



**CITY OF HEDWIG VILLAGE, TEXAS
REGULAR MONTHLY CITY COUNCIL MEETING
OCTOBER 14, 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 monthly by Executive Orders or Proclamations to the most recent Proclamation dated July 30, 2021 relating to the COVID-19 pandemic and the need to minimize face-to-face contact, the City of Hedwig Village held the October 14, 2021 City Council Meeting in person with several participants joining the meeting via Zoom, as noted below.

1. CALL TO ORDER

Mayor Jinks called the meeting to order at 6:32 p.m.

Present: Mayor Tom Jinks

Councilmember Scott Davis
Councilmember Harry J. Folloder
(left at 10:06 p.m.)
Councilmember Dane Johnson
(left at 8:46 p.m.)
Councilmember Shirley Rouse
Councilmember Matt Woodruff

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

Absent: None

2. PLEDGE OF ALLEGIANCE

Mayor Jinks led the Councilmembers, City staff, and visitors in the Pledge of Allegiance during the public hearing.

3. CITIZEN/VISITOR COMMENTS

Andrea Hermann, 930 Karos Lane, spoke on the following topics:

- An update on the City branding.
- Can anything be done about the homeless woman living on the old Memorial Inn and Suite property.

A. K. Barton, 707 Magdalene Drive, expressed concern regarding the proposed Westside Drainage Project. He is concerned about the effect the project would have on Magdalene Drive, the debt the City would acquire, and the widening of the streets and the sidewalk, both of which he is against.

4. REPORTS

A. Financial Report – September 2021 – Kelly Johnson, City Administrator/City Sec.-Treas.

Kelly Johnson discussed the following:

- The City has \$5.07M in restricted funds and \$2.9M in available funds for a total of \$7.97M.
- The City is fully collateralized.
- The collection rate for the ad valorem tax is almost one hundred percent through the end of September 2021.
- Sales tax has increased nine percent for September 2021 compared to the same time period in 2020. The mixed beverage tax has also increased compared to the same time period in 2020. Councilmember Woodruff requested a spreadsheet of the mixed beverage tax from the past several years.
- Revenues for 2021 are approximately one hundred percent of budget and expenditures are approximately sixty eight percent of budget.
- The City is seventy five percent through the 2021 budget year.
- The City has received \$326,334.10 from the American Recovery Funds. The City should receive the other half of the funds in 2022.

B. Police Report – September 2021 Crime Report & Statistics – Chief David Gott

Chief Gott discussed the following:

- Two violent crimes in September 2021. A suspect has been identified, but not yet charged, for one of the violent crimes. A suspect has been arrested for the second violent crime.
- The homeless woman has been living at the old Memorial Inn & Suites property. The construction contractor who controls the property allows her to stay.
- November 2, 2021 will be the 41st anniversary of the death of Hedwig Village Police Officer Michael Rivers. He was killed in the line of duty while in pursuit of a suspect.

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

Councilmember Folloder discussed the following:

- The department has responded to three hundred thirty four calls for service in Hedwig Village for the year. Ninety eight of those calls were for life threatening incidents and twenty seven were for life threatening fire incidents.
- Response times for Hedwig Village are well below the national average for fire, medical, and advanced life-saving calls. All firefighting personnel are also fully qualified as Emergency Medical Services (EMS).
- The renovation project is nearing completion. The department personnel should be able to move back into the building after the Certificate of Occupancy is issued, maybe by the end of September 2021.
- The department is two percent under budget.

D. Beautification – Kathryn Schenk, Committee Chairperson

Kathryn Schenk discussed the following:

- Trees for Houston will donate one hundred twenty five trees for distribution at the Recycling Event on October 23, 2021. The committee will limit the number of trees to two per person.
- The landscaping around the City monument sign located at Echo Lane/Taylorcrest is now complete.
- The landscaping at Denise Drive/Bunker Hill Road should begin next week.
- There have been minor repairs to several of the Doody Calls stations.
- Three City monument signs will have landscaping done possibly in January 2022.

