. Lawrence said there was another question about whether the SUP application should come from the property owner or an authorized agent. Councilman Padalecki reminded Mayor Grimm that per the minutes from the June 3, 2021 City Council meeting, she stated that the SUP application should come from the property owner, and he told Ms. Fornof that it would be unprecedented to receive a permit from anyone other than the property owner. Mr. Lawrence noted that the SUP application has a check box on it for signed authorization, which was provided with the application. He said the application was submitted in his name with a signed authorization from the American Legion. Councilman Padalecki asked again if specifications (height, base, location) of the tower were submitted with the SUP application. Mr. Lawrence replied he only submitted the proposed location of the tower. Councilman Padalecki asked where the proposed location is. Mr. Lawrence then handed out information to the Mayor and Council members, identifying the proposed tower location. Councilman Padalecki asked if Ms. Fornof had a copy of the information Mr. Lawrence handed out. Mr. Lawrence said he wasn't sure what Councilman Hafner had given Ms. Fornof. Councilman Padalecki stated the proposed location (per the handout) was on the corner of old Saint Hedwig Road and FM 1346. Mr. Lawrence noted that the location was chosen only because of the flood plain on that particular property. Councilman Padalecki asked Ms. Fornof if she had the information (containing the proposed location of the tower) that Mr. Lawrence handed out. She replied she did not. Mayor Grimm said the City would need to talk to the post commander of the American Legion, Mr. Doege, because they need to determine if it is correct for Mr. Lawrence or the American Legion to submit the SUP application. Councilman Padalecki reminded Council that he was uncomfortable when Council approved the last SUP application without any specifications or site plan being submitted. Mayor Grimm said that subject has been addressed and exact specifications will now be required for any variance of land use. Councilman Caid Franckowiak then noted that the authorization letter Mr. Lawrence submitted with his SUP application, was signed by the Director of the American Legion, Dale Thomas, and not by the American Legion Post Commander, Mr. Doege. Mayor Grimm said she would check into the protocol of the American Legion, but said the real question is whether the application needs to be submitted

by the property owner. Mayor Grimm thanked Mr. Lawrence for providing the additional information to them for their review. Councilman Franckowiak asked if the proposed location of the 75'x75' tower base was the optimal place for it. Mr. Lawrence replied yes, on that property it was, for almost the rest of the property is in the flood plain. Mr. Lawrence concluded that if you're 175 feet up in the air, erecting the tower in another location wouldn't affect their ability to broadcast. Thus, he said, if he was granted the SUP opposed to the property owner, then he wouldn't potentially have to go through the permitting process numerous times to find the right spot for it.

E. Update on Recycling Program for Frontier Waste Solutions Customers

Councilwoman Deborah McInerney reported that she spoke with Frontier Waste Solutions, who said every customer would have to participate in the recycling program for them to provide the service. She said Frontier Waste Solutions would provide a separate container for the recycling, would pick it up every two weeks, would only accept certain recyclable items, and there would be an additional charge for the service. She said she could send something out to the customers to see how many of them would be interested in the recycling service. Councilwoman Susann Baker said if the City is going to query the customers, they should be informed of the cost, and although she believes the customer response will be mixed, she thinks they should be queried. Mayor Dee Grimm asked Councilwoman McInerney to continue with the development of a customer query.

F. Update on Funding from American Rescue Plan Act of 2021

Mayor Dee Grimm reminded everyone that the City was granted \$540,000 as part of the American Rescue Plan Act of 2021, which must be used for specific purposes, so the City plans on using the funds for internet service. She said the funds are being held by the State, and Congressman Cuellar and Judge Wolfe have sent letters to the State asking why the funds have not been released to the cities. She added that Councilman John Hafner has been working with GVEC for them to provide fiber optic internet service to Saint Hedwig, but due to the large area of the City, the infrastructure would be costly. Mayor Grimm said GVEC has asked the City if they would pay for a portion of the infrastructure, so she said perhaps these funds could be used for that.

