

Mayor
Dee Grimm

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

City Secretary
Janice Staudt

CITY OF ST. HEDWIG
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APPROVED MINUTES
of the Regular City Council Meeting

March 5, 2020

1. CALL MEETING TO ORDER

Mayor Pro Tem Dwayne Padalecki called the meeting to order at 7:15 pm at the St. Hedwig City Hall. Mayor Dee Grimm was absent.

2. ROLL CALL AND ESTABLISH A QUORUM

Roll call was taken. Members present were Councilwoman Susann Baker, Councilman Caid Franckowiak, Councilwoman Deborah McInerney and Councilman John Hafner. A quorum was established. Janice Staudt presided as City Secretary.

3. READING AND APPROVAL OF MINUTES

The minutes to approve were from the February 6, 2020 City Council Meeting. Councilwoman Susann Baker moved to table the reading and approval of the minutes. Councilman John Hafner seconded the motion. All were in favor. The reading and approval of the February 6, 2020 minutes was tabled.

4. READING AND APPROVAL OF FINANCIAL SUMMARY

The financial summary to approve was for January, 2020. Councilwoman Susann Baker moved to table the reading and approval of the financial summary. Councilwoman Deborah McInerney seconded the motion. All were in favor. The reading and approval of the January, 2020 financial summary was tabled.

Mayor Pro Tem Padalecki acknowledged the presence of, and introduced City Attorney, Habib Erkan.

5. REPORT FROM CODE COMPLIANCE

Kim Fornof gave the Code Compliance report. She said the Alamo Area Council of Governments (AACOG) is drafting a New Joint Land Use Plan, which develops zoning capabilities between Military installations and neighboring cities. Ms Fornof said St Hedwig's zoning is already compatible with nearby Randolph AFB to the north, and may want to look

into US Dept of Agriculture agricultural easement program as a way to purchase and maintain farm land in the City. For a complete report, see it on our website at sainthedwigcity.org under Code Compliance Reports.

6. REPORT FROM PLANNING AND ZONING

Planning and Zoning Commission Chairman Charles Mais presented the Planning and Zoning Commission report. He reported a large turnout at the February 18, rezoning request Public Hearing (18 acres on Pittman Rd, BCAD Property Identification Number: 1312509), where 13 individuals spoke in opposition to, and four in favor of, the rezoning request. Mr. Mais stated that the Planning and Zoning Commission ultimately voted, one in opposition to, and four in favor of, the rezoning request from A-R1 to R-2 and presented the Planning and Zoning Commission's recommendation to approve the rezoning request to the City Council. He also said that they are still reviewing and updating the Zoning Ordinance and will be discussing zoning change request signage in more depth at the next meeting. Mayor Pro Tem Dwayne Padalecki reminded Mr. Mais to give a copy of the City's Rules of Decorum to all Planning and Zoning Commissioners.

7. CITIZENS TO BE HEARD

Mayor Pro Tem Dwayne Padalecki 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.

Linda Doege, 14855 E Lupon Rd, St. Hedwig, representing the American Legion Auxiliary, announced upcoming events. She said they will be having a fish fry March 27, where citizens can also sign or make Easter cards for nursing home residents. She reminded everyone of the CASI Chili Cook-off, including bean and salsa competitions, on March 21 and 22 at the American Legion Hall and a dance on March 15, 1:00-5:30 pm.

Bob Pennington, 12907 Hollow Cave, San Antonio, said he was there to answer questions Council may have regarding the rezoning request of the 18 acre property on Pittman Road.

Todd Phillips, 14886 New Berlin Rd, St. Hedwig, President of the County Line Community Band, said he was wanting to establish a working relationship with the City to provide musical entertainment (a full concert band or smaller units) for any City festivity. He said he has come up with some ideas utilizing the City Park and has given those ideas to Councilwoman Deborah McInerney to discuss with Council at the next meeting.

