



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
FEBRUARY 18, 2021
6:30 P.M. - 955 PINEY POINT ROAD**

MINUTES

In accordance with Governor Abbott's Executive Order or Proclamation dated March 13, 2020 and continued by Executive Orders or Proclamations dated April 12, 2020, May 12, 2020, June 11, 2020, July 10, 2020, August 8, 2020, September 7, 2020, October 7, 2020, November 6, 2020, December 6, 2020, January 5, 2021, and February 4, 2021 relating to the COVID-19 pandemic and the need to minimize face-to-face contact, the City of Hedwig Village held the February 18, 2021 City Council meeting in person with several participants joining the meeting via Zoom, as noted below.

1. CALL TO ORDER

Mayor Muecke called the meeting to order at 6:31 p.m.

Present: Mayor Brian T. Muecke

Councilmember Harry J. Folloder
Councilmember Dane Johnson
Councilmember Susan Mathews
Councilmember Shirley Rouse
Councilmember Matt Woodruff

Kelly Johnson, City Admin./Secr.-
Treas.
David Gott, Police Chief
Alan Petrov, City Attorney (via
Zoom)
Kevin Taylor, Building Official (via
Zoom)
Evan DuVall, Asst. Building Official
Lisa Modisette, Asst. City Secretary

Absent: None

2. CITIZEN/VISITOR COMMENTS

Tom Roth, 854 Pecanwood, thanked the police and fire departments, city staff, and the Councilmembers for their hard work during the winter storm.

Pat Murphy, 11510 Echo Hollow, stated the Planning and Zoning Commission (P&Z) gives the residents a voice and a channel for input regarding the Planning and Zoning Code. He believes the reduction of the membership of P&Z limits the residents' voice. He stated the solar panel topic on the agenda this evening had not been discussed by P&Z prior to placement on the Council agenda.

3. CONSENT AGENDA – All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

A. Approval of Minutes

- Sales tax is down eight percent for the year compared to the same time period in 2020.
- The City is eight percent through the budget year.
- Revenues for 2021 are approximately thirty eight percent of budget and expenditures for 2021 are approximately seven percent of budget.

B. Police Report – 2020 Racial Profiling Report, 2020 Annual Report, and January 2020 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- Total crime for January 2021 is down compared to the same time period in 2020.
- The 2020 Racial Profiling Report is complete. The department is required to present the report to the governing body. The report is a statistical report of all traffic stops made by the officers in 2020. The data shows the department does not have a racial profiling issue.
- There were no staffing issues during the winter storm.
- Cardinal Tracking, Inc., the computer program used by the department, continues to no longer meet the needs of the department. The department is looking at other programs to replace Cardinal.
- The 2020 Annual Report was discussed at the January City Council Meeting.

C. Fire Department – Councilmember Folloder, Commissioner, & Bill Johnson, Alt. Commissioner

Councilmember Folloder discussed the following:

- There has been a significant increase in calls for service since the start of the winter storm. Typically, the department receives approximately six or seven calls during a twenty four hour period. The department received two hundred fifty one calls in a twenty four hour period during the storm. Most of the calls were related to the winter storm, such as broken water pipes.
- There were two house fires – one was a total loss, the department was able to save the other house.
- The temporary living quarters at the fire station were not winterized prior to the storm. The living quarters lost power and water. The department, despite the hardships, responded to all calls for service.
- Response times for Hedwig Village are well below the national average for fire, medical, and advanced life-saving calls.
- The department is fully staffed and all equipment is in service.
- The department is on budget.
- The department was resourceful in thinking of ways to keep the equipment and the valves from freezing in the frigid temperatures. If the valves on the trucks freeze, water will not flow through the hoses.

Councilmember Mathews asked if the City could do a special recognition at the March Council meeting.

Mayor Muecke agreed with the sentiment. He stated Federal Grill provided hot food to the police and fire departments. Mayor Jim Pappas, City of Hunters Creek Village, manned the grill at Federal Grill to cook the food for the departments.

Councilmember Rouse asked if the living quarters now had heat. Councilmember Folloder stated the power has been restored.

D. Beautification – Kathryn Schenk, Chairperson

Kathryn Schenk discussed the following:

- The Campbell Road esplanade has been mulched. The committee will need to wait to see if the plantings survived the freezing temperatures.
- The City maintenance crew has been working on the locations and placement of the remaining City signs.
- The Committee has received three quotes for placement of sod on the south side of Gaylord Road between Piney Point Road and Echo Lane. The mid-level quote appears to be the best value. The mid-level quote was received from Mata-Turf. Their quote is for \$12,338. The work covered by the quote includes removal of weeds, leveling the ground, laying twenty five pallets of sod, and an initial soaking of the newly laid grass. The \$12,338 quote would put the Beautification Committee over budget.