G. Update on Memorandum of Understanding (MOU) with Bexar County for Multiple Services; Animal Control, Fire Marshal and Public Works

Mayor Dee Grimm said, as previously discussed, the City feels like they are not getting a lot of attention from Bexar County. For example she said, when someone calls Bexar County about an animal, Bexar County tells them to call the City, and since the City does not provide animal control, it creates a problem. She said the same thing applies to Public Works, trying to get Bexar County to help the City during flood times, and also with the Fire Marshall, needing them to perform fire inspections. Mayor Grimm said an Interlocal Agreement (ILA) is required with

Bexar County in order for them to conduct fire inspections for the City, but Bexar County won't enter into the Agreement until the City updates its fire code to the 2015 fire code. She said she previously thought Bureau Veritas, the company who performs building inspections for the City, would be able to come out and tell Council what the differences are between the fire codes, but they do not do fire inspections so they don't know about the codes. Mayor Grimm said the City's options are: a) Get an ILA with Bexar County Fire Marshall's Office, b) Hire a City Fire Marshall, or c) ask ESD-12 if someone from there would be the City's Fire Inspector, but she's not sure if this option is even still available. Councilwoman Deborah McInerney asked, if the City updated its fire code, if that would only be applicable from the date of its acceptance and moving forward. Mayor Grimm confirmed it would. Councilwoman Deborah McInerney moved to update the City's fire code to the 2015 fire code, drafting an Ordinance to accept it. Councilwoman Susann Baker seconded the motion. All were in favor. An Ordinance, updating the City's fire code to the 2015 fire code will be drafted. Councilwoman Deborah McInerney also moved, to move forward to develop an ILA with the Bexar County Fire Marshall's Office for fire inspections and other assorted items. Councilman Caid Franckowiak seconded the motion. All were in favor. The City will develop an ILA with the Bexar County Fire Marshall's Office.

H. Update on Extending Work Hours for City Staff

Mayor Dee Grimm said the City is growing and recommends the City extend the City Secretary and Code Compliance Officer positions to full-time salary positions, based on 32 hours per week, with benefits. She also said, although the current maintenance employees due a fabulous job, they have limited availability during the week, so she recommends maintaining their part-time hours, but adding 20 more part-time hours per week to obtain an additional maintenance employee, with on-call availability during the week. In addition, Mayor Grimm said, based on the number of hours she is putting in, she asks to extend the number of hours for the Mayor's position too, but does not think a full time position for Mayor is needed at this time. She added that a City Marshal position will also be needed, and is currently working on that. She said she believes the City has the budget for these additional costs, which will be included in the proposed FY 2021-2022 City budget, to be presented to Council at the August meeting. Mayor Grimm emphasized again, the City's definite need of these additional staff hours. Councilman Dwayne Padalecki moved to accept the additional staff hours as hereinbefore stated by Mayor Grimm, to be included in the City's FY 2021-2022 proposed budget. Councilwoman Susann Baker seconded the motion. All were in favor. Increase in staff hours has been approved. Councilman Padalecki agreed that these additional staff hours are greatly needed and foresees the need for a City Manager in the near future.

I. Status on Establishing a City Marshal's Office

Mayor Dee Grimm said the City Attorney is assuring that the City's agreement with its Consultant, Mr. Aiola, to help the City develop a Marshal's Office, is an

appropriate contract. She said that she has worked with Mr. Aiola to assure the budgets he is proposing are legitimate, and that these costs will be reflected in the City's FY 2021-2022 proposed budget.