Kathy Palmer, P.O. Box 250, St. Hedwig, recommended the Subdivision Ordinance be rewritten, instead of continually amending it, specifically asking Council to table the amendments on the current agenda, allowing more time to contemplate this issue. She also said she attended the February 18 rezoning request Public Hearing, where the Planning and Zoning Commission voted to recommend approving the request, and wanted Council to know, that by voting yes to approve it, the Commission followed the Future Land Use Map's suggested land use.

Jessica Badillo, 3085 Kusmierz Rd #2, said she grew up in St Hedwig and now built a home here to raise her family. She said she'd like to see St Hedwig remain a small rural community and is concerned what will happen if the rezoning request of the 18 acres on Pittman Road is granted. Ms. Badillo believes St Hedwig is not prepared for the influx of subdivisions and rapid home development, identifying the lack of police and emergency response services necessary to support such development. She also believes the roads could not support the increase traffic. Ms Badillo stated she was aware of the Future Land Use Map, but believes that until ample police, emergency response services and better roads are in place, 2.5 acre developments should not be allowed. Lastly, she voiced her concern that despite all the strong opposition from the community, the Planning and Zoning Commission still voted to recommend approving the request, and urges Council to listen to the voices of the community and ultimately deny the request.

Doug Thomas, 378 N Graytown Rd, St Hedwig, voiced his concerns about the disregard to speed limit and weight limit signs on Graytown Rd, and also about dumping throughout the city, despite his multiple requests to have the trash picked up. Mainly, he voiced his concerns about the neglect of the maintenance of the roads, specifically potholes, cracks and the edges of the roads. He said if these issues aren't addressed in a timely manner, the roads will deteriorate rapidly and the money previously spent on city road improvements will have been spent in vain.

Kathy Doege, 3085 Kusmierz, St Hedwig, said she grew up in St Hedwig and her children now reside here too, and she opposes the rezoning request of the 18 acres on Pittman Road. She said people know if you choose to live in St Hedwig, you choose to live on 5 acres, and feels everyone should abide by the rules or purchase land elsewhere. Ms. Doege also said she was upset with the Planning and Zoning Commission's vote to recommend approving the rezoning request, despite the majority of the citizens who showed up at the Public Hearing to oppose it. She asked Council to vote against this rezoning request.

Emily Terrell, 1306 Churchview Drive, St Hedwig, said she is also opposed to the rezoning request of the 18 acres on Pittman Road. She is concerned with an increase in crime and traffic, and asked Council to vote against this rezoning request.

Kelsy Luensmann, 1224 Pittman Road, St Hedwig, stated she is opposed to the rezoning request of the 18 acres on Pittman Road, and said she moved to St Hedwig to get away from the crime and noise of the big cities. She believes the City should stand firm on the 5 acre minimum rule. Ms. Luesnmann also voiced her frustration with the Planning and Zoning Commission's vote to recommend approving the rezoning request, despite the majority of the citizens opposing it, and asked Council to listen to the people and deny the request.

Wanda Polasek, 13910 Waveway, St Hedwig, said the post office parking lot accumulates a lot of water after a rain and requested the non-drainage issue be resolved.

Justin Jones, 14714 FM 1346, St Hedwig, asked Council to take the Future Land Use Map into consideration when making a decision on the rezoning request of the 18 acres on Pittman Road.

Bill Moore, 3846 Felix Road, St Hedwig, spoke in opposition to the rezoning request of the 18 acres on Pittman Road and asked Council to decline the request.

8. OLD BUSINESS

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

Councilman Caid Franckowiak gave the Road Report.

- Pot hole repairs throughout the city are currently being addressed.

Mayor Pro Tem Dwayne Padalecki announced that TxDot will be repaving state road FM 1346 from Carpenter, Tx to Loop 1604. Prior to paving, he said TxDot will blade the shoulders of the road to allow water to drain off the road, and he'll ask TxDot to also correct the water drainage issue at the post office that Ms. Polasek spoke about under Citizens to be Heard.

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

Councilman Dwayne Padalecki said the easement agreement documents are still in the landowner and the landowner attorney's possession awaiting execution, and if not executed in time, the city will have to proceed with construction within the right-of-way only.