Councilmember Rouse asked about maintenance.

Kathryn Schenk stated the maintenance would require mowing and watering of the grass. The grass should be laid down in March in order for the root system to get established.

Councilmember Woodruff expressed concern over the quality of grass the City would receive after the freezing temperatures of the winter storm. He asked if the City could get a warranty on any grass received and if the City could reject any pallet of grass that looked sub-par.

Kathryn Schenk stated she would speak to Mata-Turf regarding Councilmember Woodruff's concerns.

Councilmember Woodruff suggested an increase of \$15,000 to the Beautification Committee budget to ensure a warranty on the grass received. Councilmembers did not object to the proposed increase.

E. Mayor – Monthly Report – Brian Muecke

Mayor Muecke discussed the following:

- The winter storm has produced difficulties on several fronts:

- The Memorial Villages Water Authority (MVWA) had difficulty maintaining water pressure due to the many water leaks and lack of power. A boil water notice has been issued by the MVWA and may be rescinded on Saturday, February 20, 2021 after test results are reviewed. MVWA has a plan in place to pressurize the water pipes for the Village Fire Department, if needed. Water pressure has increased to forty five pounds per square inch as of the evening hours of February 18, 2021.
- Centerpoint Energy stated that all of Hedwig Village had power as of the evening hours of February 18, 2021.
- Evan DuVall, Assistant Building Official, clarified a misunderstanding between the City of Piney Point Village and a right-of-way (ROW) contractor. The contractor had a ROW work permit issued from the City of Hedwig Village, but not from the City of Piney Point Village, for fiber installation work to be completed at Taylorcrest and Echo Lane. The contractor was informed a permit would be required from the City of Piney Point Village before any work could continue. The incident has been resolved. The contractor is on notice regarding the quality of their work. The contractor damaged a MVWA water line and was unresponsive regarding MVWA requests for insurance information. The City had the insurance information as part of the requirements to pull a permit. The City has shared the insurance information with MVWA.

F. Building Official – Evan DuVall, Assistant Building Official

Evan DuVall discussed the following:

- Moody Project – a permit has been conditionally issued for tenant improvements for a bakery. The contractor is expected to submit for a permit for the adjacent space for Belong Bakery shortly and has been working through the remaining important items with the Fire Marshall.
- Memorial High School Main Campus –The interior framing and mechanical, electrical, and plumbing has begun. The City has been working with the school district and contractor to resolve the parking lot lighting issues. The contractor is searching for a different light head to satisfy the requirements of the Planned Unit Development (PUD) and the City Ordinance. The student traffic light on Gaylord Drive is waiting for power and is expected to be turned on during spring break (March 15-19). There has been significant cooperation between the City, the school district, and Centerpoint Energy to have this traffic light in operation. The student traffic light on Echo Lane will involve a remodel of the current traffic light and traffic pattern from a three-way light to a four-way light. The work should begin during spring break. The City's Traffic Engineer is reviewing the traffic control plans and it is expected to be completed during spring break.
- A permit has been issued for a coffee shop at the corner of Piney Point Road and the I-10 Frontage Road. The City has been working with the City's Traffic Engineer to ensure that the drive-thru will not affect traffic on the feeder road.

- Small Nodes – The City has approved a permit for five co-locations within the City. The work should begin sometime during the first or second quarter of the year. The City has also been reviewing streetlight nodes in compliance with the City’s design manual and ordinance.
- Right-of-way permits – The City has approved three right-of-way permits for fiber installation within the City. The contractor will complete the work a section at a time. The project engineer has been notified of the issues the City’s having with this contractor and the City’s dissatisfaction with the contractor. Any violations from this contractor will result in a stop work order, including a stop work fee and other fines/fees may occur. The Building Official will attempt to ascertain a completion date and will notify Council.
- Variance request – The variance hearing was cancelled due to the winter storm and will be rescheduled.

G. Planning & Zoning Commission –Tom Roth, Chairperson, and Councilmember Susan Mathews, Council Liaison

Tom Roth discussed the following:

- The February meeting was cancelled due to a lack of quorum.
- A joint workshop with City Council was requested again.

Councilmember Johnson stated the only reason he suggested reducing the membership of P&Z is because of this very issue – a lack of quorum needed to hold a meeting. He does not want to limit the input of the residents. However, lengthy monthly meetings may discourage residents from volunteering for P&Z. He stated a solution needs to be found regarding P&Z.