E. Streets and Drainage Committee – Councilmember Rouse

Councilmember Rouse discussed the following:

- The Streets and Drainage Committee held meetings on September 15, 2021 and October 11, 2021.
- The committee reviewed video, and the impact on the streets in the westside of the City, of a recent rain event. The committee is waiting on answers from LJA Engineering on several questions. The committee discussed City maintenance responsibilities. The committee reviewed traffic data from 2019 from TxDOT. The committee reviewed the LJA Plan and Profile exhibits for each street. The committee reviewed specific areas where pipe sizes are proposed to increase. The committee documented the pros and cons of the proposed project.
- The committee requests City staff restore/document the inspection and maintenance program for streets, sidewalks, drainage, signs. The committee requests a copy of a 2011 report from an inspection and clean out of the drainage system.
- Sandy O'Connor has resigned from the committee due to family obligations. Gary Schenk has joined the committee.
- The next committee meetings will be held on October 28, 2021 and November 2, 2021 at noon.

F. Building Official –Evan DuVall, Assistant Building Official

Evan DuVall discussed the following:

- Moody Project – Belong Kitchen has received their certificate of occupancy and are open for business. The wine/coffee bar tenant improvement on the ground floor is ongoing. The bank office on the fourth floor is complete and the certificate of occupancy has been issued. Three tenant improvements have been approved for Building B. A fifth floor tenant improvement is ongoing.
- Memorial High School – The cover stage is complete and the installation of interior finishes has begun. Work on the bus loop should begin soon which will require building demolition and tree removal to make room for a new parking lot. The northerly traffic light at Echo Lane at Gaylord has been installed and is operational. An issue with traffic light timing was found and the school district approved their traffic engineer to reprogram the light to be timed at the same timing cycle as the

southerly Gaylord and Echo light and the I-10 city of Houston light. The issue should be resolved by next week and implemented by the third week of October.

- Small Nodes – The City has issued a permit for ten small node streetlights within the City. An additional streetlight pole has been submitted and is currently under review. An associated right-of-way permit has been issued for running underground cable. An agreement between the City and Verizon is on this month's agenda for approval.

G. Planning & Zoning Commission – Councilmember Scott Davis, Council Liaison

Councilmember Davis discussed the following:

- There was no report.

H. City Administrator – Monthly Update – Lisa Modisette, Assistant City Secretary

Lisa Modisette discussed the following:

- The Recycle/Donate/Shred Event will be held on October 23, 2021 at City Hall from 8:00 a.m. to noon. The event has been added to the website calendar and an email with a link to the event flyer will be sent out the week of the event.
- The Board of Adjustment (BOA) will hold a hearing on Tuesday, October 19, 2021 at 6:30 p.m. The resident is requesting a variance for rear-yard setback and a variance for ground coverage.
- There will be another BOA hearing to be scheduled for early November. The date has not been determined yet.

I. Mayor - Monthly Report – Mayor Tom Jinks

Mayor Jinks discussed the following:

- The Fall Newsletter has been mailed and emailed to residents.
- Three new families have moved in the City. Welcome packets were delivered to each new resident.
- The City met with a graduate level architecture class from Texas A&M University. The students and one faculty advisor were in the City to work on a student project for a master plan for the City's commercial district.
- A Board of Adjustment hearing will be held on Tuesday, October 19, 2021.
- The Recycle/Shred/Donate Event will be held on Saturday, October 23, 2021.
- Streets and Drainage Committee will hold a meeting on October 28, 2021.

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

- A. An Ordinance Calling a Joint Public Hearing to be Held Before the City Council and the Planning and Zoning Commission of the City of Hedwig Village, Texas, for the Purpose of Considering Amendments to Article II, Definitions and Interpretation, Section 202, Definitions; Article V, Zoning Regulations, Section 505, Residential Districts A and C, Subsection B.10; Fences, and Article V, Zoning Regulations, Section 506, Business

District B, Subsection E.7, Fences, of the Hedwig Village Planning and Zoning Code Regarding the Regulation of Fences within the City.

The proposed changes to the fence ordinance were discussed under agenda item 8B.