Councilwoman Deborah McInerney asked why so much debris is being left behind after the City trims the trees along the roads. Mayor Pro Tem Padalecki said the City has been using the same process TxDot uses for about twelve years and it can look abrasive. The limbs in the right-of-way (only up to the fence lines) are cut with a vertical shredder and then the debris left behind on the ground is shredder over to mulch it. The trimmed trees he said, will sprout back out again unless they were already dead when cut, and if large limbs are left behind on the ground, please contact the City.

2. Silesia Drive - Discuss potential deficiencies in the design/construction of the road - Discuss and Take Action

Mayor Pro Tem Dwayne Padalecki said the City is having a second set of tests done on Silesia Drive before the City will agree to accept the road.

b. City Park

Mayor Pro Tem Dwayne Padalecki reported more trees of various types and colors will be planted in the park and gave Council a list of the proposed trees to be planted. He also complimented maintenance on their upkeep of the park and said there are plans for restrooms to be built in the future.

c. Update on Monthly Crime Stats

Councilwoman Susann Baker gave the Crime Stats Report. From January 30, 2020 through February 27, 2020 there were a total of 5 crimes: all property crimes, but only one of the five was within the city limits. For locations of these crimes and all crime reports, please visit our website at sainthedwightcity.org

d. Ordinance 2004 - Subdivision Ordinance Amendment (Variance Approval)

An Ordinance amending the City's Subdivision Ordinance to vest City Council with the authority to approve variances to the Subdivision regulations .

Mayor Pro Tem Dwayne Padalecki asked Council if they had any questions, but no questions were asked. Councilman John Hafner moved to approve Ordinance 2004. Councilwoman Susann Baker seconded the motion. All were in favor. Ordinance 2004 was adopted.

e. Ordinance 2005 - Subdivision Ordinance Amendment (Private Streets)

An Ordinance amending the City's Subdivision Ordinance to include options for accepting Subdivision roads.

Mayor Pro Tem Padalecki noted to Council that there were several parts of Ordinance 2005, as follows (as highlighted) needing to be determined and voted on by Council:

1.) "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAINT HEDWIG, TEXAS, AMENDING THE SUBDIVISION ORDINANCE TO **REQUIRE/ALLOW** ALL INTERIOR CIRCULATION STREETS IN A SUBDIVISION BE DESIGNATED AS PRIVATE STREETS; PROVIDING CUMULATIVE AND SEVERABILITY CLAUSES AND FOR AN EFFECTIVE DATE."

"WHEREAS, City Council determines that it promotes the health safety and welfare of the public to **allow/require/require unless otherwise approved by City Council** Interior Circulation Streets within a new subdivision to be private streets; and"

Councilman Caid Franckowiak moved to use the word "REQUIRE". Councilwoman Susann Baker seconded the motion. All were in favor. Motion carried.

- 2.) "Interior Circulation Streets to be private streets. All Interior circulation streets shall be Private Streets and shall comply with section H of this article IV."

or

Interior Circulation Streets to be private streets. Unless the dedication of Interior circulation streets is approved by City Council all Interior circulation streets shall be Private Streets and shall comply with section H of this article IV. A request to allow the Interior circulation streets in a proposed subdivision be dedicated to the public must be made on a form provided by the City prior to the date of submittal of the application. The request shall be considered by City Council on the first available regular meeting date after the date of receipt of the request. City Council shall not approve the request unless it finds granting the request shall not have an adverse effect on traffic conditions or the public, health, safety, convenience and welfare.

or

Interior Circulation Streets to be private streets. Interior circulation streets may be Private Streets provided such streets comply with section H of this article IV.

Councilman Caid Franckowiak moved to accept the verbiage "Interior Circulation Streets to be private streets. All Interior circulation streets shall be Private Streets and shall comply with section H of this article IV."

Councilman John Hafner seconded the motion. All were in favor. Motion carried.