Mayor Muecke stated City Council could possibly make the P&Z job easier. City Council would have to discuss the topic.

Councilmember Mathews stated P&Z has not cancelled a meeting due to a lack of quorum until the February 2021 meeting. She stated one role of P&Z is to support City Council. She stated she is trying to find new members.

Councilmember Rouse pointed out to Chairperson Roth that the City’s Planning & Zoning Code clearly spells out what is required of a potential project. There should be no negotiation with a contractor unless a Planned Unit Development is requested.

H. City Administrator – Monthly Update – Kelly Johnson, City Admin, Sec.-Treas.

Kelly Johnson discussed the following:

- All municipal court dockets will be conducted through Zoom until further notice by order of the State of Texas Office of Court Administration. There are very few exceptions to this order.
- The City will hold a General Election on May 1, 2021. The positions of Mayor, Council Position 1, and Council Position 5 are up for election. The deadline for

a candidate to withdraw their application to run will be Friday, February 19, 2021 by 5:00 p.m. The following individuals have filed to run:

- Mayor – Tom Jinks and Councilmember Matt Woodruff
- Position 1 – Scott Davis and Mayor Brian T. Muecke
- Position 5 – Councilmember Shirley Rouse
- The drawing for the order of candidate names on the ballot will be held on Monday, February 22, 2021 at 9:00 a.m. Candidates are not required to attend the drawing. A candidate can send a representative. City staff will conduct the drawing.
- New park equipment has been installed. The City has received positive feedback from the residents and the individuals who use the City park. One panel has tic-tac-toe, one has dinosaurs, another has various animals, and the last panel is a piano that plays different tones.
- Terry Vick and crew have raked the park. Five trailers' worth of leaves have been removed.
- Artwork from students at Memorial High School is on display in the City Hall lobby display case.

5. CONSIDERATION OF ORDINANCES / RESOLUTIONS – The City Council will discuss and consider possible action of the following:

None

6. CONSIDERATION OF CONTRACTS/AGREEMENTS – The City Council will discuss and consider possible action on the following:

- A. Consideration and possible action regarding approval of an agreement for professional services with BBG Consulting, Inc. for Building Official Services.

Kelly Johnson, City Administrator, stated the current contract with BBG Consulting, Inc. has expired. The contract under consideration would extend their services until 2024.

Evan DuVall, Assistant Building Official, stated the new contract has a termination clause with forty five days written notice.

Motion was made by Councilmember Johnson and seconded by Councilmember Folloder to approve the contract with BBG Consulting, Inc. for building official services. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

7. CONSIDERATION FOR REQUESTS FOR COUNCIL AUTHORIZATION – The City Council will discuss and consider possible action on the following:

None

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

- A. LJA Engineering progress report related to the Hedwig Village Paving and Drainage Project.

No report.

- B. An Ordinance of the City Council of the City of Hedwig Village, Texas amending Chapter 14, Buildings and Building Regulations, Article III, Building Standards, Division 2, Codes and Standards, to add a new Section 14-82, Solar Panels, for the regulation of solar panels within the City.

Mayor Muecke stated the City can regulate the installation of solar panels through the approval of an ordinance. This ordinance is for discussion only and no action will be taken at this meeting.

Kevin Taylor, Building Official, stated the proposed ordinance under discussion would allow the City to restrict the installation of solar panels on the front half of the roof.

Councilmember Johnson asked if the ordinance would restrict placement on the side elevation, as well as the front elevation of a house.

Councilmember Woodruff stated the proposed ordinance under discussion could be amended to restrict solar panel placement on the front and side elevation of a house or any street facing side of the roof. He also suggested the removal of the language "on flat roofs" from Section (b)(1)(c) of the proposed ordinance. Removal of this language is in keeping with the height requirements in the various districts.

Councilmember Mathews asked for clarification that since the City does not have any current regulation regarding placement of solar panels, could the resident install solar panels at present. She asked what the other Villages have regarding restricting solar panels.

Mayor Muecke stated there were currently no restrictions on the installation of solar panels.

Evan DuVall stated several of the Villages have ordinances that restricts the placement of solar panels. Kevin Taylor, Building Official, stated the City of Hilshire Village has the most restrictive solar panel ordinance but also the most difficult to enforce.

Councilmember Rouse requested the proposed ordinance under discussion be amended to not allow ground mounted solar panels in the residential districts. She asked if the proposed ordinance under discussion would apply to residential and commercial districts.

Kevin Taylor and Evan DuVall stated the ordinance would apply to the residential districts only. However, Mayor Muecke stated the ordinance would apply to all districts.