Motion was made by Councilmember Johnson and seconded by Councilmember Rouse to table the ordinance calling for a Joint Public Hearing. Motion carried 5-0.

MOTION CARRIED UNANIMOUSLY

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 Between the City of Hedwig Village and Verizon Wireless for Streetlight/Small Node Poles.

Evan DuVall, Assistant Building Official, discussed the proposed agreement between the City of Hedwig Village and Verizon Wireless. Verizon Wireless submitted plans for the installation of streetlight poles. The streetlight poles will include placement of small nodes. The City will own the poles and would assume responsibility for changing the light bulbs in the poles but all other maintenance for the poles would remain the responsibility of Verizon Wireless. The City would receive \$20.00 per year per pole from Verizon to cover the cost of light bulb replacement. The light bulbs are expected to last approximately 100,000 hours.

Jackie Parker, with Verizon Wireless, stated Verizon has twenty poles currently proposed for installation in the City. Fifteen poles would be new poles and five locations are co-locations on existing utility poles.

Motion was made by Councilmember Woodruff and seconded by Councilmember Folloder to approve the agreement between the City of Hedwig Village and Verizon Wireless. Motion carried 4-0. Councilmember Johnson was absent.

MOTION CARRIED UNANIMOUSLY

B. Consideration and Possible Action Regarding Approval of an Agreement Between the City of Hedwig Village and HDL Companies for Consulting Services Relating to the City's Sales and Use Tax.

Kelly Johnson, City Administrator, stated the proposed agreement between the City and HDL Companies (HDL) is a continuation of the current agreement the City has with HDL, with the addition of several services such as an in-depth review of the City's sales and use tax. The agreement includes providing several reports as well as analysis of sales tax issues and consultations with City staff. The agreement covers the analysis of electronic sales, such as Amazon.

Motion was made by Councilmember Folloder and seconded by Councilmember Rouse to approve the agreement between the City of Hedwig Village and HDL Companies. Motion carried 4-0. Councilmember Johnson was absent.

MOTION CARRIED UNANIMOUSLY

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

A. Authorization for the Destruction of Records According to the City of Hedwig Village's Records Management Retention Schedule.

Councilmember Rouse requested that any records that pertain to streets and drainage work be pulled and not destroyed.

Motion was made by Councilmember Rouse and seconded by Councilmember Woodruff to authorize the destruction of eligible records per the City's Records Retention Schedule. Motion carried 4-0. Councilmember Johnson was absent.

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS

A. Discussion with Fire Chief Foster regarding request by Village Fire Department.

Chief Foster discussed the current project which is staffing a second ambulance during the hours of 7:00 a.m. to 7:00 p.m. Whenever the ambulance transports a patient to the hospital, the ambulance staff must stay with their patient until care of the patient is transferred to hospital staff. Due to Covid 19 the wait at the hospital has been taking almost 2 hours. During that time the department is without an ambulance until the department personnel are released to return to the station. With a second fully staffed ambulance, the department is prepared to respond with a staffed ambulance when another call for service is received.

B. Discussion of the City of Hedwig Village's Tree Ordinance.

Kevin Taylor, Building Official, and Evan DuVall, Assistant Building Official, discussed the state law that was passed by the Texas legislature in 2017. The law limits the City's power to preserve trees. The City does have a minimum number of trees that must be on the property and does require tree replacement if the number of trees remaining on a property falls below the required number. The City cannot stop the use of a property by an owner. Councilmembers expressed concern about the number of trees being removed from lots within the City during construction and stated that the locations of the structures, including irrigation, on a property can be done in such a way as to save some of the trees. Suggestions were made for the City to possibly charge a tree mitigation fee, require replacement trees planted elsewhere within the City, or increase the number of replacement trees to be planted on the lot. The tree mitigation fee could be large enough to encourage developers to look at alternate construction plans for the lot.

C. Discussion of the City of Hedwig Village's Fence Ordinance.

Clay Trozzo, Planning & Zoning (P&Z) Committee Chairperson, discussed the proposed changes to the fence ordinance. Some residents had requested a change to the fence ordinance due to safety and keeping children and pets safe. The current definition of a fence is open to interpretation and needed to be clarified. P&Z suggested several changes to the fence ordinance to include the following:

- Include a definition for "Major Roadway". Beinhorn Road, Brogden Road, Bunker Hill Road, Echo Lane, Piney Point Road, and Taylorcrest Road would be included in the definition of a major roadway.