J. Update on Green Valley SUD Clear Creek Subdivision Waste Water Treatment Plant

Mayor Dee Grimm said Green Valley Special Utility District (SUD) has submitted an application for a Texas Pollutant Discharge Elimination System Permit with Texas Commission on Environmental Quality (TCEQ) for the Clear Creek Subdivision Waste Water Treatment Plant (WWTP). She noted that Green Valley SUD has now submitted a new application and subsequently moved the location of the WWTP from an area outside the City's Extraterritorial Jurisdiction (ETJ) to an area inside the City's ETJ, off of Stapper Road, alongside Woman Hollering Creek. She said there have been several very concerned citizens, because this is a WWTP for houses on a sewage system that are not part of the City. Mayor Grimm noted that all the houses in the City are on septic systems, and residents want to know why Saint Hedwig is having to bear the burden of the look, the smell, and the additional water that will dump in the creeks, as a result of this plant. She said she asked the City Attorney about what options the City has concerning this issue, and the City, as a municipality, can protest it. Councilwoman Deborah McInerney said she thinks the City should protest it. Councilman Dwayne Padalecki said the proposed WWTP, to service approximately 900 homes outside the City's ETJ, will dump into Woman Hollering Creek in the ETJ, then flow into Martinez Creek, and believes more WWTPs will continue to develop, so the City needs to start being vocal about it to set a precedence. Councilwoman McInerney noted that Martinez Creek already floods with little rainfall, and now with the additional water from the WWTP, it will be worse. Councilwoman Deborah McInerney moved to have the City proceed in submitting a protest to TCEQ against the construction of the Green Valley SUD Clear Creek Subdivision WWTP. Councilman Caid Franckowiak seconded the motion. All were in favor. The City will request a contested case hearing protest with TCEQ against the construction of the Green Valley SUD Clear Creek Subdivision WWTP located at 4060 Stapper Road. City Attorney Cynthia Trevino noted that this process is worth the City's attempt, but it is a rigged system, to try to go through TCEQ's protest process. She said she has been working with cities as an attorney for seven years, and numerous protests have gone before TCEQ, but only one group has been successful with its protest process with TCEQ. Ms. Trevino said she just wants everyone to be aware that it is a really hard process because the City is very limited on what it can regulate in its ETJ. She also noted that per the Utility Code, when a County reaches a certain population level, which Bexar County may reach depending on the outcome of the 2020 Census, Saint Hedwig, being a Type A General Law City, may be prohibited from trying to protest this type of structure being built in its ETJ. Ms. Trevino said although this is a factor, she still feels it is worth pursuing. Mayor Grimm asked if there are any other avenues the City can pursue. Ms. Trevino said that filing a protest is the administrative process that TCEQ has, but the City could explore an injunction, taking on a fight with Green Valley SUD, but that would be a very

expensive (upwards of \$80,000) fight and you might not get the result you are seeking.

K. Council's Review of the Special Use Permit (as drafted) for 2415 E FM 1518 S (BCAD Property ID 328965, Owner Diego and Hoa Campos), allowing its use for Soccer Fields

Mayor Grimm clarified that Council is not re-voting on allowing this special use permit, but are reviewing the specifics that will be required for the permit. Councilwoman Susann Baker noted that if the specified use of using the property for soccer fields ends, then the special use permit becomes null and void, as is stated in the specifics of the special use permit Council was currently reviewing. Councilman Dwayne Padalecki asked if there is anything on the permit about lighting. Councilwoman Baker said the owner said he would not be using the soccer fields after dark. Councilman Caid Franckowiak said Council shouldn't take an owners word for it, but instead it should be stated in the permit. Mayor Grimm noted that if lighting is installed, the owner must abide by the City's lighting ordinance. Councilman Franckowiak asked if any parking lot details were provided on the site plan that was submitted. Mayor Grimm said she'd check and let him know, and is unsure why the site plan wasn't in the Council's packet for review.

L. AT&T's Unfinished Projects in Saint Hedwig

Councilman Dwayne Padalecki said the City's always had a battle with AT&T trying to get them to complete their projects within the City. He said for example, when an AT&T line had gotten exposed, AT&T told him that they had 90 days to whatever they want. He said he doesn't feel like that is a partner, but instead, they're being combative. Councilman Padalecki said that as of today, he knows of three unfinished AT&T projects within the City, all around the Lupon Road area, which started at least five months ago, which are way beyond the 90 day deadline. He said he'd like to have an AT&T representative come before the Council in order to hold AT&T accountable for their unfinished projects, for if no one is watching them, they won't ever get completed or completed properly. Councilman Padalecki noted that East Central SUD and CPS work with the City, notifying the City of when and what work they will be conducting in the City. Mayor Grimm said the City has an ordinance relating to that, but the problem is trying to contact the appropriate AT&T representative. Councilman Padalecki asked if the City Attorney could find out who the AT&T point of contact is. Mayor Grimm agreed that a letter should be drafted, to include notifying AT&T of the City's ordinance, in order to get their attention. Councilwoman Susann Baker said AT&T are notorious for not burying their lines. Mayor Grimm said she would talk to the City's Attorney about resolving this issue.

9. NEW BUSINESS

A. Budget Review

The City Council was provided a budget vs. actual report, created by the City's Bookkeeper Brenda Keeton, of the current fiscal year as compared to last fiscal year's budget vs. actual. Mayor Grimm told Council that this report was provided to them so they can begin thinking about the upcoming FY 2021-2022 City budget and what expenses they would like to include.

10. ANNOUNCEMENTS

There were no announcements.

11. DETERMINE DATE FOR NEXT MEETING

The next City Council meeting will be held August 5, 2021.

12. ADJOURNMENT

Mayor Dee Grimm adjourned the meeting at 9:27 pm