- 3.) "Adequate collector streets shall be provided for the circulation of traffic through the subdivision, and adequate minor streets shall be provided to accommodate the subdivision. Interior Circulation Streets shall/may/shall unless otherwise determined by City Council be Private Streets."

Councilwoman Susann Baker moved the use the word "shall".

Councilwoman Deborah McInerney seconded the motion. All were in favor. Motion carried.

- 4.) "Applicability. This section is applicable to the development of single family subdivisions for which Interior circulation streets are to be constructed. The applicant (may elects/shall be required) to designate such streets as private streets to be owned and maintained by a property owners' associations."

Councilman John Hafner moved to accept the verbiage "shall be required". Councilwoman Deborah McInerney seconded the motion. All were in favor. Motion carried.

5.) "Standards.

(a) All private streets will conform to the same standards as set out herein for public streets.

or

(a) All private streets will conform to the same standards as set out in Section 2 herein."

Councilman Caid Franckowiak moved to accept the verbiage "(a) All private streets will conform to the same standards as set out in Section 2 herein."

Councilwoman Susann Baker seconded the motion. All were in favor. Motion carried.

Councilman John Hafner then moved to adopt Ordinance 2005, as amended. Councilwoman Deborah McInerney seconded the motion. All were in favor. Ordinance 2005 was adopted, as amended.

f. Update on Road Assessment and Repair

Mayor Pro Tem Dwayne Padalecki said the City is in the process of having one of the prequalified Engineering firms conduct an assessment of all the City roads to determine the need for repairs.

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

Mayor Pro Tem Dwayne Padalecki reminded everyone that the City currently has a five year agreement with MD Systems for residential garbage pickup and requested that citizens not place dumpsters in the City right-of-way. He said that dumpsters located near the edge of the road are safety hazards, and if they're located in the ditch, they are blocking drainage and are in the way when shredding the grass. Councilwoman Susann Baker said she was in favor of mailing reminders to all the citizens concerning these issues.

h. May 2, 2020 Election

1.) Certification of Unopposed Candidates

Mayor Pro Tem Padalecki announced that all the May 2, 2020 election candidates, Mayor Dee Grimm, Councilwoman Susann Baker and Councilwoman Deborah McInerney, were unopposed.

2.) Order of Cancellation - Resolution 2006

Mayor Pro Tem Padalecki announced that since all the May 2, 2020 election candidates were unopposed, the election would be canceled. Councilman John Hafner moved to approve the Order of Cancellation, Resolution 2006. Councilman Caid Franckowiak seconded the motion. All were in favor. Resolution 2006 was adopted.

9. NEW BUSINESS

There was no new business.

10. ANNOUNCEMENTS

Councilman John Hafner reminded everyone of the CASI Chili Cookoff at the American Legion on March 21 and 22.

Mayor Pro Tem Padalecki thanked all the volunteers and contributors of the San Antonio Livestock Expedition for their hard work and generosity, with proceeds going towards youth scholarships. He also thanked all the City elected and appointed officials for volunteering their time to benefit the City.

Councilwoman Susann Baker reminded everyone of the 2020 Census and stated the importance of everyone's response.

13. DETERMINE AGENDA & DATE FOR NEXT MEETING

Next City Council Meeting will be April 2, 2020.

1. Call Meeting to Order
2. Roll call & Establish a Quorum
3. Reading and Approval of Minutes
4. Reading and Approval of Financial Summary
5. Report from Fire Department
6. Report from Code Compliance
7. Report from Planning & Zoning Commission
8. Citizens to be Heard
9. Old Business
 - a. Roads
 1. Miller Road Bridge
 2. Matching Fund Project on Gable Rd
 - b. City Park
 - c. Update on Monthly Crime Stats
10. New Business
11. Announcements
12. Determine Agenda for next meeting
11. Adjournment

15. ADJOURNMENT

Mayor Pro Tem Dwayne Padalecki thanked all the citizens for their attendance and participation. Councilwoman Susann Baker moved to adjourn the meeting. Councilwoman Deborah McInerney seconded the motion. All were in favor. Meeting was adjourned at 8:29 pm.