- A side fence must be even with the build line of the residence.
- All fences along a right-of-way must have the finished side of the fence facing the right-of-way.
- Front yard fencing, up to four feet in height, would be allowed on properties fronting a major roadway (as defined above). The front yard fence must be eighty percent open and may have masonry column and may include up to a one foot masonry base as part of the fence.
- All mechanical equipment, whether roof- or ground-mounted must be screened from street view.
- Commercial district fences must not exceed eight feet in height.
- Commercial fencing must not prohibit public access to parking lots for their intended use. Fences must not block sight visibility triangles.
- Temporary construction fencing is allowed if there is an active building permit or as required by the Building Official. Major construction sites must have temporary fencing to prevent access by the public. Temporary security fencing on vacant lots may be permitted if approved by the Building Official. All temporary fencing must be maintained.

Councilmembers discussed the proposed fence ordinance. The following ideas were suggested:

- Possibly allowing front yard fences dependent on which street the property fronts. Bunker Hill Road is much busier than other roads such as Beinhorn Road.
- Changing the language in the proposed ordinance on front yard fences.
- Would current non-conforming properties be grandfathered regarding mechanical screening?
- Possibly allowing exceptions for certain properties. If an exception is allowed, which properties would qualify?
- Possibly changing the definition of "Major Roadway" or not including a definition and just list the streets. Possibly adding a provision for residential properties adjacent to public facilities, such as schools, parks, churches, etc.
- Allowing front yard fencing based on property lot size and location, not just location.
- If fences are allowed to be built at the build line of the house, the fence at the house should be limited to six and a half feet.
- Possibly add a fence requirement, to include quality materials to be used, for a vacant lot.
- What type of materials can be used for mechanical screening – bushes, fence, etc?
- Allow vegetation coverings, possibly behind a front yard fence.
- Will lights on the fence be allowed?

- Side fencing on the front of the property should be prohibited.

The proposed ordinance was sent back to Planning & Zoning for further discussion.

9. 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

September 9, 2021 Budget Workshop
September 9, 2021 Regular Council Meeting

B. Approval of General Fund Bills

General Fund Bills

Voided Checks – two

C. Approval of General Fund Bills over \$2,500

Diana Neeley - \$2,500.00

Terry Vick - \$15,467.36

City of Bunker Hill Village - \$4,831.95

Johnson Petrov - \$5,780.08

Texas Pride Disposal - \$14,060.65

BBG Consulting, Inc. - \$12,500.00

Constellation Energy - \$3,538.54

Schaumburg & Polk - \$4,927.50

Accutek - \$3,387.50

Bright Landscaping - \$4,898.08

D. A Resolution Nominating a Candidate to the Harris County Appraisal District's Board of Directors

E. A Resolution Designating a Representative and Alternate to the Houston-Galveston Area Council (H-GAC) General Assembly for 2022.

Motion was made by Councilmember Woodruff and seconded by Councilmember Rouse to approve the consent agenda as presented. Motion carried 3-0.

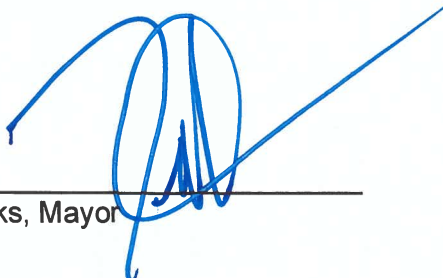
MOTION CARRIED UNANIMOUSLY

10. ADJOURN

Motion was made by Councilmember Woodruff and seconded by Councilmember Rouse to adjourn the meeting at 10:10 p.m. Motion carried 3-0.

MOTION CARRIED UNANIMOUSLY

Approved and accepted on November 11, 2021.



Tom Jinks, Mayor

ATTEST:



Lisa Modisette, Asst. City Secretary